

No. 1 Sept. Term, 1911

Private Road

(Cadmian)

in  
verses

Pike Township

— Road —

X

In the Court of Quarter Sessions of Clearfield Co

To the Honorable the Judge of said Court

The petition of George Cadman and

John Cadman respectfully represent that they are the Lessees of the coal under a certain tract of land situate in Pike Township Clearfield County Pennsylvania owned by the Bloomington Coal Company adjoining lands of I B Norris .- That the land of said I B Norris lies between the only point from which the coal taken from the land of said Bloomington Coal Co can reach the Township road leading from Glen Rickey to Curwensville

Your petitioners further present that they have the coal opened and mine ready for the shipment of coal and that they have no outlet to the public highway for the purpose of hauling the coal mined on said premises to market

Your petitioners therefore pray your Honorable Court to appoint viewers to lay out a private road a distance of about seventy feet over the intervening land of said I B Norris from the above mentioned highway to the coal mine of said petitioners with sufficient surface on intervening land in case the same is necessary for the turning of wagons and teams and to assess the damages to the same according to the Act of Assembly of July 9th 1897 and make return of same to the next Term of Court

And they will ever pray & c

Geo. Cadman

John Cadman

State of Pennsylvania

Clearfield County SS

Personally appeared before me the subscriber  
George Cadman one of the above named petitioners who being  
duly sworn according to law deposes and say that the facts  
set forth in the foregoing petition are true and correct as  
he verily believes

Sworn & Subscribed before me

this 20 day of April A D 1911

*Roll B. Thompson*  
Clerk

*Geo. Cadman*

1220 1911

Peter J  
George Coe  
the frost zone

Miss May 25th 1911.

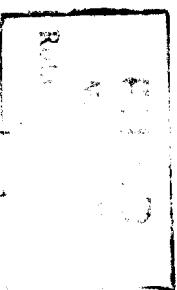
Author: Helen Dean

Dear Correspondent dear  
Hon. S. C. Chase, of New York.  
Pray accept of this my best regards.

an affectionate friend

of men, men say and

Plants before 2000 ft. elevation



1,500 by 1,000 square

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

IN RE PETITION OF GEORGE CADMAN<sup>S</sup> NO. 1, SEPTEMBER SESSIONS,  
AND JOHN CADMAN FOR A PRIVATE § 1911.  
ROAD IN PIKE TOWNSHIP. § (ROAD DOCKET).

EXCEPTIONS TO PROCEEDINGS.

NOW, August 21<sup>st</sup> 1911, FANNY BLOOM, the owner of land over and across which the proposed private road is applied for excepts to the proceedings for said private road and to the report of the viewers recommending same, for the following reasons:-

FIRST: The petitioners are not the owners of the land or coal to reach which the said private road is asked for.

SECOND: The petition does not correctly state the ownership of the land under which said coal is situated.

THIRD: The petition does not definitely state the terminni of said road.

FOURTH: The order to view does not definitely state the terminni of said road.

FIFTH: The report of Viewers does not correctly state the names of the owners of the property.

SIXTH: The draft attached to the report of the Viewers does not correctly state the names of the owners of the property.

SEVENTH: There is no proof of notice to all of the owners of the property affected by said road.

EIGHTH: The said proceeding purports to be an application for a private road under the provisions of the Act of Assembly approved July 9th, 1897, (P.L.213). Said Act as amended by the Act approved the 17th of May 1901,

(P.L.259) requires the Viewers to assess the amount of damages sustained by the owner or owners of the land, through which the road is to be made and embody the same in their report to the Court, which damages as assessed by the Viewers shall be secured by bond to be approved by the Court and be paid by the party making application for such road to the owner or owners of such land before the order to open such road is issued, the Viewers have failed to embody in their report any assessment of damages, as required by said Act of Assembly and the Amendment thereto and the petitioners have failed to file any bond to secure damages as required by the amendment to said Act of Assembly.

NINTH: There is no necessity for the said private road as laid out, as the petitioners could reach the public high-way from the said coal bank without crossing the lands as proposed in said application for private road.

TENTH: The private road, as laid out by the Viewers and the opening of the coal bank as proposed, will be a damage to the property of Fannie Bloom by reason of drainage and flooding of water over her property that will be caused thereby.

ELEVENTH: For other reasons of law and of fact that will appear from said proceedings.

*Reserve  
All for exception*

CLEARFIELD COUNTY, SS.

Mrs. Fannie Bloom being duly sworn, according to law, doth depose and say that the matters of fact, as set out in the foregoing exceptions, are true and correct to the best of her knowledge and belief.

Sworn and subscribed before me

this 11th day of August, A.D. F. Fannie Bloom

1911.

John A. Daley

Justice of the Peace

*My Commission Expires  
first Monday in Dec. 1915.*

I hereby certify that there are legal reasons why the report of the Viewers in the above stated case should not be confirmed.

James S. Scott

Attorney for Exceptant.

NO. SEPTEMBER SESSIONS, 1911.

In Re

PRIVATE ROAD IN PIKE TOWNSHIP.

SHIP.

EXCEPTIONS TO PROCEEDINGS.

NO. 1, SEPTEMBER SESSIONS,  
1911. (ROAD DOCKET).

IN RE  
PRIVATE ROAD IN PIKE  
TOWNSHIP.

EXCEPTIONS TO PROCEEDINGS.

ROLAND D. SWOOP,  
Attorney and Counselor at Law,  
Curwensville, Pa. and Clearfield, Pa.

Baltimore Office Supply Co., Baltimore, Md.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

IN RE PETITION OF GEORGE CADMAN<sup>s</sup> NO. 1, SEPTEMBER SESSIONS,  
AND JOHN CADMAN FOR A PRIVATE <sup>§</sup> 1911.  
ROAD IN PIKE TOWNSHIP. <sup>§</sup> (ROAD DOCKET).

EXCEPTIONS TO PROCEEDINGS.

NOW, August 28<sup>th</sup> 1911, I B. NORRIS, the owner of the land over and across which the proposed private road is applied for excepts to the proceedings for said private road and to the report of the Viewers recommending same, for the following reasons:-

FIRST: The petitioners are not the owners of the land or coal to reach which the said private road is asked for.

SECOND: The petition does not correctly state the ownership of the land under which said coal is situated.

THIRD: The petition does not definitely state the terminni of said road.

FOURTH: The order to view does not definitely state the terminni of said road.

FIFTH: The report of Viewers does not correctly state the names of the owners of the property.

SIXTH: The draft attached to the report of the Viewers does not correctly state the names of the owners of the property. },

SEVENTH: There is no proof of notice to all of the owners of the property affected by said road.

EIGHTH: The said proceeding purports to be an application for a private road under the provisions of the Act of Assembly approved July 9th, 1897, (P.L. 213.), Said Act as amended by the Act approved the 17th of May 1901,

(P.L.259) requires the Viewers to assess the amount of damages sustained by the owner or owners of the land, through which the road is to be made and embody the same in their report to the court, which damages as assessed by the Viewers shall be secured by bond to be approved by the court and be paid by the party making application for such road to the owner or owners of such land before the order to open such road is issued. In this case the Viewers failed to make any legal assessment of damages as required by said Act and the amendment thereto and the petitioners failed to file any bond to secure damages as required by the amendment to said act of Assembly.

Ninth:- There is no necessity for said road over the land of I.B.Norris, as petitioners could reach the highway from the Coal Bank, without crossing the land of I.B.Norris.

Tenth:- For other reasons of law and of fact that will appear in said proceedings.

Howard S. Smith  
Atty. for Exceptant.

CLEARFIELD COUNTY, SS.

I. B. NORRIS, being duly sworn, according to law, doth depose and say that the matters of fact, as set out in the foregoing exceptions, are true and correct to the best of his knowledge and belief.

Sworn and subscribed before me  
this 28<sup>th</sup> day of August, A.D.  
1911.

John A. Daley  
Justice of the Peace.

I. B. Norris

*My Commission Expires  
first Monday in Dec. 1915.*

I hereby certify that there are legal reasons why the report of the Viewers in the above stated case should not be confirmed.

James S. Morris  
Attorney for Exceptant.

16. 1 Sert. fees. 1511

Roeg. Incourt.

In re Petition for Private  
Road in Pike Township.

Exceptions.

ROLAND D. SWOOP,  
Attorney and Counselor at Law,  
Curwensville, Pa. and Clearfield, Pa.

Baltimore Office Supply Co., Balt., Md.

In the Court of Quarter Sessions of Clearfield County

In re private road in Pike Township

No September Sessions 1911

Whereas a private road was laid out through the lands of I B Norris and Fannie Bloom in the said Township of Pike leading from the public road leading from Glen Richey to Curwensville through said lands to the Coal Bank of Cadman Brothers --

And whereas exceptions were filed to the report of viewers in said case --

And whereas the said parties have settled said case -- It is agreed and understood that upon the payment by Cadman Brothers the petitioners for said road of the costs and one hundred dollars, that the exceptions are to be withdrawn and the said road is to be confirmed by the said Court absolutely -- The said Cadman Brothers to have the right to proceed as soon as the money is paid to proceed to build said road according to the draft made by the engineer and as the same is staked out upon the premises --

I. B. Norris, Fannie Bloom  
By their attorney  
James S. Morris

Cadman Brothers

by their attorney  
W. H. McCaughey

who I left off you  
I am friend & have  
the dear Master

No 1 off 24911

Brant River on  
Pine Knob St

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Private Road leading from a point in the Public road running from the corner of Glen Reedy,

in Pike Township to the Coal Mine opened by John George Gardner a distance of 70 feet more or less across the land of John B. Harris.

in Pike Township, in the county aforesaid, will meet at the house of first named point, in Pike Township, on Tuesday, the 7<sup>th</sup> day of June A. D. 1911, at 1 o'clock P M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

H. A. Reen  
J. G. Barclay  
Geo. W. Bennett

VIEWERS

Wednesday May 29, 1911.

State of Pennsylvania }  
County of Chester } so

Before me the subscriber  
personally appeared P. E. Smith constable  
who being duly sworn says he served the  
note on Isaac B. Smith, by handing him  
a copy of it same on Aug 31, 1911.

Soon Subscribed } P. E. Smith

before me the day of

June, 1911.

My Commission Expires  
first Monday in Dec. 1915.

John A. Dale

Justice of the Peace.

DOCT. P. E. Smith 1.20  
John A. Dale (Signature)  
Justice of the Peace

I. B. NORRIS

A hand-drawn map showing a property boundary for I.B. NORRIS. The boundary is a solid line sloping upwards from left to right, labeled "N. 31° 0' W. 155'". A dashed line extends from the bottom left towards the boundary. A vertical dashed line extends upwards from the bottom. A curved dashed line on the left is labeled "PRIVATE ROAD TO MINE". A curved dashed line on the right is labeled "PUBLIC ROAD TO CURNENSRICK". A vertical dashed line on the right is labeled "PUBLIC ROAD". A horizontal dashed line on the right is labeled "PUBLIC ROAD". A label "GEORGE C. CARMAN" is written vertically along the bottom dashed line. A label "HARVEY BLOOM" is written vertically along the right dashed line. An arrow points from "HARVEY BLOOM" to "to GLEN RICHIEY". A curved dashed line on the right is labeled "PRIVATE ROAD TO MINE".

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

We the under signed  
persons appointed by the within  
order of Court to view and lay  
out the road therein mentioned  
respectfully report that After  
having given due written  
Notice to the owners of land through  
which the said road passes we  
met at the point of Beginning of  
said road in Fair Township  
on Friday the Ninth day of June  
A.D. 1911 and after having been  
fully affirmed in pursuance of  
the within order we proceeded to  
view and lay out and do return  
for private use the following  
road to wit Beginning at a point  
bet on line between lands of J.B.  
Norris and Cadman Boos.  
Thence running parallel with  
the line between lands of the said  
J.B. Norris and Harvey Bloom  
and eight and three tenth feet south  
of the said line North thirty one

degrees West One hundred and  
fifty-five feet to a point in the  
public road running from  
Burrowsville to Glen Richey  
which said road so as aforesaid  
laid out by us we are of opinion  
is necessary for a private road

Respectfully Submitted

W. A. Reese }  
John W. Barratt } Heirs  
John C. Sanday

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 5 day of May, A. D. 1901, before the Judge of said Court, upon a petition of <sup>George Badman</sup> ~~John Badman~~ <sup>Stanley</sup> inhabitants of the township of Pike, in said county, setting forth that

They labor under great inconvenience for want of a Private Road in Pike Township leading from the Public Road which runs from Glen Rickie to Cummerville at a point about 70 ft distant from the opening of the coal mine to said Public Road and across the land of I. B. Morris,

and therefore praying the Court to appoint proper persons to view <sup>and lay</sup> ~~over~~ the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Harry A. Reese, John W. Barrett, and John C. Barclay 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 <sup>to lay</sup> ~~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.

Boel 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 I. B. Morris the sum of Fifteen Dollars

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

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

Witness our hands this 9th day of June A. D. 1901.

J. A. Reese

John W. Barry

John C. Barclay

Now 24<sup>th</sup> Sept 1911. Exceptions to within report having been withdrawn and the damages accruing having been provided for the within report for a private road is hereby confirmed absolutely: width of said private road to be 16 ft wide except where by reason of side hill a greater width is necessary there not to exceed 25 ft. Cost of fencing if any required to be at expense of petitioner, all costs of this proceeding to be paid by petitioner.

By the Court  
Allison O. Smith

No. 1 Sept Sessions, 1911.	
<b>ORDER</b>	
To view and lay out a road for private use in the township of <u>Dale</u> , Clearfield County, Pennsylvania.	
<p><u>Sept 1.</u> Sessions, 1911, read and confirmed N. S. Road to be opened 16 feet wide, except where there is side hill cutting or embank- ment, and bringing there to be 16 feet wide. <u>Also the same day</u> <u>to put in signs.</u> <u>29 Sept 1911 confirmed</u> <u>absolutely by the court.</u></p> <p><u>Allison O. Smith</u></p>	
Filed	190
Fees \$1.25 paid by <u>Petitioner</u>	

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 out the amount out at the foot of their return. Reviewers cannot interfere with damages assessed by the principal 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.

	Days	Amount
<u>Held, Pease</u>	2	10.00
<u>Miles 32</u>	32	32.0
<u>J. C. Barclay</u>	2	6.00
<u>Miles 24</u>	24	24.0
<u>J. W. Bassett</u>	2	6.00
<u>Miles 24</u>	24	24.0
<u>Days</u>	2	2.00
<u>Miles</u>	24	24.0