

No. 4 Dec. Sessions, 190 8

~~_____~~
~~_____~~
Public Road
in Boggs
Township.

R.O. #5 - Page 69

Charge

JAMES H. KELLEY,
DISTRICT ATTORNEY.
Part Temp. Rd. 17600

To the Honorable Allison O. Smith President
Judge of the Court of Quarter Sessions of Clearfield
County, Pa.

The petition of the undersigned inhabitants
of the Township of Boggs, in said County, respectfully
showeth; That your petitioners labor under
great inconveniences for want of a public road
or highway, to begin at a public road leading
from Litz's Bridge to David Hegals, at a point
on said road near Litz's Bridge in the township
of Boggs, and to end at a public road, known
as the Erie Pike, leading from Blue Ball to Cur-
wensville, at a point on said public road near
the farm of Robert McCaughey in the township of
Boggs: Your petitioners therefore pray the Court to
appoint proper persons 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 pub-
lic road now opened ^{from} Litz's Bridge aforesaid to a point
at or near Coal Run hollow on the line of the proposed
road in the township of Boggs, which last mentioned road
will, by reason of the laying out of the proposed
road, become useless; and make report of their proceed-
ings to the next Court.

And they will ever pray &c

Eduard Haney

G. B. Wiser

Cyrus Robinson

W. H. Albright

John Dillier

O. J. McNeal

Geo. W. Gallacher

J. H. Michael

W. M. Burch

Geo. B. Shugart

Uriah Hess

W. J. Flegel

John Stiles

A. R. Hanner

Grace Beish
Stacy Benmon
J. W. Linnard
Frank Stone
Robert Mcgarphy
Clas Haney
Wiah Garrison
J. W. Haney
John G. Haney

notice of the presentation of this petition for the appointment of Viewers is hereby accepted and the appointment of said viewers as the Court may select agreed to.
The appointment to be made at any time without further notice

Sept 5 1908

County Commissioners

per L. C. Norris
Clerk

To Geo. B. Shugarts; Richard Millner and
John James Supervisors of Boggs Township
Clearfield County Pa

Gentlemen:

You are hereby notified that
application will be made to the Court, at
Clearfield Pa, on Wednesday the 9th day
of September A.D. 1908, at 10 O'clock A.M.,
of said day, for the appointment of Viewers
to view and lay out a road in Boggs Township
in said County, to begin at a public road
leading from Litz's Bridge to David Hegals at
a point on said road near Litz's Bridge in
the Township of Boggs and to end at a public
road known as the Erie Pike, leading from Blue
Ball to Curwensville, at a point on said public
road near the farm of Robert McLaughery in
the Township of Boggs, and if they should see
occasion to lay out the same, to inquire of
and vacate the public road, now opened, from
Litz's Bridge aforesaid to a point, at or near
Coal Run hollow, on the line of the proposed
road in the Township of Boggs, which last
mentioned road, will by reason of the laying
out of the proposed road become useless.

Yours &c

H. A. Chase

Atty for Petitioners

I hereby accept service on this notice

Geo. B. Shugart

Subj. 1000

To Geo. B. Shugarts; Richard Millner
and John James Supervisors of Boggs Township
Clearfield County Pa.

Gentlemen;

You are hereby notified that application will be made to the Court at Clearfield Pa., on Wednesday the 9th day of September A.D. 1908 at 10 O'clock A.M. of said day, for the appointment of Viewers to view and lay out a road in Boggs Township, in said County, to begin at a public road leading from Litz Bridge to David Hegal's at a point, on said road near Litz's Bridge in the Township of Boggs and to end at a public road known as the Erie Pike, leading from Blue Ball to Curwensville, at a point on said public road near the farm of Robert McCaughey, in the Township of Boggs, and if they should see occasion to lay out the same, to inquire of and vacate the public road, now opened, from Litz Bridge, aforesaid, to a point at or near Coal Run hollow, on the line of the proposed road in the Township of Boggs, which last mentioned road will, by reason of laying out the proposed road become useless.

Yours &c

H. A. Chase,

Atty for petitioners.

Now Sept
this notice

A.D. 1908. Service accepted on

no Sept 5th 1908

Notice to Superintendent
of Bergs Township
for the apprehension
of
divans

Leicester 3:11
Bill MacCallister
once in 10-10-10
once in 10-10-10
once in 10-10-10
once in 10-10-10

for 3:11
once in 10-10-10
once in 10-10-10
once in 10-10-10
once in 10-10-10

MacCallister
once in 10-10-10
once in 10-10-10
once in 10-10-10
once in 10-10-10

Know all Men by these Presents,

THAT we J. W. Haney; John Stone and Robert McLaughy
all of Boggs Township Clearfield County and state of
Pennsylvania are held and firmly
bound unto The Commonwealth of Pennsylvania

in the sum of Fifty
Dollars, lawful money of the United States of America, to be paid unto the said
The Commonwealth of Pennsylvania or its
certain Attorney,
executors, administrators or assigns, to which payment well and truly to be made,
we do bind

heirs, executors and administrators, firmly by these presents.

SEALED with our seals, and dated the nine day of September
in the year of our Lord one thousand ~~eight~~ nine hundred and ~~ninety~~ 1908.

The condition of this obligation is such that whereas
a petition is hereby presented to the Court of Quarter
Sessions of Clearfield County Pennsylvania to lay
out, ~~locate~~ and supply a certain piece of road
in Boggs Township, Clearfield County, Pennsylvania,
Now therefore if the parties obligor shall truly pay all
such amounts as may, by the Court in said proceeding
be ordered by the Court to be paid by the petitioners, then
this obligation to be void and of no effect, otherwise
to be and remain in full force and virtue.

Signed, Sealed and Delivered
in the presence of

H. A. Chase

J. W. Haney

LS

John Stone

LS

Robert McLaughy

LS

BOND.

TO

Dated , 189.....

For

No. 4 Dec. 20. 1908

Petition to lay out vacate and
accept public road in Berks
County from L. J. Bridge
on road leading from L. J. Bridge
to Bear River. Also print the
said road at or near Long
Run Hollow in said road.

Petition road and consider
and J. M. Cherry
Lynedon Cherry and
J. M. Cherry on behalf
of more to them same and
order report to them at next
term with

By the Court
Wm. C. Smith

W. A. CHASE,
Attorney-at-Law,
CLEARFIELD, PA.

ROAD BRIDGE VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view *Vacate & supply* Road leading from *Litz Bridge to Erie Turnpike at or near Robert McGaughey's farm, vacating that portion of said Road from near Litz Bridge*

in *Boggs* Township, to a point at or *near Coal Run Hollow on said Road*

in *Boggs* Township, in the county aforesaid, will meet at the ~~house of~~ *Litz Bridge*, in *Boggs* Township, on *Monday*, the *9* day of *November* A. D. 190 *8*, 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.

J. M. Perry
Leander Spinning
J. M. Bloom

Viewers.

Kerrison Pa Oct 20, 1908.

Service of within notice is hereby accepted
this 24th day of October

John Jank } Supervisors
Geo. B. Shugart } OF
Richard Miller } Boggs Twp.

1908
Citation 24
Shugart and
Miller 24
Loast
2 Services 4.00
1 order 1.25
5.25

Road

BRIDGE VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view *vacate & supply* Road leading from *Litz Bridge to Erie Turnpike at or near Robert McLaughley's farm, vacating that portion of said Road from near Litz Bridge*

in *Boggs* Township, to a point *at or near Coal Run Hollow on said Road*

in *Boggs* Township, in the county aforesaid, will meet at the ~~house of~~ *Litz Bridge*, in *Boggs* Township, on *Monday*, the *9* day of *November* A.D. 1908, 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.

J. M. Freery
Leander Seuning
J. M. Bloom

Viewers.

Kerrison Oct 20, 1908.

Service of within notice is hereby accepted
this 21st day of October 1908,

L. W. Morris } For the County
Clerk } Commissioners

40-11

P. Gallagher

Proposed supply max. 9.44
1521 K

Mr. Harry

P. Gallagher
(Improved)

Nº 4,
Vacat

no. stamp
terminus

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view *vacate & supply* Road leading from *Litz Bridge to Erie Turnpike at or near Robert Mc Gaughy farm, vacating that portion of said road from near said Litz Bridge to a point at, or near Coal Run Hollow on said road* in *Boggs* Township, to

in _____ Township, in the county aforesaid, will meet at the house of *Litz Bridge*, in *Boggs* Township, on *Monday*, the *9th* day of *November*, A. D. 1908, 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.

J. M. Treury
Leander Dunning
J. M. Bloom
Viewers.

Kerrison Pa Oct 20, 1908.

Clearfield County, ss:

*At a Court of Quarter Sessions of the Peace of the
county of Clearfield, Pennsylvania, held at Clear-
field, in and for said county, on the 11th
day of September, A. D. 1908, before the
Judge of said Court, upon a petition of sundry
inhabitants of the township of Boggs
in said county, setting forth that*

*that the petitioners labor under great inconvenience for want of a
public road leading from Litz's Bridge to David Flegal's, at a point on
said road near Litz's Bridge in the Township of Boggs and to the end
at a public road known as the Erie Pike leading from Blueball to
Curwensville at a point on the said Public Road near the farm of Robert
McGaughy, in the Township of Boggs; the petitioners therefore pray
the Court to appoint proper persons 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 now opened from Litz Bridge
aforesaid to a point at or near Coal Run Hollow on the line of the pro-
posed road in the Township of Boggs which last mentioned road will, by
reason of the laying out of the proposed road, become useless,*

~~and therefore praying the Court to appoint proper persons to view~~

~~the same according to law,~~

*whereupon the Court, upon due consideration had of the premises, do order and
appoint J. S. McCreery, Leander Denning and J. M. Bloom
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, vacate
and supply 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 particu-
larly, 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 pro-
cure 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.

Reed 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 County of Charfield at and before the enseatling and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said County 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 9 day of Nov A. D. 1908.

John G. Haney 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 Faltrick Gallages the sum of Twenty five dollars
To _____ the sum of _____
To _____ the sum of _____

Witness our hands this 9 day of Nov A. D. 1908.

J. M. Green
E. Dunning
M. Olsen

To The Honorable Court of Quarter Sessions of Clearfield County.

We the undersigned Viewers appointed by your Honorable Court, as per accompanying order, this day met according to notices legally served and posted, and having ^{been} affirmed according to law, viewed the proposed route for supply, as well as the road to be vacated, and having considered the available testimony, find that the road now in use, ^{is} utterly impracticable and burdensome, on account of steepness of the grade, (in some places being 14°, much of it exceeding 10°) and being over the point of an abrupt hill, must necessarily be subject to snow-drifts in the winter, that it is not necessary as an outlet, and is exceedingly hard to maintain; while the proposed route surveyed for supply provides an excellent grade, will be easy to construct and maintain, and is in every way a desirable change. We therefore unanimously recommend the vacation and supply asked for by your petitioners, as set forth by the following notes of survey, and accompanying draft, which is a part of this report.

For Supply--Beginning at a point on public road 250 feet S. of Litz' Bridge, 100 feet from overhead crossing of R.R. thence following the line of the R.R. at 50 feet from center of track a distance of 512 feet. Thence N. 81° W. 613.5 ft to a point 12 ft N. of marked Appletree. Thence West, 1295 ft to line of Jno Haney. Thence following the division line between P. Gallagher and J. Haney S. 2° 30' W. 1100 ft to road leading from Jacob Haney's to the ridge.

Along said road 322.5 ft to two small W. Oaks. Thence still through P. Gallagher, S. 59° E. 303.5 ft, S. 67° 30' E. 581 ft to a W. Oak stump at the road to Coal Run.

For Vacation--Beginning at the above named W. Oak stump N. 52° W. 239', N. 39° W. 210.6', to portion of Creek road to be vacated N. 21° W. 123', N. 27° E. 161.5', N. 57° E. 157.8', N. 73° E. 225.8', N. 83° 30' E. 250', N. 77° 30' E. 264.7', N. 7° 30' W. 390', N. 56° 30' E. 862' to point on Sanborn Road near Litz' Bridge, being the beginning of survey for supply.

No objections were filed, and none reported.

Respectfully submitted.

JS McCune
E. Manning
J. M. Glenn } Viewers

N.S. 5-

No. 4 Dec. Sessions, 1908	
ORDER	
To view, vacate and supply road for public use in the township of <u>Coage</u> , Clearfield County	
Dec. Sessions, 1908,	read and confirmed Ni. Si.
Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.	
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> By the Court William D. Smith J. </div>	
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> February Sessions 1909 confirmed absolutely By the Court William D. Smith J. </div>	
Filed	190
Fees \$1.25 paid by J. D. McHenry	

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 damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

J. M. Truitt	3197	AMOUNT.
	Days 2	10.00
L. Henning	Miles 2.0	2.00
	Days 1	3.00
J. M. Bloom	Miles 5	5.00
	Days 1	3.00
J. M. Senguer (Rudman)	Miles 3	3.00
	Days 1	1.50
	Miles 3	3.00
	Days	1.80
	Miles	
	Days	