

Dec. / Term, 1916

WISHIP TO VACATE And supply
portion of public road from point
at moose creek to a point near
sup rocks

Versus

X

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 5 day of September 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 Lawrence

in said County, setting forth that a portion of what is known as the River road and which connects with West Front Street of the Borough of Clearfield, and said portion of road extending from the mouth of Moose Creek to a point at or near the Sheep Rocks has become by reason of flood and ice practically impassable, the top of said road having been repeatedly washed away, and said piece of road has been a constant expense to the Township of Lawrence for maintenance, in fact it is almost impossible to properly maintain said road. Your petitioners therefore pray that viewers may be appointed to vacate a portion of this road and supply same with public road located on higher ground 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, E. D. Billotte and J. S. Michaels

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 S. 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 Lawrence and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 18th day of October, A. D. 1916, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 20th day of October, 1916, at 3, o'clock A. M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Elmer Graham one of the Supervisors of Lawrence Township and Alber Shaw, one of the heirs of the Joseph Shaw Estate, Hazzard Murray Esq as Attorney for the B. F. & P. Railroad Company and Elmer Zimmerman representing the Whitmer Steel Co. parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 20th day of October, A. D. 1916, when the following ~~over until Friday November 1, 1916~~ ^{and then adjourned} appearances were noted. At first hearing Elmer Graham Supervisor, Hazzard Murray Attorney and D. S. Watkins Engineer of the B F & P Railroad Co Charles Roessner with his Attorney W. A. Hagerty Esq, Alber Shaw, Mike

Farrell, and at the second hearing as witnesses on the question of Damages
W. A. Hagerty Esq Attorney & James Waple, Mike Farrell, Charles Ryan
Abe Tate, Hiram Sheffrey and Milton Brown. Hazzard Murray & D.S. Watkins
After the second hearing above mentioned the trial was adjourned.

After the view and hearing above mentioned, the undersigned ~~subscribers~~ ^{Subscribers} ~~viewers~~ ^{Subscribers}, do agree that there is an occasion for a road as desired by the petitioner, and that the same is 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 the public road known as the Mount Joy road where the public road lately laid out from the end of West Front Street in the Borough of Clearfield connects with the said Mount Joy road. Thence through a twelve (12) foot Alley between the lots of Charles Poessner and Mrs William Peems and over part of said lots of the said Charles Poessner and Mrs William Peems adjoining said alley, north sixty one (61) degrees, east, one hundred and seventy two (172) feet to a twelve (12) foot Alley, thence over said alley and over improved farm land of Charles Poessner the following courses and distances, to wit: North seventy four (74) degrees, east, three hundred and eighty (380) feet: Then north, eighty (80) degrees, thirty (30) minutes, east six hundred and eighty (680) feet to the intersection of the river road at the south side of the right of way of the Buffalo, Rochester and Pittsburg Railroad Company; thence over the river road through under the Railroad bridge of the Buffalo, Rochester and Pittsburg Railroad, forty nine (49) degrees, east, forty five (45) feet: Thence over the right of way of the said Buffalo, Rochester and Pittsburg Railroad Company and land of the Joseph Shaw's Estate, north twenty six (26) degrees, east, one hundred (100) feet. Thence over land of the said Joseph Shaw's estate the following courses and distances, to wit; North sixty three (63) degrees, fifteen (15) minutes, east three hundred (300) feet. Thence north, seventy one (71) degrees, east three hundred (300) feet: Thence south, eighty seven (87) degrees, east one hundred and twenty (120) feet to the intersection of the public road known as the river road

near the Sheep Rocks in Lawrence Township. The one hundred and seventy two (172) feet the distance that the road passes over the Alley and lots of the said Charles Poessner and Mrs William Reams the viewers recommed that the road be limited to twenty (20) feet in width.

The viewers further report: that having also viewed the public road known as the river road from the Sheep rocks to the mouth of Moose Creek and that by the laying out of the said new road that a portion of the said river road supplied by the said new road has become useless, inconvenient and burdensome upon the taxpayers of the township they would therefore recommed that, that portion of said river road from where the said new road intersects with the said river road near the Sheep rocks to the north side of the Railroad bridge; a distance of six hundred and fifteen (615.00) feet. and from where the said new road intersects the river near south of the said Railroad bridge up the river, eight hundred and fifteen (815.00) feet to an alley on the north side of the residence of James Werritt; about three hundred (300) feet down the river from the mouth of Moose Creek in Lawrence Township be vacated, as oraved for by the petitioners.

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.

~~Not to exceed the limit of property within the limit.~~

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 any.

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:

Charles Poessner on lot	\$50.00
Charles Poessner on farm	\$350.00
Mrs William Reams	\$ 40.00
Heirs of the Joseph Shaw Estate	\$ 75.00

and we herewith return ~~the~~ copy of the notices.

WITNESS our hands and seals this 17th day of November
A. D. 1916.

A. G. Kramer 
E. Billotte 
J. S. Michaels 

ORDER

To view ~~the~~ ^{on the 21st day of} July, 19th a road for ~~the~~ ^{use in the} township of Clearfield County

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.

Viewers 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 A.M't.
4	2 200
5	82 29.00
3	134 21.70

July Session, 19th,
read and confirmed Ni. Si.
Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

My the Court
Englewood Bld
N.Y.

Filed _____ 19

Fees \$1.25 paid by _____



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 remitted, 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. 191st.

TO:- JESSIE. 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, to view and lay out a public road leading from a point in the public road known as the Mount Joy road, at or near the terminus of the public road recently laid out, from the end of West Front Street at the Borough line, to the Mount Joy road, and extending on higher ground from said point, to the river road at or near what is known as the Sheep Rocks. in Lawrence Township: And vacate, that portion of the said river road supplied by the said proposed new road; from the intersection of the said proposed new road with the said river road, at or near the sheep rocks, to at or near the Mouth of Moose Creek in Lawrence Township; in the County aforesaid, will meet at the Railroad Crossing of the B. F. & P Railroad across the said Mount Joy road near the beginning of the said proposed new road in Lawrence Township on Wednesday the 18th day of October A. D. 1916 at nine (9) o'clock A. M. to make said view at which time and place you may attend if you see proper.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers to give all parties interested, either in favor of or against the said proposed new 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 October 20th 1916 at nine (9) o'clock A. M. at which time and place you may attend and be heard.

A. J. Kramer
E. D. Billott
J. S. Michaels

VIEWERS.

Now October 3 1916 service of this notice accepted for the County Commissioners of Clearfield County Pa.

L. C. Morris
Clerk.

TO:- JESSIE. 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, to view and lay out a public road leading from a point in the public road known as the Mount Joy road, at or near the terminus of the public road recently laid out, from the end of West Front Street at the Borough line, to the Mount Joy road, and extending on higher ground from said point, to the river road at or near what is known as the Sheep Rocks. in Lawrence Township: And vacate, that portion of the said river road supplied by the said proposed new road; from the intersection of the said proposed new road with the said river road, at or near the sheep rocks, to at or near the Mouth of Moose Creek in Lawrence Township; in the County aforesaid, will meet at the Railroad Crossing of the B. R. & P Railroad across the said Mount Joy road near the beginning of the said proposed new road in Lawrence Township on Wednesday the 18th day of October A. D. 1916 at nine (9) oclock A. M. to make said view at which time and place you may attend if you see proper.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers to give all parties interested, either in favor of or against the said proposed new 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 October 20th 1916 at nine (9) oclock A. M. at which time and place you may attend and be heard.

A. G. Kramer
E. D. Billott
J. S. Michaels

VIEWERS.

Now October 3 1916 service of this notice accepted for the County Commissioners of Clearfield County Pa.

L. C. Sherris

Clerk.

TO:- Jessie. E. Dale, H. H. Spencer and Austin Haney.
County Commissioners of Clearfield County Pa.

You are hereby notified, that the adjourned public hearing in the proceedings to lay out a public road, from a point in the Mount Joy road; to what is known as the Sheep Rocks in Lawrence Township; over lands of Charles Reossner and the Joseph Shaw Estate; will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the 17th day of November A. D. 1916 at nine (9) o'clock A. M, at which time and place all partied interested may attend and be heard.

A G Kramer
E D Billotte
J S Michaels

VIEWERS.

And now November 4 1916 service of the above notice accepted
for the County Commissioners of Clearfield County Pa.

L C Morris
Clerk

TO:- Elmer Graham, Edward Cowan and J. A. Aughenbaugh
Supervisors of Lawrence Township 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, leading from a point in the public road known as the Mount Joy road, at or near the terminus of the public road recently laid out, from the end of West Front Street at the Borough line, to the Mount Joy road, and extending on higher ground from said point, to the river road at or near what is known as the Sheep Rocks: And vacate, that portion of the said river road, supplied by the said proposed new road, from the intersection of the said proposed new road, with the said river road, at or near the sheep rocks, to at or near the mouth of Moose Creek in Lawrence Township; in the County aforesaid, will meet at the Railroad Crossing of the B. R. & P. Railroad across the said Mount Joy road near the beginning of the said proposed new road in Lawrence Township on Wednesday the 18th day of October A. D. 1916 at nine (9) o'clock A. M. to make said view, at which time and place you may attend if you see proper.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers to give all parties interested, either in favor of or against the said proposed new 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 October 20th 1916 at nine (9) o'clock A. M. at which time and place you may attend and be heard.

A. G. Kramer
E. D. Billotte
J. A. Michaels

VIEWERS.

Now October 9th 1916 served this notice on Elmer Graham, Edward Cowan and J. A. Aughenbaugh to Supervisors of Lawrence Township personally by handing each of them a correct copy of same.

Elmer Graham

TO:- Edward, Cowen, Elmer, Graham and J. A. Aughenbaugh.
Supervisors of Lawrence Township Clearfield County Pa.

You are hereby notified, that the adjourned public hearing in the proceedings to lay out a public road, from a point in the Mount Joy road; to what is known as the Sheep Rocks in Lawrence Township; over lands of Charles Reossner and the Joseph Shaw Estate; will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the 17th day of November A. D. 1916 at nine (9) oclock A. M, at which time and place all parties interested may attend and be heard.

A G Kramer

E D Billotte

J S Michaels

VIEWERS.

Now November 10th 1916 served this notice on Edward Cowen, Elmer Graham and J. A. Aughenbaugh the Supervisors of Lawrence Township personally by handing each of them a true and correct of same.

Elmer Graham

TO:- Miss. Ella. Shaw.

Madam.

You are hereby notified, that the adjourned public hearing in the proceedings to lay out a public road, from a point in the Mount Joy road; to what is known as the Sheep Rocks in Lawrence Township, over lands of Charles Reessner and the Joseph Shaw Estate; will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the 17th day of November A. D. 1916 at nine (9) o'clock A. M, at which time and place you may attend and be heard.

A G Kramer

E D Billotte

J S Michaels

Viewers.

And now November 10th 1916 served this notice on Miss Ella Shaw personally by handing her a copy of same.

Elmer Graham

TO:- MISS, ELLA, SHAW.

Madam.

you are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions, of Clearfield County Pa upon the petition of a number of the citizens of Lawrence Township to view and lay out a public road leading from a point in the Mount Joy road mostly over land of the Joseph Shaw's Estate to a point in the River road at or near what is known as the Sheep Rocks in Lawrence Township and vacate what is known as the river road from the sheep rocks to at or near the mouth of Moose Creek in Lawrence Township in the County aforesaid. And that the said viewers will meet to view said road at the Railroad Crossing of the B. R. & P. Railroad across the said Mount Joy road being at or near the beginning of the said proposed new road in Lawrence Township on Wednesday the 18th day of October A. D. 1916 at nine (9) o'clock A. M. 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 be held by the viewers to give all parties interested, either for or against the said proposed new 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 20th of October 1916 at nine (9) o'clock A. M. when and where you may attend and be heard.

A G Kramer
E D Billotte
J S Michaels

VIEWERS.

Now October 9th 1916 served this notice on Miss Ella Shaw personally by handing her a true and correct copy of same.

Elmer Graham

TO:- THE WHITMER STEEL COMPANY.

GENTS.

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, leading from a point in the public road known as the Mount Joy road from at or near the terminus of the public road recently laid out, from the end of West Front Street at the borough line to the Mount Joy road, and extending on higher ground from said point, to the river road at or near what is known as the Sheep Rocks, in Lawrence Township: And vacate that portion of the said river road supplied by the said proposed new road, from the intersection of the said proposed new road with the said river road at or near the sheep rocks, to at or near the mouth of Moose Creek in Lawrence Township in the County aforesaid; and that a part of said proposed new road to be laid out will probably pass through your land used for a mill site and lumber yard, along the Mount Joy road, and that said viewers will meet at the Railroad Crossing of the B. R. & P. Railroad across the said Mount Joy road near the beginning of the said proposed new road in Lawrence Township on Wednesday the 18th day of October A. D. 1916 at nine (9) o'clock A. M. to make said view at which time and place you may attend if you see proper.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers to give all parties interested, either in favor of or against the said proposed new 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 October 20th 1916 at nine (9) o'clock A. M. at which time and place you may attend and be heard.

R. G. Kramer

E. D. Billotte

J. S. Michaels

VIEWERS.

Now October 9th 1916 served this notice upon the Whitmer Steel Company by copy

Elmer Graham

TO:- Charles Roessner.

You are hereby notified, that the adjourned public hearing in the proceedings to lay out a public road from a point in the Mount Joy road; to what is known as the Sheep Rocks in Lawrence Township, over lands of Charles Roessner and the Joseph Shaw Estate; will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the 17th day of November A. D. 1916 at nine (9) oclock A. M, at which time and place you may attend and be heard.

A G Kramer

E D Billatt

J S Michaels

VIEWERS.

And now November 6th 1916 service accepted for Charles Roessner and personal service waived.

M Hagerty
Atty for Char Roessner

TO:- CHARLES. REISSNER.

Dear Sir.

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, leading from a point in the public road known as the Mount Joy road, from at or near the terminus of the public road recently laid out, from the end of West Front Street at the Borough line to the Mount Joy road, and extending on higher ground from said point to the River road, at or near what is known as the Sheep Rocks, in Lawrence Township: And vacate that portion of the said river road supplied by the said proposed new road, from the intersection of the said proposed new road with the said river road at or near the sheep rocks, to at or near the mouth of Moose Creek in Lawrence Township in the County aforesaid; and that a part of said proposed new road to be laid out will probably pass through your land; and that the said viewers will meet at the Railroad Crossing of the B. R. & P. Railroad across the said Mount Joy road near the beginning of the said proposed new road in Lawrence Township on Wednesday the 18th day of October A. D. 1916 at nine (9) o'clock A. M. to make said view at which time and place you may attend if you see proper.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers, to give all parties interested, either in favor of or against the said proposed new 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 October 20th 1916 at nine (9) o'clock A. M. at which time and place you may attend and be heard.

A G Kramer

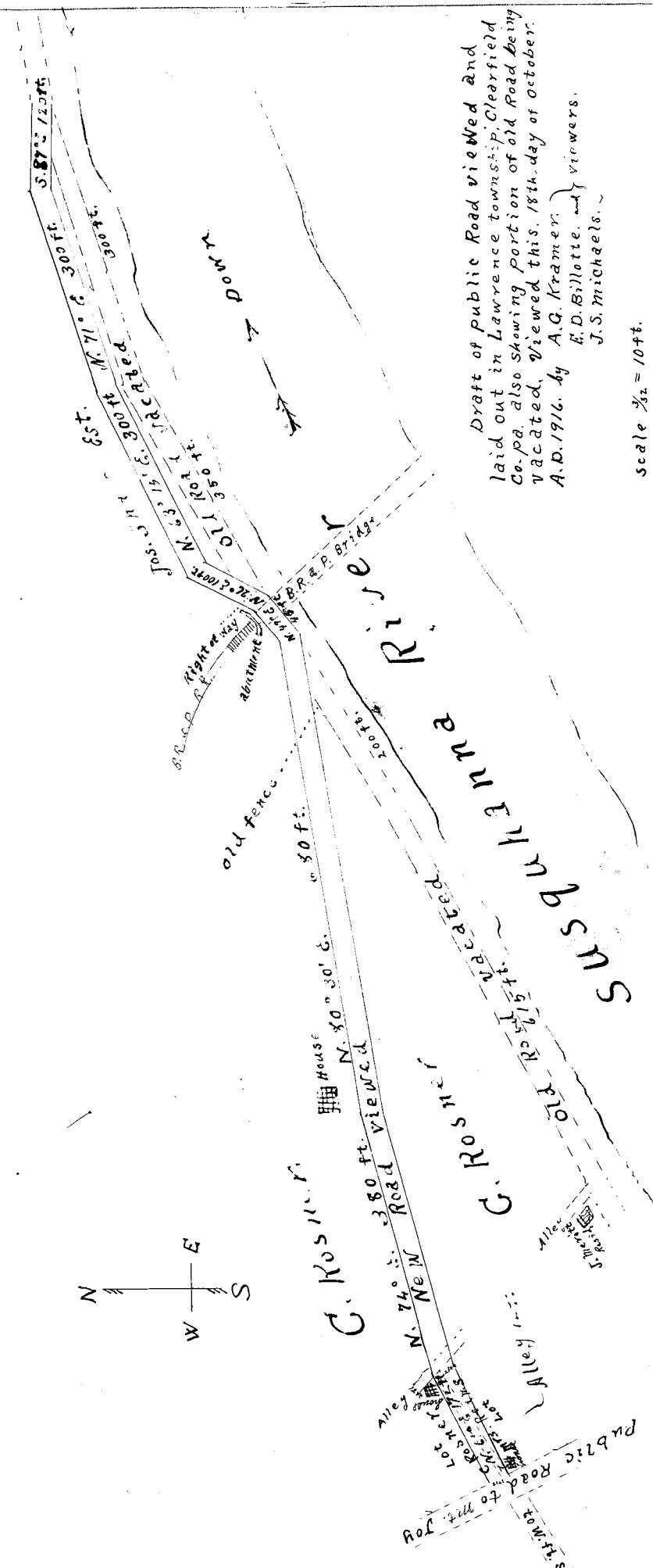
E D Billotte

J S Michael

VIEWERS.

Now October 9th 1916 served this notice on Charles Reissner personally by handing him a correct copy of same.

Elmer Graham



TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS OF CLEARFIELD:

The petition of the undersigned supervisors, citizens and tax payers of Lawrence Township, Clearfield County, respectfully represents;

That a portion of what is known as the River road and which connects with the Mt. Joy road at mouth of Moose Creek, the said portion of road extending from the mouth of Moose Creek to a point at or near the Sheep Rocks, has become by reason of flood and ice practically impassible, the top of said road having been repeatedly washed away and said piece of road has been a constant expense to the Township of Lawrence for maintenance, in fact it is almost impossible to properly maintain said road.

Your petitioners, therefore, pray that viewers may be appointed to vacate a portion of said road between the points as hereinbefore set forth and to supply the same with a public road, leading from a point in the Mt. Joy road at or near the terminus of the public road recently laid out from the end of West Front Street, at the Borough line to the Mt. Joy road, and extending on higher ground from said point to a point in the river road at or near what is known as the Sheep Rocks in Lawrence Township.

J. S. Augsbaugh
Ed Cowan
Elmer Graham
D. R. Owens
A. H. Read.
T. P. Luckett
H. E. Owens
J. W. Meader
Irvin Evans
John Siberrook Jr.
R. F. Luckett

J. O. Gamm
D. G. Reed
C. D. Bloom
Chas. D. Mignat
Harry J. Behrman
R. S. Rishel
R. W. Ogden
A. C. Welch
J. G. Clark
Elonore Lujer
Glorde Lujer
W. G. Johnson
W. A. Johnson

Stephen Zembla
R. D. Sorenson
E. W. Spencer
John S. C. Penrock Jr.
Jasper Organs
Jack Shedd
J. E. Green
A. H. D. Marfield
W. R. Daniels
Jeff Butler

J. C. Rehak Jr.

Frank Smith
L. H. Dreyfus
Joe A. McPherson
Jessie Hubler
A. D. Witterow
Joe A. McPherson
M. J. Quinn

Clearfield County, SS

Elmer Graham one of the above named petitioners being duly sworn says
the facts set forth in the foregoing petition are true as he believes.

Elmer Graham

Sworn and subscribed,
this 2 day of September 1916.

John W. Morris
Post

1 Dec 1916
Partition of Cataria's off
Laurea Rd from apartment
of Veneris to Vardas and
Supply partition of public
work from point where mud
and stone Cataria's portion
near Sheep Ricks.

Mo Sept 4th 1916 written
partition executed and executed
A. Veneris, E. B. Bissell
and S. M. Thompson
are to divide Veneris's
portion 1/3.

On the first
Sung for G.

LAW OFFICES
COLE & HARTSWICK
OPERA HOUSE BLOCK
CLEARFIELD, PA.

Baltimore Office Supply Company, Baltimore, Md.