

No. 3 - Dec. 1st Term, 1907

Public Road in

Versus

Morris and Graham
Townships.

TO THE HONORABLE ALLISON O. SMITH, PRESIDENT JUDGE
OF THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

The petition of the undersigned citizens of Morris
and Graham Townships, respectfully represent:-

That they labor under great inconvenience for want
of a public road or highway in said Townships leading from
a point in public road at the corner of C. P. Hoover land
and Frank Hummel's land in Morris Township, ^{thence through Graham Township} to a point in
the Township road leading from Allport to Bigler at
Beaver Meadows in Morris Township Township, said
County.

Your petitioners therefore pray the Court to
appoint proper persons to view and lay out the same according
to law. And they will ever pray, etc.

Frank Kelley Harry Blazy
Ernest Lassas J. L. Baumgarder
A. Hummel C. P. Hoover
J. H. Hummel J. L. Ward
R. Holt Geo. Ward
Court P. Thomas J. F. Hummel
James E. Rathbone E. J. Peltier
Leon Peltier W. A. Hoover
William Ward O. A. Somerall
John Beatty John Ward
Orvis P. L. David Bailey

P. W. Wrapham
H. O. Shirey
M. P. Tlegal
L. Rothrock
Stephen Holt
Sam. J. Young
Thomas Hayes

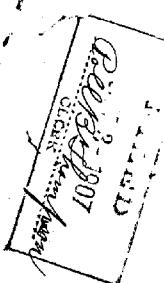
No 3 ~~for~~ 5th Oct 1907

Petition for public road
in Morris but Graham town
ships

Nov 8th 1907 within
petition presented, read and
considered and the petition
Henry Neale, Joseph E. Miller
and J. Gould's sons
are appointed viewers to
view and lay out same and
make report thereof to the
Court at next sessions

• By the Court

Allen J. Smith
C.J.



Parthivin

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

Petition of Howard Bumbarger respectfully represents.

That your petitioners, William Bumbarger, Rank Hepler, and Frank Hummel are greatly effected for the want prayed for in this petition and the three first named are entirely without any means of access to their property.

That the viewers appointed have filed their report on the 15th day of October 1907, setting out that in their opinion a road is not necessary for a public road, but have not reported whether the same is necessary for a private road as directed by the order to view.

That same road is absolutely necessary for your petitioners and they are advised and believe that they are legally entitled to the road as prayed for, either public or private.

They therefore pray that the report be referred back to
upon
the viewers that they may pass the necessity for a road for
public or private use and report as directed in the "Order to View."

And he will ever pray.

Clearfield county. SS.

Howard Bumbarger being duly sworn according to law doth depose and say that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Sworn and subscribed

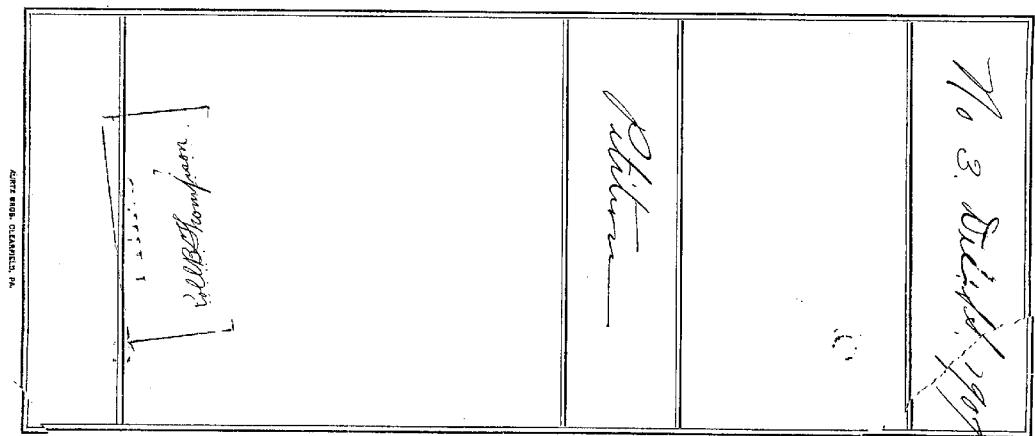
before me this 28th day of
October, A.D. 1907.

October, A.D. 1907.

Now this 28th day of October, A. D. 1907 the report
of viewers recommitted to the viewers to report as to the neces-
sity of the public or private road and to comply with the Order
to View.

By the Clerk
Allison O. Smith
OJ.

— Lap-over Margin —



Know all Men by these Presents,

That we, Howard Bumbarger and

are held and firmly

bound unto the County of Clearfield

in the sum of

One hundred (100)

Dollars, to be paid to the said

County of Clearfield

or its

certain attorneys, executors, administrators or assigns; to which payment well and truly to be made and done we do bind ourselves, our heirs, executors, administrators, and every of them, firmly by these presents. Sealed with our seals, and dated the

day of July, A. D. 1907/1/189

The Condition of this Obligation is such, that if the above bounden Howard Bumbarger and

heirs, executors, administrators, or any of them, shall and do well and truly pay or cause to be paid unto the above named

all legal costs that have accrued or may accrue in the matter of executors, administrators or assigns, the just and full sum of

a certain petition for a public road or highway in the Townships

of Morris and Graham, leading from a point in the public road at the corner of C. P. Hoover land and Frank Hummel's land in Morris Township to a point in the Township Road leading from Allport to Bigler—said petition being filed in the Court of Quarter Sessions of Clearfield County to No. September Sessions

without fraud or further delay, then this obligation to be void and of none effect, otherwise to be and remain in full force and virtue.

Sealed and Delivered In
the Presence of

Mark H. Brown
Howard Bumbarger

Bind.

TO

Dated

189

For

March 12. 1898.
Bond is approved.
John Smith
J.S.

In the Court of Quarter Sessions of Clearfield Co, Pa.

In Re
Road in
Morris and
Graham
Townships

No. 3 Dec. ss 1907 Road

Now this 28th day of October, A.D. 1907 the
report of viewers recommitted to the viewers to
report as to the necessity of a public or private
road and to comply with the order to view.

By the Court

State of Penna } ss.
Co. of Clearfield }

Certified from the records of said
Court this 29th day of October, A.
D. 1907

Roll D. Thompson
Groth

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

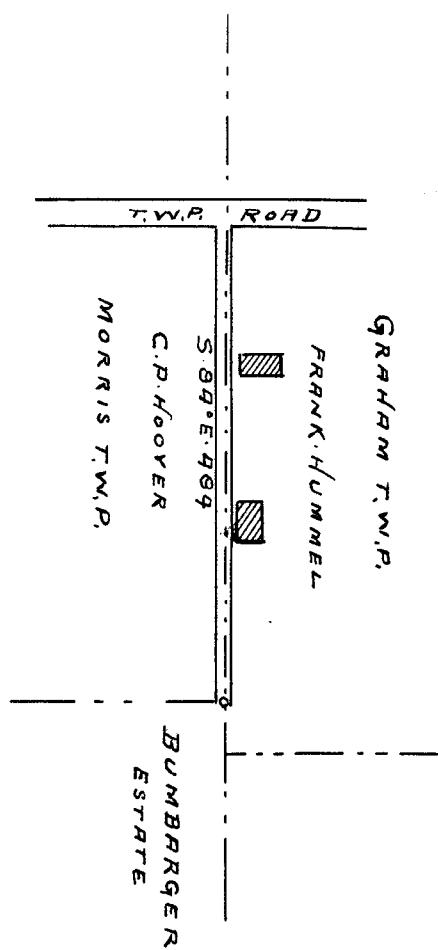
WE the undersigned
persons appointed by the within order
of Court to view the road therin men-
tioned respectfully report that after
having given due public Notice by three
written and printed Notices put up near
the location of said road and also having
given due notice to the County Commis-
sioners and the Supervisors of Graham and
Morris Townships of the time and place
of meeting to view the same we met at
a point in the public road at the North
West corner of the C. P. Hoover property in
Morris Township on Saturday the 12th day
of October A.D. 1907 and after having
been duly affirmed in pursuance of the
within order we proceeded to view the
road therin mentioned. After a careful
view had of the ground for said road we
were of opinion that the said road is not
necessary for a public road.

This report
being referred back to the viewers by an
order of your Honorable Court dated October

28th A.D. 1907 upon the question of the
Necessity of a private road we again
met at the point above mentioned on
Friday the 8th day of November A.D. 1907 and
after a view had of the ground for said
private road we proceeded to layout
and do return for private use the
following road to wit. Beginning
at a point on east side of the public
road running from Deer Creek to Morris-
dale mines and on line between lands
of C. P. Hoover and Frank Bummel
thence running south eighty-four degrees
East, four hundred and eighty-four feet
to line of lands of Bumbarger Estate
which said road so as aforesaid laid
out by us we are of opinion is necessary
for a private road.

Respectfully submitted

H. A. Reese. } viewers
G. H. Foss }
J. E. Phillips }



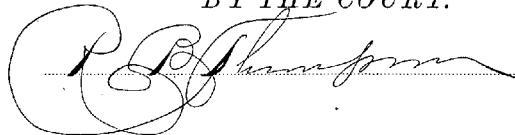
Clearfield County, ss:

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 3rd day of Sept, A. D. 1907, before the Judge of said Court, upon a petition of sundry inhabitants of the townships of Morris and Graham, in said county, setting forth that

the petitioners labor under great inconvenience for want of a public road or highway in said Townships leading from a point in public road at the corner of L. P. Hoover's land and Frank Hummel's land in Morris Township to a point in the Township road leading from Alport to Bigler at Beaver Meadows in Morris Township, said County

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Henry ~~Stevens~~ Joseph Phillips and G. Frank Goss 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 and lay 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.


R. B. 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 Frank Hammel the sum of One Dollar
To C. F. Hoover the sum of Five Dollars
To..... the sum of.....

Witness our hands this 8th day of November A. D. 1907.

K. A. Reese

G. F. Foss

J. E. Phillips

Dec 22 1907, both rats and confirmed in sci
road to be opened twenty feet wide as a firebreak
road.

July 11, 1908 confirmed absolutely
By the Compt.
Allison P. Smith, D.C.

No. 3 Dec Sessions, 1907

ORDER

To view and lay out a road for public use in the townships of Morris and Graham, Clearfield County

Sessions, 1907, read and confirmed N. S. I. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, these to be 16 feet wide.

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 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.

| | AMOUNT. |
|----------------|----------------|
| 76 A. Reese | Days 2 8.00 |
| | Miles 6 6.00 |
| J. L. Phillips | Days 2 24.00 |
| | Miles 28 25.00 |
| | 6.80 |
| Frank Goss | Days 1 4.00 |
| | Miles 10 1.00 |
| | 5.00 |
| | Days |
| | Miles |
| | Days |
| | Miles |

Filed 1907

Fees \$1.25 *Charged to B. & H.*
paid by