

No. 

Dec.

SESSIONS, 191

3

COMMONWEALTH

VERSUS

In Re Public
Road in Morris
Twp.

R. d. v. - Page 222

Charge

Part Twp. Bd 17904

JAMES H. KELLY

In the Court of Quarter Sessions of Clearfield &

In re public road in Morris Township

To the Honorable the Judge of said Court the undersigned citizens of said Township of Morris respectfully represent that they labor under great inconvenience for want of a public road in said Township of Morris to commence at a point on the public road leading from Munson to Coloradomines at or near the residence of Wm. Wilkenson, and to end at the Rail Road station at Coloradon Mines. - They therefore pray your Honorable Court to appoint viewers to view and report on the same at the next Term of Court. And they will ever pray &c

Frank Wilkinson

W. & Retman ~~one~~ & Merchant

Peter Scott Farmer

Wm. Shaw Farmer

Joseph Hart Farmer

J. S. Scott Miner

John Thompson Merchant

Wm. Hartung Tel Operator

R. R. Frank Merchant

John Kinscherer Miner

Martin Mall Miner

W. J. Hartung Miner

Kaufert Deacon Miner

Golden Smith Miner

Peter and John Ladd

Albert Wilkinson Tax Collector Munson
William Wilkinson Farmer Munson
Carl A. Zweck
William Herbert
Thomas Deacon
Sidney Deacon
Sam Hawe Physician
Thomas Galt Post master
John Galson
John Franckhak
Tom Gills
Mike F. W. Smith
Steve L. Miller
Jacob Smith Merchant
Drs. Chapman Butcher
Dr. William Munson
Chas. Munson Merchant
Frank Ziegler Merchant
Matthew Peale Clark

Munson Penna August 28th 1913

To the Supervisors of Morris Township

You are hereby notified that a petition for the appointment of viewers to lay out a public road to lead from a point on the Public road running from Munson to Colorado Mines at or near the residence of William Wilkerson, and to end at the Rail Road Station on the New York Central Rail Road at Colorado Mines, - At which time you can file any objections to the same if you so desire.-

John Malley

September 1913

We the undersigned Supervisors of Morris Township hereby accept service of the above notice

Wm. Jones

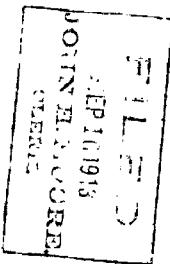
D. M. Petries

We except service on presentation of
Petition to Commissioners

H. R. Bouman

~~# of Sept 28 1913~~

1 December 18 1913



Mon Sept 28 1913
within petition read
and consequential and
thereupon A.G. Kramer
H. Maria Muir, and
J. McGill are appointed
members to review and
read and premises
and report as aforesaid
term.

Given the First
William C. Buttinger

Know all men by these presents that we -----
----- of the
Township of Morris County of Clearfield and State of Penns
are held and firmly bound unto the Commonwealth of Pennsylva
nia in the sum of one hundred dollars to, wh ch payment well and
truly to be made and done we do bind ourselves, our heirs, execu
tors and administrators jointly and severally firmly by these
presents .- Sealed with our seals an dated the first day of
September A D 1913

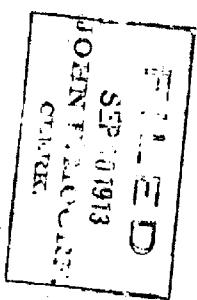
Whereas certain citizens of Morris Township have
presented a petition to the Court of Quarter Sessions of
Clearfield County asking that viewers be appointed to lay
out a public road in said Township to lead from a point on
public road leading from Munson to Colorado Mines at or near
the residence of William Wilkerson and to end at the Rail Road
station at said Colorado .Mines.-

Now the condition of this obligation is such that
if the said petitioners shall well and truly pay all cost that
may be imposed upon them by the Court in case the said road
should be refused then this obligation to be null and void
other wise to be and remain in full force and virtue .-

James Mallay Seal
Matthew Sincavage Seal
John J. Brissie Seal
Peter Adams Seal
William J. Stargies
Matthew Vossecky
John J. Miller
Anthony Zelinsky
and others

Nov 20 1913

Boer
F. H. M. M. S.



Marked
copy

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the 16th day of September in the year of our Lord one thousand nine hundred and Thirteen, before the Judge

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Morris

in said County, setting forth that they labor under great inconvenience for the of A Public Road in said Township of Morris to Commence at a point on the Public Road leading from Mus son to Colorado Mines, at or near the residence of Wm. Wilkinson s and to end at rail road Street or Station. at colorado Mines.

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A, G, Kramer. H, S, Mac Minn. and J, W, Gill.

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgment, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioner as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft or plot aforesaid. In which said reports they shall state that they have been sworn or affirmed according to law, and that due and legal notice was given of the time when, and place where, they should meet, to view and lay out said road, and the time and place of hearing.

By order of the Court.

John H. Moore, Clerk.

RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of Morris and that four notices thereof were posted along the route of the proposed road, that the said view would be held on the 23d day of October, A. D. 1913, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 21st day of November, 1913, at 10 o'clock A. M. That the said viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view James. Malloy, Anthony. Bernaskey Anthony. Sincake, and William. Wilkison, and Martin. Sincavage, all in favor of the road

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 21st day of November A. D. 1913, when the following appearances were noted: James Maloy in favor of the road

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not necessary for a public road; And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for public use the following described road, to-wit: Beginning at a point in a public road leading from Munson to Philipsburg past the Colorado Mines at or near the residence of William Wilkison; Thence following a private road adjoining improved properties of several of the petitioners; south twenty five degrees, twenty one minutes west, seven and twenty six one hundredth (7.26) rods. Thence south thirteen degrees, six minutes, west, three and fifty two one hundredth (3.52) rods; Thence, south one degree twenty four minutes east sixty and thirty sixth one hundredth (60.36) rods: Thence south five degrees, thirty six minutes, west, seventeen and twenty four one hundredth (17.36) rods: Thence south five degrees, forty six minutes, west ninety eight and twenty four one hundredth (98.24) rods: Thence from the terminal of said private road, over unimproved land of A Y Casanova, south thirty seven degrees sixteen minutes, west forty eight and seventy six (48.76) rods: to a private road at corner of school house lot: Thence along school house lot in said private road south six degrees thirty four minutes, east eight and ninety six one hundredth rods: Thence south thirty three degrees, nine minutes, east, nineteen rods past the public school house along said private road: Thence continuing along said private road, south fifty four degrees, twenty four minutes, east twenty eight (28) rods: Thence south seventy one degrees thirty four minutes, east eighteen and thirty six one hundredth (18.36) rods to a point in said private road: Thence from said road, south

TO, W. C. Langsford, J. S. Richards, and H. L. Bowman.

County Commissioners of Clearfield County Pa.

SIRS.

You are hereby notified; that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County Pa, to view and lay out a public road in Morris Township in said County, from a point in a public road, leading from Munson to Colorado Mines, at or near the residence of William Wilkison, and to end at the Railroad Station at or near Colorado Mines in Morris Township in said County. And having met as per notice previously given on Thursday October 23d 1913 at 9 o'clock A M on the premises and performed the duties of their appointment by making said view.

And that in pursuance of the requirements of the Act of Assembly in such case made and provided, the said viewers will meet for the purpose of holding the public hearing required by the said Act of Assembly, in the Arbitration room in the Court House in Clearfield Pa on Friday November 21st 1913 at 10 o'clock A M when and where all parties interested, either for or against the said road may attend and be heard.

A. J. Kramer
H. S. MacMinn
J. W. Gill
Viewers.

Now November 7" 1913 service of the above notice accepted.

COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. C. Morris
Clerk.

TO. W. C. LANGSFORD, J. S. RICHARDS, AND H. L. BOWMAN,
County Commissioners of Clearfield County Pa.

You are hereby notified, that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County Pa
to view and lay out a public road in Morris Township in said County,
from a point in a public road leading from Munson to Colorado Mines
at or near the residence of William Wilkinson, and to end at the
Railroad Station at or near Colorado Mines in Morris Township in
said County.

Will meet at the house of WILLIAM WILKINSON in said Town-
ship of Morris in the County of Clearfield Pa on Thursday October
23d 1913 at 9 oclock A M to discharge the duties of their appoin-
tment. at which time and place aforesaid you may attend if you see
proper.

Clearfield. Pa. October, 7th 1913.

A. G. Kramer

H. J. MacMinn

J. W. Gill

Viewers.

Now October 7 1913 service of the above notice accepted

COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. C. Morris

Clerk.

TO, D. M. Maines Wm. Jenney

ROAD SUPERVISORS OF MORRIS TOWNSHIP CLEARFIELD COUNTY PA.

GENTS;

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County, to view and lay out a public road in Morris Township Clearfield County, from a point in a public road, leading from Munson to Colorado mines at or near the residence of William Wilkison.

To a point at the Railroad station at or near Colorado mines in Morris Township in said County.

Will meet at the house of William Wilkinson in Morris Township in said County on Thursday the 23d day of October 1913 at 9 o'clock A M to attend to the duties of their appointment, at which time and place aforesaid you may attend if you see proper.

A. G. Kramer

H. S. Mac Munn

J. W. Sill

Viewers.

Now October 11th 1913 served a copy of the above notice on

D. M. Maines

Wm. Jenney

the Supervisors of Morris Township personally by copy

James Malloy
Martin Sincavage

TO: D. M. Maines, William, Jenney, and Thomas Harding

ROAD SUPERVISORS OF MORRIS TOWNSHIP, CLEARFIELD COUNTY PA.

SIRS.

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County Pa to view and lay out a public road in Morris Township in said County, from a point in a public road, leading from Munson to Colorado Mines, at or near the residence of William Wilkison, and to end at the Railroad Station at or near Colorado Mines in Morris Township in said County. And having met as per notice previously given, on Thursday October 23d 1913 at 9 oclock A M on the premises, and performed the duties of their appointment by making said view.

And that in pursuance of the requirements of the Act of Assembly in such case made and provided, the said viewers will meet for the purpose of holding the public hearing required by the said Act of Assembly, in the Arbitration room in the Court House in Clearfield Pa on Friday November 21st 1913 at 10 oclock A M when and where all parties interested, either for or against the said road may attend and be heard.

A G Kramer
H S Mac Munn
J W Gull

Viewers.

Now November 8 1913 served this notice on D. M. Maines and William Jenney and Thomas Harding, ^{on the 11th} the above named Supervisors personally by handing each of them a copy of same.

James Malloy

No. 1 Dec 1913
1913 Sessions, 1913

ORDER

To view any exact a
road for Public use in the
township of Morris.
Clearfield County Pa.

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 the 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.

	Days.	Miles Am't.
A. G. Chamber	3	49 17.45
H. J. MacMunn	3	103 20.25
J. W. Gull	3	141 23.30

December Session, 1913.
read and confirmed M. 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.

By the Court
Selmon S. Jones
Now Feb 22 1914
abated by the Court
J. G. L. Bell
Seal of
M. S. Jones

Filed 19

Fees \$1.25 paid by
M. S. Jones

SEAL
SEAL
SEAL
SEAL

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

at and before the ensealing and delivery
hereof, have remised, released and forever quit-claimed, and do hereby re-
mise, 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. 1911

thirty three degrees, twenty four minutes, east, fifty seven and twenty eight one hundredth (57.28) rods to the centre of the New York Centrel Rail Road at Colorado Mines Station; A total distance of three hundred and sixty six and ninety eight one hundredth (366.98) rods.

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees, ~~XXXXXX~~

~~when it was not practicable to preserve it within that limit~~ LXX

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from

the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows:

Frank Ray	\$1.00	Albert Viseskey	\$1.00
Thomas Chapman	1.00	William Wilkison	1.00
Matt Skrinskey	1.00	Anthony Zelinskey	1.00
Matt Visesky	1.00	Martin Sinscavage	1.00
Anthony Bernesky	1.00	A Y Casanova	1.00
Colorado Coal Mining Co	1.00		

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 21st day of November

A. D. 1913.

A. G. Kramer 
H. J. Mag. Minn. 
J. J. V. S. C. 

