

No. 1

Deby's ~~Term~~

Public Board

versus

in
Penn Township,

Road

1161

To Ed Spencer, J. F. Cleaver and J. Wrigglesworth, supervisors of Penn township, Clearfield county, Pennsylvania: You are hereby notified that an application will be made to the Court of Quarter Sessions of Clearfield County at one o'clock P.M. on Wednesday the fourteenth day of December A.D. 1910 for the appointment of viewers to view and lay out a public road in Penn township Clearfield county Pa., "From a point on public road leading from Hepburnia to Luthersburg at or near the Catholic cemetery in Penn township 785 feet from the intersection of said road with the road to Grampian to intersect public road leading from Grampian to Big Run at a point 700 feet from the intersection of said road with the Bell Run road.

James W. Kelley
Attorney for the Petitioners

Now December 6 1910 served on me by giving me a copy thereof.

E. W. Spencer
J. F. Cleaver
J. R. Wrigglesworth
Supervisors.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

To the Honorable Allison O. Smith, President Judge of said Court.

The petition of the undersigned, citizens of the township of Penn, and vicinity, in said county, respectfully represents:-

That your petitioners labor under great inconveniences for want of a public road or highway, to lead from, a point on the public road leading from Hepburnia to Luthersburg at or near the Catholic Cemetery in Penn township seven hundred and eighty five feet from the intersection of said road with the road to Grampian to intersect public road leading from Grampian to Big Run at a point seven hundred feet from the intersection of said road with the Bell Run road. Your petitioners therefore pray the Court to appoint proper persons to view and lay out the same, and they will ever pray &c.

NAMES.

William Anderson
John Anderson
William Hoyt
H. P. Hobbs
B. A. Lippisch
J. J. Meisgarber
George Heilborn
John...
Linda J. L...
John...
David...
L. C. Danis

Andy Daniels
Margaret Daniels
E. M. Haag
John...
James Micham...
Mark...
P. W. Patterson
P. P. ...
John...
John Rafferty
Maurine...
John Rafferty
P. ...

James Dingley	J.W. McFerrow
Wm Clark	C. R. Russell
do more	R. P. Lester
John O. Olson	E. S. Grace
A. N. Walker	Simon Gruber
Jos. Walker	Roy Gruber
John H. Baker	Frank M. Spencer
Jas. & Rafferty	John C. Gruber
G. M. Passmore	Calvin Gruber
W. S. Rowles	Wm H. Gruber
Wirt Orville	J. J. Gruber
Dan McFerrow	E. S. Spencer
Lewis Kishel	J. W. Lerry
Frank Dipp	Locks Wall
E. M. Davis	E. M. Dipp
Edward Spence	Frank Dipp
E. Spence	Frank Dipp
E. S. Thomas	A. M. Dodge
J. H. McFerrow	Clare Gruber
John Walker	Roy Caldwell
Wm C. Walker	Wm. Lerry
J. S. Ryer	H. P. McFerrow
N. K. Bower	W. E. Kish
	Sam M. Dipp

Jack Trifunat

John Hill

J. Widermire.

S. De Widermire.

C. L. Brown

A. J. Anderson.

Edmund Blinn

James Smathers

Charles Henry

Millard Fillmore

J. E. McPherson

W. Rogers

Henry Richardson

Montgomery Florn

Paul Richardson

John Richardson

Raffaeli de Zalco

John Franks

Mike Fandor

Grampian Borough
J. Currie
M. G. Bloom
Lewis C. Rouths.
J. G. Secummane.
W. T. Williams
Fred Pilkington,
Lars Peterson
Thos. H. Russell

Nov 18 1911, the following were received
from Mr. C. C. Smith, 1131 Main Street,
found in the course of his business
and given to him by Mr. C. C. Smith.

Penn. Game委員會	
Decision	
Date	1910. 1. 14.
Name of Commissioner	John A. G. Thompson
<p>Now This 14th day of Jan 1910, I do further command and read whereupon that I hereby order S. Arnold and D. R. Stelleston are appointed miners to work for the coal and make report to Refining Term of contract next year and last.</p>	
JAMES H. KELLEY, Attorney at Law, Clearfield, Penna.	

Nov. 1st, 1910, petition read and considered
and
are appointed review to view the proposed road
and make report to Well, Secy., etc.

BOND.

KNOW ALL MEN BY THESE PRESENTS, That we, Denton B. Bloom
Manuel Bloom

all of the county of Clearfield and State of Pennsylvania, hereinafter called the Obligors, are held and firmly bound unto the county of Clearfield aforesaid, hereinafter called the Obligees, in the sum of one hundred dollars, lawful money of the United States of America, to be paid to said Obligee, its certain Attorney, successors or assigns, to which payment well and truly to be made, we do bind ourselves, our heirs, executors and Administrators, jointly, severally and firmly by these presents.

SEALED with our seals. DATED the 17th day of ~~Sept~~ in the year of our Lord, One thousand nine hundred and ten (1911). *Sept*

WHEREAS the Obligors above named and others inhabitants of the township of Penn in said county, are about to have presented to the Court of Quarter Sessions of the Peace in and for the county aforesaid, their petition praying for the appointment of viewers to view and if occasion requires, to lay out a public road in said township, to begin at a point on the public road leading from Newburns, to Tschibury or near the Catholic Cemetery in Penn Township, 7 1/2 feet from the intersection of said road with the road to Big Run, to intersect a public road leading from Cambria in Big Run at a point 700 feet from the intersection of said road with the Bell Run road.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the above bounden Obligors, their heirs, executors or Administrators, or any of them shall and do well, truly and promptly pay into the Treasury of said Obligee, when said proceedings are concluded, such amount of money as the Court may hereafter order the petitioners aforesaid to pay, for, toward or on account of defraying and discharging the pay or compensation and mileage of said viewers and any surveyors or artists, appointed or

employed in said proceedings, as required by the Act of the General Assembly of Pennsylvania, approved April fourth 1907, 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 presence of

NAMES

Denton B. Bloom.
Marcell Bloom

NAMES.

John G. Bloom

Mr. 1 September 1910.

Public Service
in

Penn. Co. Pa.

Forw.

JAMES H. KELLEY,

Attorney at Law,
Clearfield, Penna.

KURTZ, BISHOP, CLEARFIELD, PA.

121-28987-10

Now, May Sessions, 1911, the within Report is referred to the same Viewers formerly appointed for action;—for the following reasons:

First. As stated in the Report all of the viewers must be present. A majority can act, but the Report to be effective must of course show that all were sworn and were present and viewed the premises.

Second. It is in the power of the Viewers to lay out a private road even where a public road is asked for, and those present of the Viewers seem to have determined that a private road was necessary.

Third. The condition that Clearfield County should pay the damages for the taking of land for a private road cannot be allowed by law.

Fourth. The condition that the Supervisors should bear the expense of making a private road cannot be allowed by law.

In case, therefore, a private road is laid out by the Viewers it must be unconditional and the law will have to take its course, which requires that the party benefited by such private road shall pay all expenses and damages. If, therefore, the party to be specially benefited by said private road desires action thereon as such, the above reference back to the Viewers shall go into effect and the powers of said Viewers are hereby extended to make said Report to September Sessions. If the party to be benefited or his Counsel do not desire any further action, the reference back to be null and void, and the Report of two Viewers will be ~~confirmed~~ ^{set aside as defective.} ~~set aside at the cost of the petitioner~~.

By the Court,

Allison O. Smith

P. J.

September Sessions 1911, the above order for the reference not having been taken advantage of and the said Report being fatally defective is hereby set aside at the cost of the petitioner.

By the Court, Allison O. Smith *af*

about 700 feet from the road

in Penne Township, in the county aforesaid, will
meet at the house of place of news
in Penne Township, on Friday,
the 28th day of April A. D. 1901, at 1

1.

Service of within notice accepted this 18th day
of April 1911

Michael Higgins

→ → run → → this → → 18th day of

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 17 day of Dec, A. D. 1900, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Penn

your petitioners labor under great inconvenience for want of a public road or highway, to lead from a point on the public road leading from Wabernia to Luthersburg, at or near the Catholic cemetery in Penn Twp., 785 feet from the intersection of said road with the road to Grampian to intersect public road leading from Grampian to Big Run at a point 700 feet from the intersection of said road with the Bell Run Road,

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, report to next May term 1911 whereupon the Court, upon due consideration had of the premises, do order and appoint J. S. McCreeery, F. L. Arnold and D. R. Fullerton 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 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.

Robert 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 Michael Dixon the sum of Thirtieth-five dollars
To..... the sum of.....
To..... the sum of.....

Witness our hands this 28 day of April A. D. 1901.

J. M. Henry
J. A. P. Fullerton

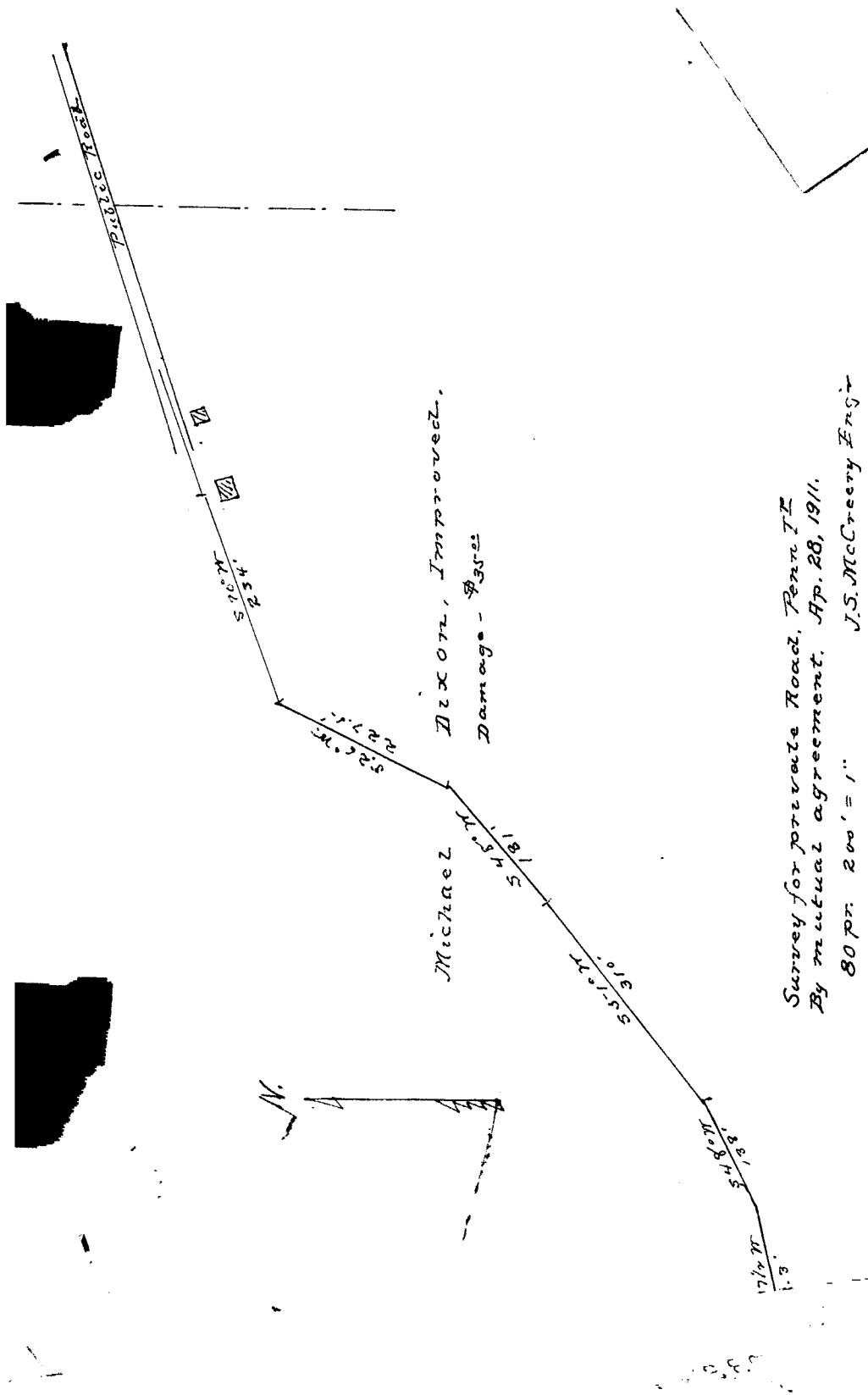
ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view and lay out Road leading from a point on Public Road leading from Stephonia to Luthersburg near the Catholic Cemetery (785 feet from Grampian road)

in Penn 0 - 1 - 0 Township, to intersect P. 10

Service of within notice accepted this 18th day
of April 1911

J. A. Wrigginsworth } Supervisors
J. T. Cleaver } of
Edwin Spences } Penn Township



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

Owing to the absence of one of your viewers, viz, F.L. Arnold, no official action could be taken, but would beg to submit certain propositions presented as follows, to wit:

First, by the party who would be benefitted by such road, that if the damage asked for by Michael Dixon, (\$35.00) were paid by Clearfield County, he would be content with a private road.

Second, by the Supervisors of Penn T'w'p, that in case the above proposition meet the approval of the Court, said Township would bear the expense of opening said private road.

Third, by your viewers present, that a public road as asked for is not a necessity, and is impracticable, on account of not being for the general public, the damage to property that would accrue, and the excessive grade encountered, but we would heartily concur in the arrangement above agreed upon, as the cheapest and best solution of an outlet for D.B. Mloom, who is now a trespasser every time he leaves home, or returns thereto.

The above propositions were made in our presence, with the purpose if possible, of obviating the expense of another view, and remunerating Michael Dixon, who no longer cares to have about one half acre of his land used for road purposes, gratis.

Penn Township, April 28, 1911.

J. McReyn *Wm. present*
D. Fullerton

Order to View

No. 1, Kelley Sessions, 1909

ORDER

To view Cochle Road
road for public use in the
township of Zemun,
Clearfield County

AMOUNT.	
Days 2	10.00
Miles 10	1.00
Days 1	300
Miles 150	150
Days
Miles
Days
Miles
Days
Miles

1909 Sessions, 1909,
read and confirmed W. S.
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.

1909 ~~1909~~ ~~1909~~
All roads in view 10.

ROLL N. 111130 N. 190
Filed Clerk
Fees \$1.25 paid by Anton B. Cleam

Kelley
Atty