

No. 1 Sept. Sessions, 1908

~~COMMONWEALTH~~

~~MASSACHUSETTS~~

*Vacate and Supply  
Public Road in  
Lawrence  
Township.*

Charge

X  
JAMES H. KELLEY,  
DISTRICT ATTORNEY.

FILED  
AUG 22 1908

CLERK

# Know all Men by these Presents

That we W. S. Wright J. D. Bailey Peter Gearhart  
are jointly and severally

held and firmly bound unto The County of Clearfield

in the sum of one hundred dollars

lawful money of the United States of America, to be paid to the said  
County of Clearfield, its

certain Attorney, Executors, Administrators, or Assigns; to which payment well and truly to be  
made we do bind ourselves

our Heirs, Executors and Administrators,  
firmly by these Presents. Sealed with our

Seal Dated the 25th day of May in the year of our Lord  
one thousand nine hundred and eight

The Condition of this Obligation is such, That if the above-bounden  
W. S. Wright J. D. Bailey and Peter Gearhart  
or any of them, their

Heirs, Executors, and Administrators, or any of them, shall and do well and truly pay, or cause to  
be paid unto the above-named County of Clearfield its

certain Attorney, Executors, Administrators or Assigns,  
the just sum of one hundred dollars or so much thereof  
as shall be necessary to pay all legal costs  
of road view to view vacate and supply road  
from Boggs Fording Bridge to point about  
1000 feet above Railroad Crossing at Espy  
Speckers in Lawrence Township being  
Road No 7 Sept. 22, 1908, as required by  
act of assembly approved the 4th day of April A.D.  
1907, when proceedings on said road are con-  
cluded, If the Court of Quarter Sessions shall  
direct petitioners to pay said costs

without any fraud or further delay, then the above Obligation to be void, or else to be and remain in  
full force and virtue.

Sealed and Delivered in the Presence of us

W. S. Wright,  
J. D. Bailey  
Peter Gearhart

Seal

Seal

Seal

No. 7 Sept. 22 1908

190

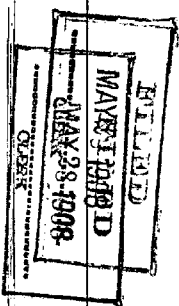
Bond

Recd.

For \$

No. 670. Kurz Bros., Stationers and Printers, Clearfield, Pa.

May 27, 1908 Paid off account  
of Lewis & Smith Co.,



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

THE petition of the undersigned inhabitants of the Township of Lawrence in the County aforesaid respectfully represents;

That they labor under great inconvenience for want of a public road in said Township, to begin at the West End of Boggs Fording bridge across the river South of Clearfield, and to end at a point on public road leading from said bridge to Curwensville about one thousand feet above railroad crossing at Mrs. Espy Spencers property in said Township. 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 see occasion, to lay out the same, to inquire of and vacate the following parts of the public road now opened from said Boggs Fording Bridge to Curwensville;

First, that part of said road leading from West end of said bridge to point where said road is intersected by road leading from River to James McPherson's.

Second, that part of said road beginning at point where it is intersected by road leading to bailey Settlement to point about one thousand feet above railroad crossing at Mrs. Espy Spencer's property. The part of said road first mentioned being situate on low ground along the river is frequently covered by floods and in the spring of the year by ice and is expensive to keep open and in repair. The second part mentioned has on it a dangerous railroad crossing, and it is the desire of your petitioners that a road be laid out as aforesaid and that the said two sections of road now in use be vacated

S. M. Fullerton  
Arthur Carlson

Geo. S. Passmore  
W. O. Lawhead

A. B. Moughamer  
Tim M. Ingraham  
H. J. Godfrey  
George Shields  
Robert Foster  
F. W. Deane  
N. J. Heber  
Joe Lindeman  
Harry Brown  
E. J. Vokes  
J. E. Beatty  
James Davidson  
Chas Garland  
Alex English  
Geo. A. Spangler  
J. J. Hepburn  
John Cronin  
J. B. Masters  
J. R. Hughes  
G. O. Connel  
W. H. Radhaugh  
H. Baker  
D. Mullin  
P. B. McPherson  
R. C. Gulick

W. S. Knight  
Henry E. Fisher  
Milo Lawbe  
Oscar Lawhead  
J. M. Copeland  
J. D. Bailey  
Peter Gearhart  
Chas. E. Wilson  
James C. McPherson

We hereby accept No. 7 Sept. 22. 1908.

service of notice  
of application for  
appointment of receivers  
to be made 28th  
day of May 1908 in  
within road and  
main personal  
service of said notice  
Superior Court.

Ed W. McMan  
D. B. McMan.  
D. B. McMan.

Petition for receivers  
to be appointed and  
in Lawrence Township

Now May 25 1908 petition  
presented and upon  
J. H. Rice, Secunder  
Dunning and J. Miller  
Bloom are appointed receivers  
to receive said premises and  
make report to next term  
of the Court

William L. Smith  
By the Court  
J. H. Rice

FILED  
MAY 29 1908

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

In the Matter of the petition of certain citizens of Lawrence Township for a public road a road to begin at end of Boggs Forging bridge across the river south of Clearfield, and to end at a point on public road leading from said bridge to Curwensville about 1000 feet above railroad crossing at Espey Spencer's property in said township and to vacate part of public road between said points.

EXCEPTIONS TO THE CONFIRMATION OF SAID REPORT.

To the Honorable Allison O. Smith, Judge of the said court:-

George H. Hall and Charles Hall, citizens and residents of the said township of Lawrence, and each owners of lands through which said new road passes file the following exceptions to the confirmation of the report of the viewers of said road:-

1 That that J. Miller Bloom one of the viewers appointed by the said court to view the same is an owner of an interest or undivided interest in land in Hyde City, being a hotel property, which lies between the points of the beginning and the ending of the said proposed road, and being an interested party in said road by reason of his interest is incompetent to act as one of the viewers of said road the said road as reported by viewers is located by the said Hotel in which the said J. Miller Bloom is a part owner.

2.

2. That the order to view said road is not signed by the Clerk of the Quarter Sessions of Clearfield County, as will appear by inspection of the same

3. That the said viewers report to the court shows that only that portion of the old public road from Boggs Fording Bridge to the McPherson road has been vacated by the viewers, which leaves two township roads running about the same direction to the same point, within a few hundred feet of each other.

G. H. Hall

G. Chas Hall

State of Pennsylvania,  
County of Clearfield. #, ss:-

Personally appeared before me George H. Hall and Charles Hall the above named exceptants and being duly sworn according to law say that the facts set forth in the foregoing exceptions are true according to the best of their knowledge and belief.

Sworn and subscribed before me this 11 day of Nov. #  
A.D., 1908. #

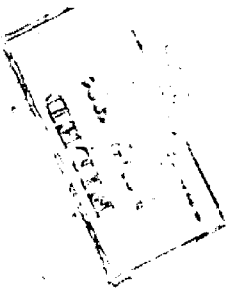
G. H. Hall

G. Chas Hall

Paul B. Murphy

Lo

7. Sep 11 1908  
R. W. S.



Notice of Review of public road leading from the Iron Bridge over the river at Boggs Fording across the B.R. & P. R.R.; thence along said railroad to the house of Florence Spencer.

To S.R. Hamilton, C.P. Rowles, and B.F. Wilhelm, Commissioners of Clearfield County.

You are hereby notified that a petition will be presented to the court of Quarter Sessions of Clearfield County, on the 30th day of November next at ten o'clock A.M. for the appointment of viewers to review the public road recently been laid out from the Iron Bridge across the Susquehanna river at Boggs Fording, in Lawrence township, and from thence across the B.R. & P.R.R.; and thence along said railroad in a southern direction to Florence Spencer's house; said road being fully described in the report of the viewers of said road, in road case No. 7, September Sessions, 1908; and if you have any objections to the said petition for review you must be present at said time and present them to said court.

Wesley Mitchell

Atty. for Petitioners.

Now the 29th day of October we the commissioners of Clearfield County hereby accept service of ~~xxx~~ the above notice.

L. Leachman  
for County Commissioners

#7, Apr 1908

Road.

IN RE- VACATE AND SUPPLY PUBLIC ROAD IN LAWRENCE TOWNSHIP.

No. 7, September Sessions 1908;

AND NOW, August 29<sup>th</sup> 1908, Allen Wood Smith, a citizen of Lawrence Township, and property owner, affected by the road, by his attorney, George E. Bigler, files the following exceptions to the report of viewers, and moves that proceedings had be set aside for the following reasons;

1st. That the petition asking for the appointment of viewers for said <sup>Call</sup> road, for the terminus "About 1000 feet above the railroad crossing at Mrs. Espey Spencer's property"; Whereas, the real terminus of the proposed road as returned by the viewers is within a few feet of said railroad crossing" at a point in the Clearfield and Curwensville Road as it is now opened and travelled upon by the public".

2nd. That said proposed road, as returned by the viewers follows so close to the line of the B. R. & P. Railway as to make it unsafe for travel.

3rd. That said road as returned by the viewers does not correspond with the road proposed in the Petition, praying for the appointment of viewers.

Allen Wood Smith  
his atty  
Geo. E. Bigler

FILED  
AUG 29 1968  
FBI

of Jones  
of Aug 29 1968

In the Court of Quarter Sessions of Clearfield County.  
Lawrence Township Road case. No. 7 September Sessions, 1908.  
Sur Petition for Re-view.

Now, December 12th, 1908, the petition for re-view having been read and considered, it is hereby ordered and directed that further consideration of the same and the appointment of Viewers, as called for in said petition, be postponed until after the disposal of the exceptions to the Report of Viewers in the above stated case. This for the reason that if the said exceptions are sustained there will be no need of a re-view, as we understand this road case; and if the said exceptions are not sustained, the matter of re-view can be heard and considered at Argument Court. The Clerk of the Court is directed to put the said road case down for argument at the next Argument Court upon said exceptions.

By the Court,

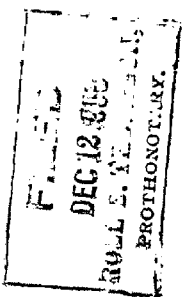
*Alison O. Smith* P. J.

*Thurs.*  
No. 7 September Sessions 1909.

Lawrence Township Road case.

Sur Petition for Review.

ORDER.



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 and lay out 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 at the time and  
place of meeting to view and lay out the  
same and after having also given due  
notice to the County Commissioners of  
Clearfield County the Supervisors of Lawrence  
Township and the owners of property through  
which the said road passes of the said time  
and place of meeting we met at the Boggs  
Ford Bridge in Lawrence Township on Monday  
the seventeenth day of August A.D. 1908 and after  
having been duly affirmed in pursuance of  
the within order of Court we proceeded to view  
and lay out and do return for public use  
the following road to wit: Beginning at a  
point in public road forty one feet west of west  
end of Boggs Ford bridge thence along a sixty  
foot street through lands of Geo. M. Belger  
North fifty-eight degrees west six hundred and

Twenty-one feet to a point Sixty six and one half feet North west of Center of right of way of B.R. & P. Rail road. Thence through unimproved lands of the said Geo. M. Pilger also along the center line of Desguchanna avenue of the town plot of Keyde and through improved lands of G. Chas. Hall. George Hall the Bealer Estate and Florence Spencer South thirty-two degrees west four thousand and six feet. Thence through improved lands of the said Florence Spencer and by line sixteen and one half feet from line of right of way of B.R. & P. R.R. South thirty four degrees and twenty-minutes west three hundred feet to a point in the Clearfield and Curwensville road. Thence Continuing by said road as it is now opened and traveled upon by the public Eight hundred feet to a point in the said road one thousand feet South west from the Crossing at the house of Florence Spencer. Which said road so as aforesaid laid out by us we are of opinion is necessary for a public road. We would further report that part of the Clearfield and Curwensville road viz, from a point forty one feet North west of the North end of the Boggs ford bridge to the point where the road to James McPhersons intersects

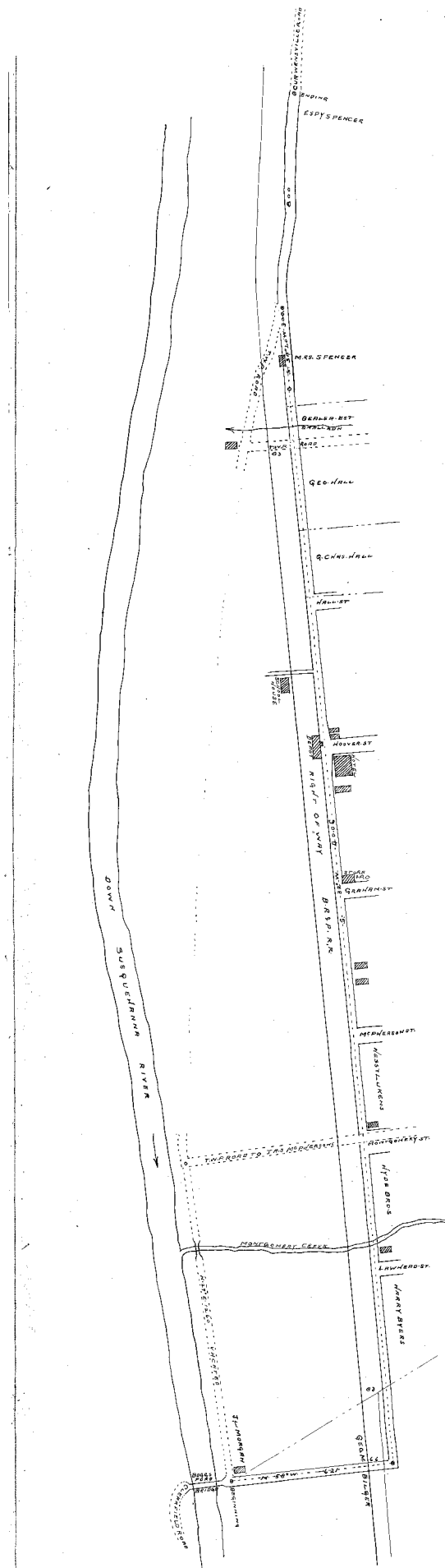
the said Clearfield and Curwensville road being a distance of twelve hundred and sixty feet will when the said road as viewed and laid out by us is opened to travel by the public become useless and burdensome to the tax payers of Lawrence Township and we therefore vacate the same

We would also report that we have viewed the second portion of the said Clearfield and Curwensville road mentioned in the within order of Court viz. That part of the said Clearfield and Curwensville road from the point where the road to Bailey Settlement intersects the said road to a point in said Clearfield and Curwensville road one thousand feet southwest from the railroad Crossing at Mrs. Spencers and after Careful view of the said road were of opinion that the said road should not be vacated for the following reasons. First that if the said road was vacated the owners of property located on the south east side of the said road would not be able to gain access to the said property. Second That the said owners of property would be unable to get a crossing for a private road from the B.R. & P. railroad Company at this point

third. That after the <sup>to</sup>said road as viewed  
and laid out by us is opened to public travel  
the said road will still be necessary for a  
public highway

Respectfully submitted

H. A. Reese }  
J. M. Brown } viewers



# 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 and supply Public~~ Road leading from West end of Boggs Ford Bridge across the river South of Clearfield and to end at a point on road leading from said bridge to Curwensville about 1000 ft. above railroad crossing at Mrs Essey Spencers property laying out road between points aforesaid and vacating parts of road from said Boggs Ford Bridge to ~~in Curwensville~~ <sup>1<sup>st</sup></sup> ~~Township~~ <sup>to that part of said road leading from West end of said bridge to point where said road is intersected by road leading from river to Jas. McPhersons 2<sup>nd</sup> that part of said road beginning at a point where it is intersected by road leading to Bailey Settlement to point about 1000 ft. above railroad crossing at Mrs Essey Spencers property</sup> ~~all in Lawrence~~ <sup>in Lawrence</sup> Township, in the county aforesaid, will meet at the ~~house of~~ <sup>4<sup>th</sup></sup> Boggs Ford Bridge, in Lawrence Township, on Monday, the 17<sup>th</sup> day of August A. D. 1908, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Reese  
Leander Wernsing  
J. Miller Bloomer  
Viewers.

Kylertown, Pa. Aug 8, 1908.

Served on us  
Thurs 11th day  
August 1908.

G. H. Hall

Service accepted for  
Mrs Esby Spencer & the  
Hemphill & Mrs. G. H. Hall

Attys.

Served Aug 10 1908 on Mrs  
Esby Spencer by leaving  
copy at her residence with  
an adult member of family  
Harry Page &

# 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 and supply~~ Public Road leading from West end of Boggs Ford Bridge across the river south of Clearfield and to end at a point on road leading from said bridge to Curwensville, about 1000 ft. above railroad crossing at Mrs Edgey Spencers' property, laying out road between points aforesaid, and vacating parts of road from said Boggs Ford Bridge to ~~the~~ Curwensville, 1<sup>st</sup> Township, ~~to that part of said~~ road leading from West end of said bridge to point where said road is intersected by road leading from river to Jas M<sup>c</sup>Phersons. 2<sup>nd</sup> That part of said road beginning at a point where it is intersected by road leading to Bailey Settlement to point about 1000 ft. above railroad crossing at Mrs Edgey Spencers' property all in Lawrence Township, in the county aforesaid, will meet at the ~~house of~~ Boggs Ford Bridge, in Lawrence Township, on Monday, the 17<sup>th</sup> day of August A. D. 1908, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Reese  
Leander Hemming  
J Miller Bloomer  
Viewers.

Kylertown, Pa Aug 8, 1908.

Served in war time

11th day of August

A.D. 1908.

G. Chas. Hall

Harry Byers

Aug. 11<sup>th</sup> 1908

Service accepted by  
the County Commissioners.

L. L. Johnson  
Clerk

W. L. ...

Ed Cowan

Gas Spackman

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 28<sup>th</sup> day of May, A. D. 1908, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Lawrence

in said county, setting forth that

they labor under great inconvenience for want of a public road in said Township, to begin at the West end of Boggs Tording bridge across the river South of Clearfield and to end at a point on public road leading from said bridge to Curwensville about one thousand feet above railroad crossing at Mrs. Espy Spencer's property in said Township. They also desire the following parts of the public road from said Boggs Tording Bridge to Curwensville to be vacated: First, that part of said road leading from West end of said bridge to point where said road is intersected by road leading from river to James McPherson's. Second, that part of said road beginning at a point where it is intersected by road leading from Bailey Settlement to point about 1000 feet above railroad crossing at Mrs. Espy Spencer's property and therefore praying the Court to appoint proper persons to view lay out and vacate the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint H. A. Reese, Leander Denning and J. Miller 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, lay out and vacate said road 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.

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 enrolling 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 <u>G. Chas Hall</u>	the sum of	<u>Seventy Dollars (\$70.00)</u>
To <u>George Hender</u>	the sum of	<u>Forty Dollars</u>
To <u>Peeler Estate</u>	the sum of	<u>Forty Dollars</u>
To <u>Geo M Beyer</u>	the sum of	<u>Ten Dollars \$10.00</u>
To <u>Flourance Spencer</u>	the sum of	<u>one Dollar \$1.00</u>
To <u>George Hall</u>	the sum of	<u>one Hundred Dollars \$100.00</u>
Witness our hands this		<u>Seventy</u> day of <u>August</u> A. D. 190 <u>8</u> .

W. A. Reese

McKinnon

L. Dinning

No. 7 Sept. Sessions, 1908

## ORDER

To view lay out and locate a  
road for Public use in the  
township of Lawrence,  
Clearfield County

September Sessions, 1908,  
read and confirmed Ni. 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  
William Smith

Examined  
Argument  
Filed 190

Fees \$1.25 paid by Deft.

FILED

AUG 22 1908

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 origi-  
nal 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-  
ages, taking into consideration the advantages as well as the  
disadvantages of the road, they will report to that effect.

K. A. Reese	Days 2	Amount 10.00
	Miles 2.7	12.70
J. M. Blom	Days 1	3.00
	Miles 3	3.30
L. M. Duff	Days 1	3.00
	Miles 3	3.30
	Days	
	Miles	
	Days	
	Miles	