

No. 4, Sept. Sessions, 1904

COMMONWEALTH

versus

Public Road

in

Morris Twp.
R. S. #4 - Page 49

charge

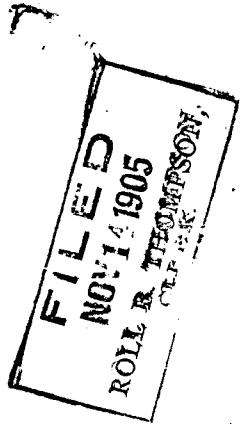
WILLIAM L. SWOOPH,
DISTRICT ATTORNEY.

Morrisdale Miners Pa
Nov. 2, 1905.
Commissioners of Clearfield
County.

The road from a point
on the public road leading
from Morison to Farm ^{Map}
at the northeast corner of lot
of J. V. Hooten and leading
East to a point on the public
Road on Noyce east corner of
property of John O'Brien is
now open and ready for use.

Thos. Dixon, Supervisor
J. E. Conigh, of Morris-
township.

4 Sept. 1904



Munson Station, Pa. May, 4th, 1904

To the Honorable, Allison O. Smith. President Judge.

County of Clearfield and State of Pennsylvania.

Your petitioners of the village of Munson and Township of Morris, would respectively represent that the public convenience and wants, require that a public road and highway should be laid out and constructed. Beginning at a point on the public road leading from Munson to Hawk Run, at the North West corner of lot of J. W.ooten, and leading east to a point on the public road on North East corner of property of John O'Brien. The distance being about 1000 feet, and now being used as a private road only. Your petitioners would therefore ask that your Honor would appoint viewers to locate said road and highway according to the laws made and provided by the statutes of the State.

(Signatures.)

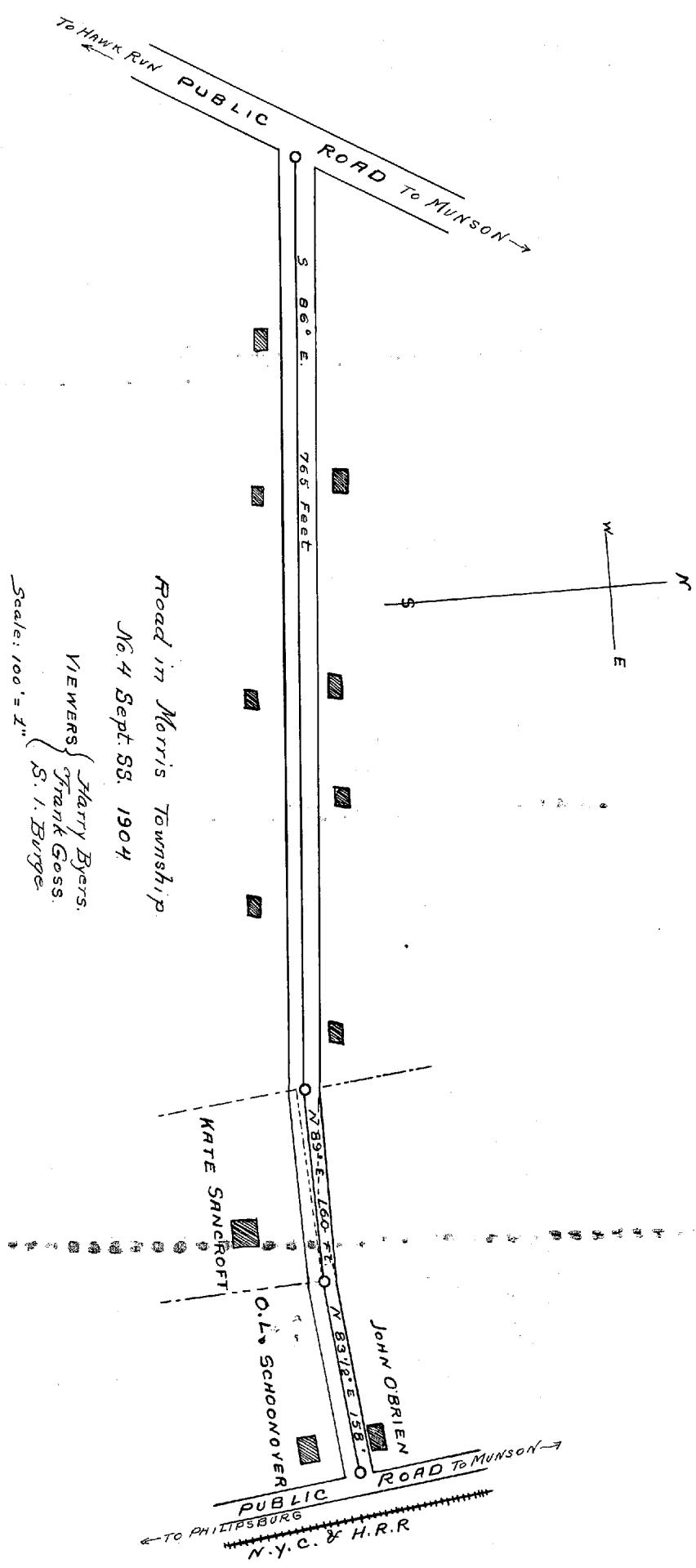
W. Patterson
O.L. Schowman
J. P. Root
William Keller
J. J. W. Norton
Frank Wilkinson
W.H. Rodan
Peter Stott
F. M. Ruy
J.W. Anderson
C. G. H.
J. W. Patterson
W.H. Johnson
John Konecik
H.M. Stevovich
R.C. Fishburn
W.M. Shantz
John W. Patterson
John O'Brien
David Green
James R. Norton
R.C. Moran
Albert Wilkinson
J. J. Finner
W.H. Rodan
Wm. Cox Jr
Wm. Cox Jr
J. J. O'Brien
John Johnson
J. L. Ladd
G. Mueller
R.S. O'Brien
G.E. Henderson
J. W. Patterson
John W. Patterson
John O'Brien
David Green

1. ~~Sept 1888~~
Quarter Sessions
In re Petition
of a public
Road in known
township.

Kritikone & Order

And now 9th May 1907
action made & chairman
whenceon Harry Evans
transferred to and S. D. Bunge
an appointed whom they
had to read and
make report to next term
according to law
On the tenth.

William L. Swoope,
Associate at Law



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 point on road leading from Munson to Hank Run at the northwest corner of J. N. Hodder lot and leading east in Morris Township, to a point on the public road on northeast corner of property of John O'Brien, the distance being 1,000 feet and now being used as a private road in Morris Township, in the county aforesaid, will meet at the ~~house on~~ said road, in Morris Township, on Thursday, the first day of September, A. D 1904, at 9³⁰ o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Buyers
Frank Gosa
S. J. Burge

Viewers.

Clearfield Pa. Aug 20, 1904.

Served on me this
22nd day of August A.D.
1904.

L.P. Rawles
for County Commiss

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 point on road leading from Munson to Hank Run at the northwest corner of J. N. Hooten lot and leading east-

in Morris Township, to a point on the public road on north east corner of property of John O'Brien the distance being 1000 feet and now being used as a private road in Morris Township, in the county aforesaid, will meet at the ~~house of~~ said road

, in Morris Township, on Thursday, the first day of September, A. D 1904, at 9³ o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers
Frank Gossal
S. J. Burge

Viewers.

Clearfield Pa, Aug 20, 1904

Served on us this 25th day of
August 1904

Supervisors of Morris
Township

J E Enright supervisor
Thos Dickson "

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 9 day of May, A. D. 1904, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Morris

, in said county, setting forth that the public convenience and wants require that a public road and highway should be laid out and constructed: Beginning at a point on the public road leading from Minson to Frank Run at the north west corner of W. Holden lot and leading east to a point on the public road on W. Holden east corner of property of John O'Brien. The distance being 700 feet and now being used as a private road.

and therefore praying the Court to appoint proper persons to view Elay ~~out~~ the same according to law, ~~to next term of Court~~ whereupon the Court, upon due consideration had of the premises do order and appoint Harry Rees Frank Goss ~~Frank Goss~~ J. P. Murphy 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~~ Elay ~~out~~ 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 J. D. O'Brien the sum of Three Dollars
To O. L. Schenover the sum of Twenty Dollars
To Kate Bancroft the sum of Thirty Dollars

Witness our hands this first day of September A. D. 1904

Harry Byers

A. D. George
G. F. Goss

To the Honorable Alison P. Smith President Judge
of the Court of Quarter sessions of Clearfield County
Pennsylvania, we, the undersigned viewers appointed
by the within order of court to view and lay out the
road therein mentioned respectfully report that we gave
good and lawful notice of the said roadview by posting
three notices in most public places in vicinity of
road ten days before day fixed for view, with notice
to County Commissioners and Supervisors attached hereto.
That we met at time and place mentioned in said
notices and having been severally sworn or affirmed we
have viewed and laid out and do return for public
use the following road (Twenty four feet in width damage
assessed) to wit. Beginning at at a point on the public
road leading from Munson to Hawk Run at the North West cor-
ner of J. W. Hooten lot, at middle of street now used as a
road for outlet to public road, thence by middle of said street
South eighty six degrees East a even hundred and sixty-five
feet to post in middle of said street thence in said road North
eighty nine degrees East one hundred and sixty feet to post
Twelve feet from fence of J. D. O'Brien thence North eighty three
and one half degrees East one hundred and fifty eight feet to
post at public road twelve feet from post corner of lot
of said J. D. O'Brien. A plot or draft of the road as laid
out aforesaid is hereto annexed showing courses, dist-
ances and improvements, which road is necessary in our
opinion for a public road. Witness our hands this
first day of September A.D. 1904

Harry Byers

J. J. Barrig
G. F. Foss

NOTE.—In case of a private road, the releases 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 damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.