

No. 1,

Feb 1881

Term,

Public Road

versus

Land Township,

Road

1911

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 H. Kelly
Attorney for the Petitioners

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

Edmund 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, insaid 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 NX 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 Christy
John F. Christy
William Hoyt
H. P. Christy
B. A. Christy
J. J. Heingerber
George Heilborn
Charles S. Christy
John A. Christy
David Christy
L. E. Christy

Andy Danville
Margaret Danville
E. M. Haag
H. Christy
James Christy
W. Christy
J. W. Christy
P. Christy
W. Christy
H. Christy
J. Christy
J. Christy

James Dringley	J W McKeown
Wm Clark	A R Jones
Do more	R P Kester
John O. Olson	E. Spencer
A. N. Walker	Simon Guiker
Jos. Walker	Roy Guiker
John W. Hahn	Frank V. Spencer
Geo. & Rafferty	John C. Guiker
G. M. Passmore	Calvin Guiker
W. S. Rowles	Wm H. Guiker
Wm. Orshell	J. J. Spencer
Don McKeown	E. L. Spencer
Lewis Kishel	J. W. Curry
Frank Giff	Edw. Wall
E. M. Davis	E. McCracken
Edward Spencer	Frank McCracken
E. Spencer	A. M. Dodge
E. E. Thomas	Clare Guikes
John McEanna	Roy Caldwell
John R. Walker	Chris Curry
Wm. C. Walker	H. P. Hingston
J. D. Pyles	W. B. Luch
W. K. D. more	Chas. M. Ditt

Zack Tiffney

John Hilt

J. Widemire

L. H. Widemire

O. L. Bloom

A. J. Anderson

Edmund Blinn

James Smathers

Charles Perry

Willard F. Hall

T. E. McGowan

W. Rogers

Henry Nicholson

Bertie E. Brown

Thos. Nicholson

John Nicholson

Raffaele de Zako

John Franks

Mike Funder

Grampian Borough

J Currier

M G Bloom

Lewis C. Brooks.

J. Secumane.

W. H. Williams

Fred Pilkington.

Lars Peterson

Thos. H. Russee

in
 Anna Donahue
 Edition
 Filed
 FEB 17
 SOL. & TROTTMAN
 1910.
 Nov. 14/14
 1910.
 P. M. Nathan
 and read whereupon
 in memory of S. S. Arnold
 and D. O. Duncanson
 one of the most
 noble spirits
 and made known to
 the community
 by the
 James H. Kelley,
 Attorney at Law,
 Clearfield, Penna.
 1911

Now, Sept. 1910, petition read and answered
and
are appointed viewers to view the proposed road
and make report to Will, Secy, 1910.

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 Obligees, 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* *Sept* of ~~1911~~ in the year of our Lord, One thousand nine hundred and ten (1911).

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 the farm, to the cemetery at or near the Catholic Cemetery in Penn township. 725 feet from the intersection of said road with the road to the cemetery. to the intersection of said road leading from the farm to 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 Obligees, 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

NAMES.

John B. Bloom

No. 1 ~~Sept. 1818~~ Jan. 1818

Arthur David

Mr

Don Stumacher

John.

JAMES H. KELLEY,
Attorney at Law,
Clearfield, Penna.

KURTZ BROS., CLEARFIELD, PA.

1210
D. B. Dwyer, Jr.

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.} ~~NI Si.~~

By the Court,

Allison O. Smith

P. J.

September Sessions 1911 the above order for re-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

ag

about 700 feet from the river

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

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

Michael R. Dixon

Owners of Property
thru which pro-
posed road will
pass

" 7 11 10 7 11 18th day of

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

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 Mabernia 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. McCreery, 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 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.

Roll 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 sealing 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 Thirty-five dollars
To..... the sum of.....
To..... the sum of.....

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

J. M. Cherry
D. A. Fullerton

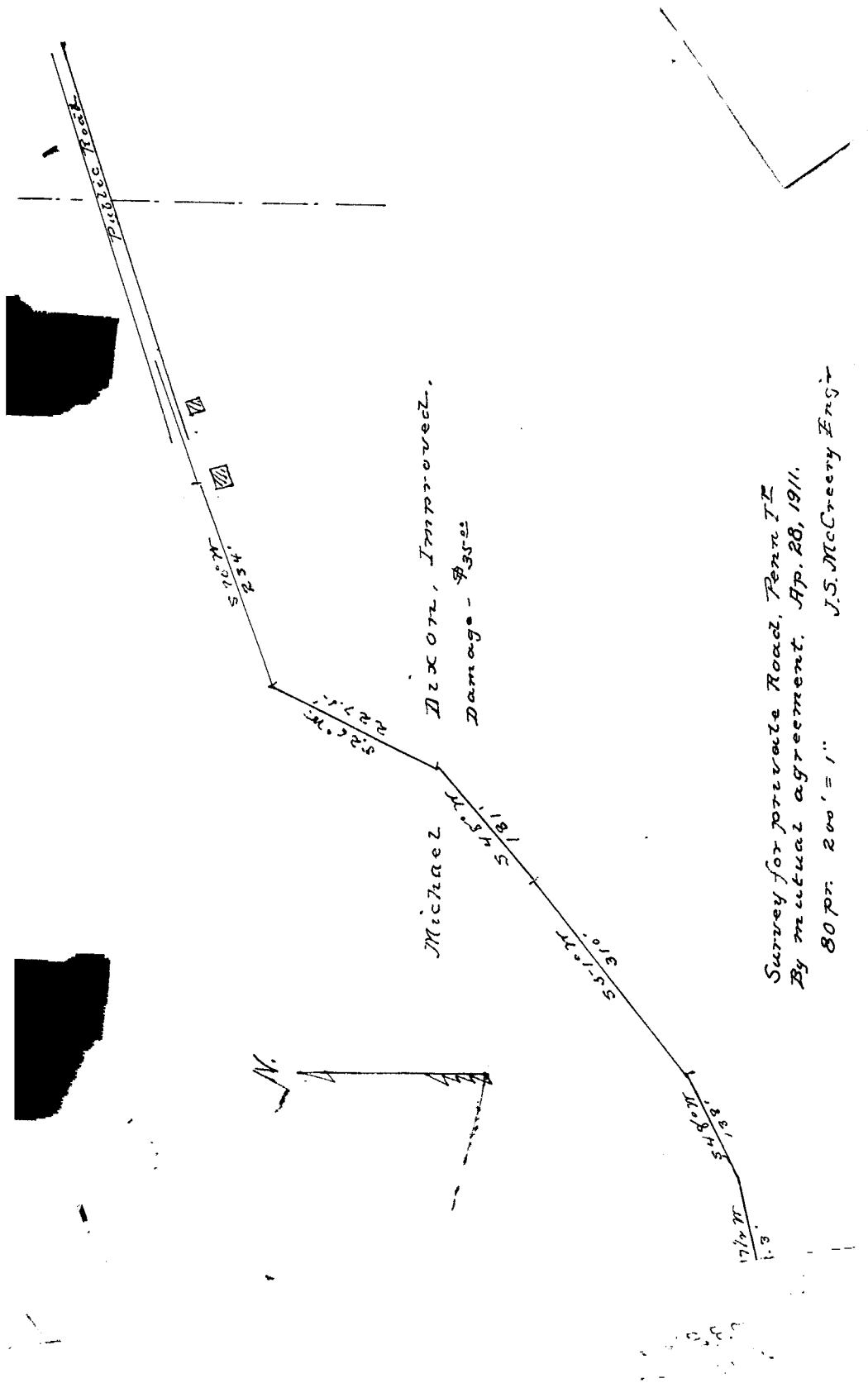
ROAD VIEWERS' NOTICE

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 Hepburnia to Luthersburg near the Catholic Cemetery (785 feet from Granpian road)

in Penn Township, to intersect P. 10

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

J. R. Winesworth
J. T. Cleaver
Edmund Spencer } Supervisors
of
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 benefited 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. M. Treney
D. B. Mloom *viewers present*

No. 1 *Foley* Sessions, 1907

ORDER

To view Public Road
road for Public use in the
township of Green,
Clearfield County

Adopted Sessions, 1908, read and confirmed N. St. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide. *th. 12.25*

be 16 feet wide.

ROLL B. T. 1450X. 190
Filed clerk

Fees \$1.25 paid by Sutton Bloom

Kelley
Atty

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. Gump		Days	Amount
	2	10.00	
	10	1.00	

DR Fuller } Days 1 300
Miles 15- 150

Days
Miles

Days.....
Miles.....

Days.....
Miles.....

AMOUNT.
1.400