

No. 12,

Sept.

Sessions, 1902.

8-13-01-1000-K

COMMONWEALTH

versus

Public Road

in

Morris Lwp.

Charge

X

WILLIAM I. SWOOP,
District Attorney.

In the Court of Quarter Sessions of Clearfield County, Pennsylvania

The petition of the undersigned residents of the Township of Morris in the County of Clearfield respectfully represents:-

That they

labor under great inconvenience for the want of a public road in said township, from a point in the public road from Munson's to Allport at the point where the road to Royal Mines intersects the said road to a point in the public road from Allport to Kylertown at the line between the lands of Lucy Watkins and of James McGrath.

They therefore pray that viewers be appointed to view said proposed road and make report as to the same at the next term of Court.

And they will ever pray &

Peter Erickson
Emil Anderson
Alvin Anderson
Ed. Nyroow
Archie Smith
Jason Mangum
W.S. Baughman
John Groesar
Andro Antol
John Draynock
Edmund ~~W. F.~~ Albert Tralton
Alvin M. Hall
L. Deverssey
Thomas Long
John Osterman

Charles Lienhardt
Julius Lohrke
John Peterson
Orvin Begeer
H. Hoffer
John Mellin
Anderson
Wm Reindorfer
Albert Baingardner
M. Malanoff
Jos Malanoff
R. L. Lewis

H. M. Drury
Laws - Anderson

W. H. Dunham
Thos Brooks
Alfred Swenson
John Malanofy
Ellis Beyer
Geo. Brumley
Roger Malanofy
Ray M. Ritz
Frank Johnson
Gust Erickson
A. G. Nielsen
V. B. Minnow
Lewis Bognar
J. Howell
Fred Lundquist
Augustan derbor.
D. J. Jones
Austin Dillen
G. L. Yer
Robert B. Yer
P. M. Dillen
E. B. Barnard
J. L. Kondic
R. H. Dunham
Lancee Butter
Jacobsen coops
W. E. Peterson
A. L. Morrow
H. H. Thompson
W. R. Renard
H. H. Thompson
Miles Legal
Nils Gustafson
Richard Swedler
Ray Chapman
Gust Anderson
Charles Swanson
W. S. Nelson
O. L. Schuonow
S. P. Johnson
Harry Levi
Frank Linberg
Lewis Stohrke
Geo. Kuehne
Adam Oster
Howard

Petition of Citizens
Monroe Township
for public Roads

Now July 31 AD 1902,
this petition presented
and sworn to before
James & other subscribers
and affiants to and
according to law and re-
quest made by the Court at Sept 10
1902 at the P. of
33 of D. S. of

SINGELTON BELL, D.
Attorney at Law,
111 Main St., Clearfield, Pa.
GRANT & SONS, Attorneys, Clearfield, Pa.
FREDERICK C. COOPER, Esq.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 31st day of July, A. D. 1902, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Morris

, in said county, setting forth that they labor under great inconvenience for the want of a public road in said Township from a point in the public road from Munson to Allport to the point where the road to Royal Mine intersects the said road to a point in the public road from Allport to Aylettown at the line between the lands of Lucy Watkins and of James McGrath

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Report to May next whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Reese, S. L. Jones and Alex Shields who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed to view the same

agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do the least injury to private property, and state particularly, whether they judge the same necessary for a PUBLIC or PRIVATE road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose land said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated land through which the within road is intended to pass, of the time of the view, according to the 147th Rule of Court.

BY THE COURT.

Grant S. Thompson
Clerk.

RELEASE OF DAMAGES.

Know all Men by these Presents, That we, the undersigned owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of ONE DOLLAR to us respectively paid by the..... at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said..... all damages that may arise to us respectively by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this..... day of.....
A. D. 190.....

.....
Seal

.....
Seal

.....
Seal

.....
Seal

→ * ←

ASSESSMENT OF DAMAGES.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof, as follows:

To..... the sum of.....

To..... the sum of.....

To..... the sum of.....

Witness our hands this..... day of..... A. D. 190.....

To the Honorable
The Judge of the Court
of Quarter Sessions of Clearfield County
Pennia.

We the undersigned persons
appointed by the within order of Court
to view the road therein mentioned
respectfully report that after having
given due public notice by three
written and printed notices put up
near the location of said road of the
time and place of meeting to view
and lay out the same and also having
given due notice to the County Com-
missioners and the supervisors of Morris
Township of said time and place of
Meeting we met at the house of James
McGraw in Morris Township on
Monday the 18th day of April A.D.
1904 and after having been duly
affirmed in pursuance of the within
order we proceeded to view the road
therin mentioned. After a careful
view of the ground for the proposed
road we were of opinion that in
consideration of the heavy burden its
construction would be to the tax payers
of Morris Township and the smalls

amount of benefits the said road
would be to the traveling public we
are of opinion it is not necessary for
a public road.

Respectfully submitted

H. A. Reese
H. L. Jones } Treasurers
A. L. Shields

No. 12. Depth Sessions, 1902

ORDER

To view and lay out a
road for public use in the
township of Monroe,
Clearfield County.

May Sessions, 1904

read and confirmed Mr. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridgins^g, there to
be 16 feet wide

On the Occasion
of my 120th congre-
gation
absolutely
by the grace of
John C. Smith

Filed _____ 190

Frank H. Thompson
Perthshire, Scotland

APR 27 1984

NOTE—In case of a private road, the release must be executed in favor of the petitioner for said road.

Also—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.

Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

N. B.—If the viewers believe the parties are not entitled to dam-

		AMOUNT
Mr. A. Reed	Days 3	5.00
	Miles 10	1.00
	Gas 10	1.00
Mr. L. Jones	Days 1	2.00
	Miles 10	1.00
	Gas 10	1.00
Alex Phillips	Days 1	2.00
	Miles 5	0.50
	Gas 2	0.50

}	}	}
}	}	}
} <i>Days</i>	} <i>Miles</i>	} <i>Days</i>

Fee \$1.00 per copy

APR 27 1964

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 22 day of Sept., A. D. 1903, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Decker, in said county, setting forth that

they labor under great inconvenience for want of a public road to begin in a public public road leading from Rock Springs School House to Joseph Parish's at a point at corner of lands of H. Stegner and James McElroy in the Twp. of Bell and to end in public road leading from James McElroy's to Troutville at a point at Harry Gubel's Shanty in said Twp. The petitioners therefore pray the Court to appoint three persons qualified according to law to view the ground proposed for such road and if they should see occasion, to lay out the same, to inquire of and vacate the public road beginning in the road leading from Rock Springs School House, the thousand acre tract south east corner of land of Joseph Parish in the Twp. of Bell and leading into the thousand acre lot, which last mentioned road has not been opened and by reason of laying out of proposed road, becomes useless, and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint Les C. Kirk, A. G. Truett and J. E. Hoover who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed View and Vacate the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do the least injury to private property, and state particularly, whether they judge the same necessary for a PUBLIC or PRIVATE road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose land said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated land through which the within road is intended to pass, of the time of the view, according to the 147th Rule of Court.

BY THE COURT.

Frank H. Thompson
Clerk.

RELEASE OF DAMAGES.

Know all Men by these Presents, That we, the undersigned owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of ONE DOLLAR to us respectively paid by the at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said all damages that may arise to us respectively by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this day of
A. D. 190.....

Seal

Seal

Seal

Seal

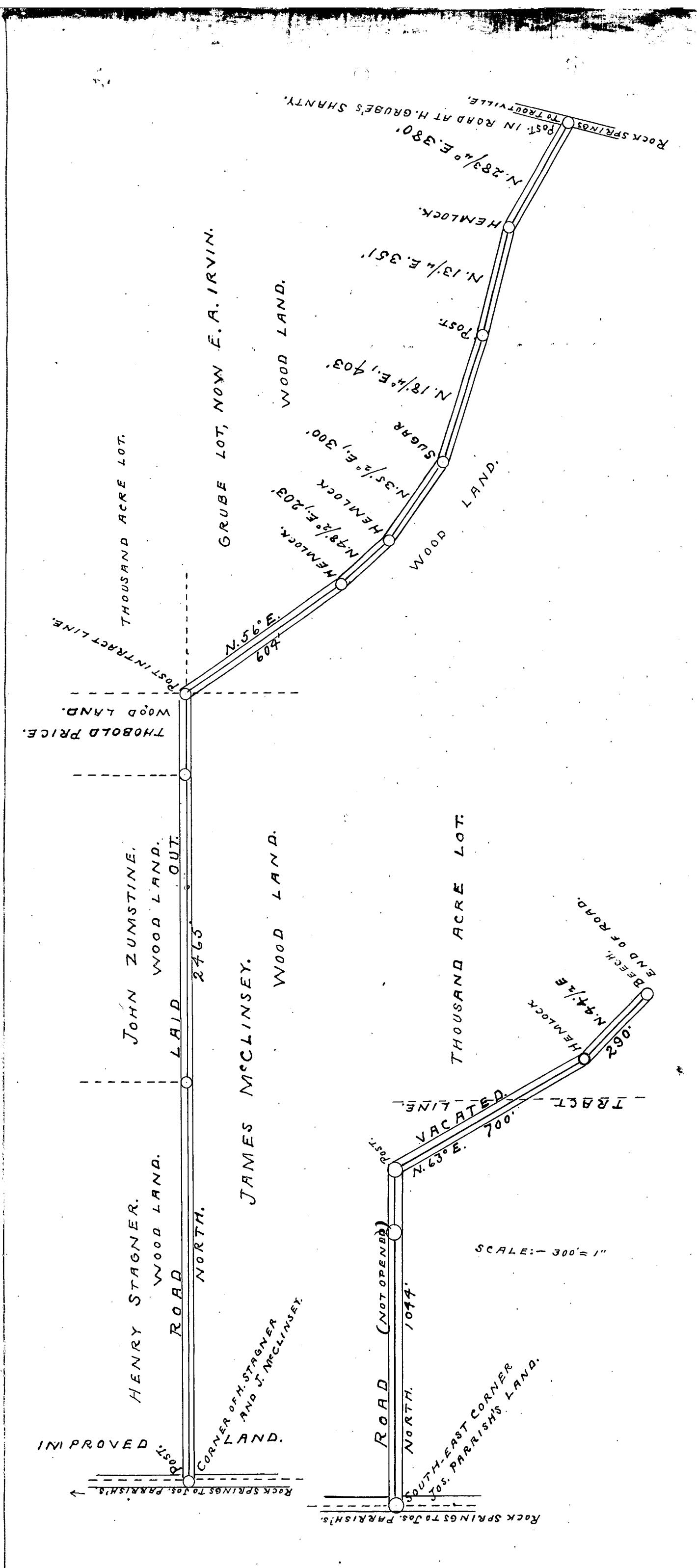
ASSESSMENT OF DAMAGES.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof, as follows:

To James McClintey the sum of Twenty Dollars.
To Henry Stagner the sum of Fifteen Dollars.
To the sum of

Witness our hands this 15th day of August A. D. 1904.

Geo. C. Kink
S. G. Kink } Viewers
J. W. Hoover }



Road Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view public Road leading from a point in the public road leading from Rock Spring School House, to Joseph Parrish's at corner of lands of Henry Stagner and Jas. McClintey,

in Bell Township, to a point in the public road leading from James McClintey's to Frontville, at the Harry Grubbe Shanty, and also to enquire of and vacate the public Road leading from South ^{east} corner of Jas. Parrish land into the Thousand Acre tract of land in Bell Township, in the county aforesaid, will meet at the house of John Zurnstine, in Bell Township, on Monday, the 15th. day of August, A. D. 1904, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Geo. C. Kirk
J. G. Kuntz
J. T. Hoover

Viewers.

July 23rd, 1904.

Statement of cost

10 services	5.00
42 miles	4.20
Apperson	2.00
	9.20
	2.00
	11.20

9.20

5.00

paid 9

Served the within notice on James Mc Cleasy
Henry Hogan and Tevall Price on the 27th day
of July 1904 and on E. A. Irvin on the 28 of July
1904 and served a copy on the County Commission
ers on July 28 1904. And served on Thomas Miller
and Andrew King supervisor on July 30th 1904
And served on W. M. Bonica supervisor on
Aug 6th 1904

John J. Mastin

Clearfield County Pa

Sown and Subscribed before
me this 8th day of August A.D.
1904 W.W. McQuarrie Jr.

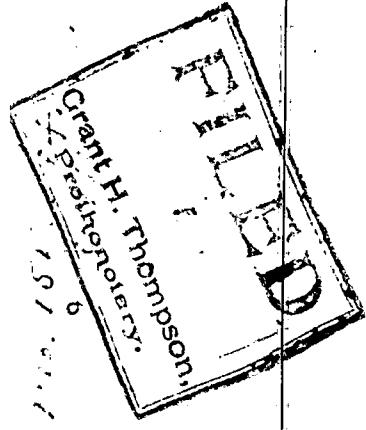
My Commission expires May 1st 1905.

In the Court of Quaker Sessions of Chester
County.

To Geo. Estrie S. G. Kinney & J. T. Hoover.
Witnesses on within Board.

I hereby certify that the annexed
report has been referred back to the
reviewers and the time enlarged to
Sept Sessions 1904

Grant H. Thompson
Chester Court of
Quaker Sessions



NOTE:—In case of a private road, the release must be executed in favor of the petitioner for said road.
Also—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.
Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the viewers.
N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

No. 12 Dec. Sessions, 1903

ORDER

To view, locate and supply a road for public use in the township of Locust Bottom, Clearfield County

	AMOUNT
Geo. C. Knirk	Days 2 1/2 10.00
	Miles 1/2 1.20
S. G. Keeney	Days 1 2.00
	Miles 7 .70
J. W. Moore	Days 7 2.00
	Miles 7 .70
	Days
	Miles
	Days
	Miles

12 Miles, 1903
read and confirmed: Mr. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

*By the Court
Cyrus Gordon
P. J.*



Grant H. Thompson,
Clerk of the Court

On April 5th 1904 by agreement of counsel
the report of viewers is set aside and the
matter referred back to the same viewers
to report at next term of court

*By the Court
Allison O. Smith
P. J.*

To the Honorable, the Judge within named: We the undersigned appointed by the annexed order do report; That in pursuance thereof, after having been severally duly sworn, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and we do agree that there is occasion for a road as desired by the petitioners, and that the same is necessary for a public road. And having had respect to the shortest distance and the best ground for such road, we have laid out in such manner as shall, in our opinion, do the least injury to private property, and as far as practicable agreeably to the desire of the petitioners, and do return for public use the following described road, to wit: Beginning at a point in the public road leading from Rock Spring School House, to Joseph Parrish's, at corner of lands of Henry Stagner and James McClinsey, thence North on the line between lands of James McClinsey on the east, and Henry Stagner, John Gunstine and Theobald Price, on the west, 2465 ft. to a post in the tract line, being the corner of the Grube Lot, (now E. A. Irvin.) Thence N. 56° E., through wood lands of said E. A. Irvin, 604 ft. to a Hemlock, thence N. 48½° E., 203 ft. to a Hemlock, thence N. 35½° E., 300 ft. to a sugar, thence N. 18¼° E., 351 ft. to a Hemlock, thence N. 28¾° E., 380 ft. to a point in the public road leading from James McClinsey's to Troutville, at Harry Grube's Shanty.

We further report that there were no claims for damages presented to the viewers, by any of the owners of the lands through which said road passes, except James McClinsey and Henry Stagner, and therefore, having taken into consideration the advantages, as well as the disadvantages to be derived to the said James McClinsey and Henry Stagner from the road passing their lands, we have assessed the damages sustained by the said James McClinsey, at twenty (\$20.00) dollars, and the damages sustained by the said Henry Stagner at fifteen (\$15.00) dollars.

We further report that we have inquired and do vacate the following described public road, which has never been opened, Beginning at a point on the public road leading from Rock Spring School House to Joseph Parrish's, at the South-east corner of said Joseph Parrish's land, thence North, 1044 ft. to a post, thence N. 63° E., 700 ft. to a Hemlock, thence N. 44½° E., 290 ft. to a Beech at end of road on the Two-and-Acre Lot, which by reason of the laying out of the first mentioned road has become useless. That before the said view, public notice of the time and place of the meeting of said viewers was given by advertisements put up at three of the most public places in the vicinity, ten days before said meeting. That notice was given to all the owners of the lands through which said road passes, and also to the supervisors of Bell Twp., as well as to the County Commissioners, (by mail) ten days before said Meeting, and we annex a plot or draft of said road laid out, stating the courses and distances, and noticing briefly the improvements through which the same passes, and also a description and draft of the road vacated.

Witness our hands the 4th. day of November, A. D. 1903.

Geo. C. Kirk.

D. M. Kitz

J. W. Hoover

Viewers.

To the Honorable, the Judge within named: We the undersigned, appointed by the annexed order do report. That in pursuance thereof, after having been severally sworn according to law all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and we do agree that there is occasion for a road as desired by the petitioners, and that the same is necessary for a public road. And having had respect to the shortest distance and the best ground for such road, we have laid out in such manner as shall, in our opinion, do the least injury to private property, and as far as practicable agreeably to the desire of the petitioners, and we do return for public use the following described road, to wit: - Beginning at a point in the public road leading from Rock Spring School House to Joseph Parrish's, at corner of lands of Henry Stagner and James McClinsey, thence north, on the line between lands of Catharine McClinsey on the east, and Henry Stagner, John Zurnetine and Theobald Price, on the west 2465 ft. to a post in the tract line, being the corner of lands of Theobald Price, Catharine McClinsey and E. A. Irvin. Thence N. 56° E, through woodlands of said E. A. Irvin, 604 ft. to a Hemlock. Thence still on wood lands of said Irvin N. 48 1/2° E., 203 ft. to a Hemlock. Thence still on wood lands of said Irvin, N. 35 1/2° E., 300 ft. to a sugar tree. thence still on wood lands of said Irvin, N. 18 1/4° E., 35 ft. to a Hemlock, thence still on wood lands of said Irvin N. 28 3/4° E., 380 ft. to a point in the public road leading from James McClinsey's to Rockville, at Harry Grub's Shanty.

We further report that there were no claims for damages presented to the viewers, by any of the owners of the lands through which said road passes except Catharine McClinsey and Henry Stagner, and therefore, having taken into consideration the advantages, as well as the disadvantages to be derived to the said Catharine McClinsey and Henry Stagner, respectively, from the road passing through their lands, we have assessed the damages sustained by the said Catharine McClinsey at twenty (\$ 20.00) and the damages sustained by the said Henry Stagner, at fifteen (\$ 15.00) dollars.

We further report that we have of, and do vacate the following described public road, which has never been, opened, Beginning at a point in the public road leading from Rock Spring School House to Joseph Parrish at the south-east corner of said Parrish's land, thence north, 1049 ft. to a post thence N. 63° E., 700 ft to a Hemlock, thence N. 44 1/2° E., 280 ft. to a Beech at end of said road on the thousand acre lot, which by reason of the laying out of the first mentioned road, has become useless. That before the said view, public notice of the time and place of the meeting of said viewers was given by advertisements put up at three of the most public places in the vicinity, before said meeting.

That personal notice was given to all the owners of the lands through which said road passes, also on Thomas Miller, Andrew Ling and G. W. Bouch, supervisors of Bell Township, as well as on the County Commissioners at least 10 days before said meeting, and we annex a plot or draft of said road laid out, stating the courses and distances, and notice briefly the improvements through which the same passes, and also a description and draft of the road vacated, and herewith return a copy of said notices, with affidavit of John Zurnetine written thereon, as to the service of said notice, on the parties named therein.

Witness our hands the 15th day of August, A. D. 1904.

Geo. C. Kirk
S. G. Henry
J. W. Hoover

} Viewers

Chewers Costs on view
of Augt. 15th. 1904

Geo. C. Scott	2 da.	\$ 8.00
	1 mi.	1.20
S. G. Sonnys	1 da.	2.00
	1 mi.	.70
J. P. Stoover	1 da.	2.00
	1 mi.	.70
		<u>\$14.60</u>

12 Dec 1904

Frank

Sept 1904 road Cam-
pania Rd. to the
crossed 30 ft. wide except
where there is wide rail out-
trig or embankment and
ridgeway there to be 16 feet
wide. Pay Mr. C. H. Smith
Albion C. Smith
C.

