

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 7 day of February in the year of our Lord one thousand nine hundred sixteen,

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

in said County, setting forth that a certain public

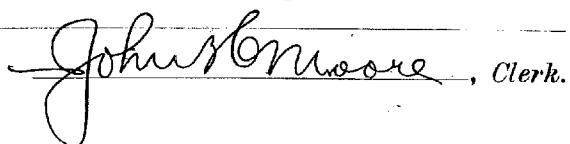
road leading from the Lawrence Township line at Clearfield Creek near the Dimeling station of the N. Y. Central railroad to the line of Knox Twp. in said Co. of Clearfield and thence on to Turkey Hill in the Twp of Knox, has become useless and burdensome to the township of Boggs to keep and maintain; that said road does not accommodate any number of people and is seldom used and a bridge lately existing on said road between the township of Lawrence and the township of Boggs across little Clearfield Creek has broken down and gone out, and to replace said bridge and put said road in repair would cost the township of Boggs an unreasonable sum of money.

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. L. Edwards Esq., Harry Rose and A. G. Kramer Esq.,

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 B. 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 Boggs and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 20th day of April, A. D. 1916, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 21st day of April, 1916, at 9, o'clock A. M. That two of the viewers appointed by the said order viewed the ~~proposed road for the above mentioned hearing and that there were present at the view~~ the said road to be vacated and that there were present at the said view George B Shugart, H W Motter and Cyrus Robison the Supervisors of Boggs Township in favor John M Chase, W D Liddle George Root, Ross Lambert Math Ownes & David Rowles opposed to vacating said 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 April, A. D. 1916, when the following appearances were noted: in favor of vacating said road, George B Shugart, H U Motter and Cyrus Robison the Supervisors of Boggs township, and Ross Lamber, W D Liddle, John M Chase, George Root, John Colter and Oscar Mitchell Esq. opposed to vacating said road.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, ~~deemed it necessary to take occasion for a road to be vacated in the said Township and the best opportunity for such road we have had, only in such manner as shall not interfere with private property, and as far as practicable agreeably to the desire of the people and the best interest of the Township, use the following description of the road to be vacated being present at the said view and hearing, are of the opinion that the lower end of said road from the Boggs Township line near Dimling Station where said road crosses little Clearfield Creek to where the private road of Ross Lambert connects with said road, as shown by the Draft attached as part of our report, a distance of 6490 feet has in the opinion of the viewers become useless, inconvenient and burdensome upon the taxpayers of the township and should therefore be vacated, for the following reasons:-~~

FIRST; because the appearance of the road would indicate; that there is no travel of any account if any at all over said road and is therefore unnecessary.

Second, because said road is not now and never has been a lawful road, is most of the way not over ten to twelve feet in width, and in some places not over eight or nine feet wide; and runs along a steep side hill, and has no bank log or guard rail along any part of said road, to protect parties traveling said road from going down over the steep bank along the lower side of said road which is from fifteen to thirty ^{feet} in height down onto the Railroad tract or big Clearfield Creek and is therefore unsafe and in a dangerous condition.

Third; because it is in very bad repair, and would cost considerable money to put it in proper condition and safe to travel let alone to widen it to a lawful width and protect it with a guard rail which would be necessary to protect the township against a possible claim for damages by reason of accident caused by the lack of proper protection along the lower side of said road. In addition to that it would require a bridge not less than fifty feet in length, at the lower end of said road across little Clearfield Creek, the boundary line between Lawrence and Boggs Townships.

TO:- J. E. Dale, H. H. Spencer and Austin Haney,
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 upon the petition of sundry citizens of Boggs Township to view and vacate that part of the public road, leading from the Lawrence Township line, to Turkey Hill in Knox Township, from the point where said public road crosses the Lawrence Township line near the Dimling Station on the New York Central Railroad in Boggs Township; to where the said public road leading to Turkey Hill, crosses the Knox Township line at the southern end of Boggs Township in the county aforesaid, will meet at the end of said road near the Dimeling Station in Boggs Township on Thursday the 20th day of April A. D. 1916 at one (1) o'clock P. M. to attend to the duties of their appointment, at which time and place you may attend if you see proper.

And that the public hearing required by the Act of Assembly and the Rules of Court, to give all parties interested either for or against the vacating of the said road, a chance to be heard by the viewers, before the filing of their report, will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the 21, day of April A. D. 1916 at nine (9) o'clock A. M. when and where all parties interested, either for or against the vacating of said road may appear and be heard.

R. S. Edwards

H. A. Reese

A. G. Kraemer

VIEWERS.

Now April 10 1916 service of this notice accepted for the
COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. C. Morris

Clerk

Geo B Shugart

TO:- H. U. Motter. ~~R. Hause~~ and CYRUS. ROBISON. Supervisors of Boggs Township Clearfield County Pa.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa, upon the petition of sundry citizens of Boggs Township, to view and vacate, that part of the public road, leading from the Lawrence Township line, to Turkey Hill in Knox Township, from point where said public road crosses the Lawrence Township line near the Dimling Station on the New York Central Railroad in Boggs Township; to where the said public road leading to Turkey Hill; crosses the Knox Township line at the southern end of Boggs Township in the County aforesaid; will meet at the end of said road near the Dimling Station in Boggs Township. on Thursday the 20th, day of April A. D. 1916 at one (1) o'clock P. M. to attend to the duties of their appointment, at which time and place you may attend if you see proper.

And that the public hearing required by the Act of Assembly and the Rules of Court, to give all parties interested either for or against the vacating of the said road, a chance to be heard by the viewers, before the filing of their report, will be held in the Arbitration Room in the Court House in Clearfield Pa, on Friday the 21, day of April A. D. 1916 at nine (9) o'clock A. M. when and where all parties interested, either for or against the vacating of said road may appear and be heard.

A. S. Edwards

H. A. Reese

A. G. Kramer

VIEWERS.

H. U. Motter Now April 12 1916 served this notice on George. B. Shugart and Cyrus Robison the Supervisors of Boggs Township personally by handing each of them a copy of same.

Geo. B. Shugart

in including the abutments and the filling in of the approaches would cost not less than two thousand dollars; one half of which would have to be born by Boggs township, so that in the opinion of the viewers to repair said road as it should be, including a guard rail and build said bridge (without which said road would be practically useless) would be from \$1400.00 to \$1600.00 to Boggs township alone: And that the only person living along the part of said road recommended to be vacated is George Root, who who lives within six or eight hundred feet of the Dimling Station, who owns about thirty acres of land with about twelve acres cleared with a small house and barn and is an employee of the N Y C Railroad as a section hand who has an outlet over his own land and the right of way and bridge of the said Railroad Company to the public road in Lawrence Township: The balance of the land over which said road passes is unimproved and undeveloped woods land.

The viewers therefore see no reason for maintaining or keeping up that portion of said road and therefore recommend that that part of said road from the township line at Dimling Station to where the private road of Ross Lambert intersects with said road be vacated.

But as to the balance of said road, from where the private road of Ross Lambert connects with said road to the Knox Township line, a distance of about two and one half miles in length; with the exception of about one half mile is in fair condition and on comparative level ground and can be put in good repair and kept up at a moderate expense and will afford an outlet by way of Mitchell Station for the Ross Lambert farm, the only farm along said part of said road, and to parties traveling through from the Turkey Hill settlement in Knox Township to the Railroad or to Clearfield town and also afford an outlet for the recent development and operation

~~and the following diagram of said road showing courses and distances and the properties affected in the same attached and made a part hereof, said road being at an elevation not exceeding five hundred feet above the sea level, and passing through the fire clay mines in the vicinity of the upper end of said road for the furnishing of supplies to said operations and access for parties from Knox Township, New Millport, and Faunce employed at said operations and to the Railroad Station at Mitchell's to travel to and from their work, the opinion of the viewers is therefore that that portion of said road is not inconvenient or burdensome upon the taxpayers of the township but by recent developments has become useful and would therefore recommend that that part of said road as above stated be not vacated.~~

the following persons having refused to release the damages to which they respectively may be entitled by the removal of the fence and opening of the said road, will under the names and initials following, consider the advantages to be derived to them, to use by them, damages and other compensation as follows:

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

WITNESS our hands and seals this 25th day of April -----

A. D. 1916.

A. G. Kranner
T. A. Reeser



ORDER

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 ways 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 said, they will report to that effect.

ad, they will report to that effect.

*To view.....and update.....a
road for public use in the
township of Boggs.....
Clearfield County.....*

H. A. Reed 4.14.27.
H. L. Drayton 4.4.22.

side hill cutting or embankment and bridging, there to be 16 feet wide.

note:
By the author
Augusta Bell

Filed 19
Fees \$1.25 paid by

City Woodward,

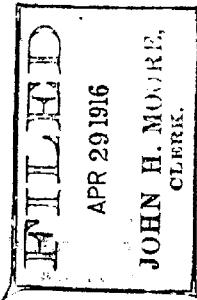
RELEASE OF DAMAGES.

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 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. 191_____.



LAWRENCE TOWNSHIP

BOGGS TOWNSHIP

ROAD IN BOGGS TOWNSHIP
CLEARFIELD COUNTY PA
VIEWED AND DRAWN
APR. 20 - 1916
A.G. KRAMER ESQ.)
A.L. EDWARDS ESQ.) VIEW
HARRESE