

DOCKET No. 5

Doc  
Number Term Year  
2 Dec, 83 1917

Public Road in Morris Township

Versus

R. G. #5 - Page 391

not in existence

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

In re: ROAD IN  
MORRIS TOWNSHIP

December Sessions 1917

No. 17.

PETITION FOR RULE

TO THE HONORABLE SINGLETON BELL,  
PRESIDENT JUDGE OF THE SAID COURT.

Sir:

The petition of James P. O'Laughlin, Esq.,  
respectfully represents:

(1) That the viewers appointed by your  
Honorable Court to view and report on the above  
matter, filed their report in Court on May 4th 1920.

(2) That on November 5th 1920 the road as  
laid out, ~~and~~ the report of the viewers was confirmed  
absolutely by the Court.

(3) That, on account of the length and  
consequence of the said road, the decree of confirma-  
tion permitted a postponement of its construction  
until the season of 1921, if the financial condition  
of the Township, at the time of confirmation, did not  
justify its construction.

(4) That *Thos. G. Davis* ..... and  
*Thos. Berry* ..... and *Thos. Deacon* .....  
are the Road Supervisors of said Morris Township of  
Clearfield County.

(5) That the said Road Supervisors of said  
Morris Township since the confirmation of aforesaid  
report have not begun the construction of said road  
nor have they in any manner whatsoever complied with  
the terms of the decree of said Court.

(6) Your petitioner therefore asks that a  
rule be granted upon *Thos. G. Davis*  
*Thos. Berry and Thos. Deacon* the said Road  
Supervisors of Morris Township, Clearfield County,  
requiring them to show cause why said supervisors should  
not begin the construction of the said road or show  
cause why they are prevented by law from so doing.

*James P. O'Laughlin*...

STATE OF PENNSYLVANIA }  
COUNTY OF CLEARFIELD } SS.

On the ...<sup>13</sup>... day of December 1920, before  
me, the subscriber, a . . . . .  
in and for said County personally appeared JAMES P.  
O'LAUGHLIN, who being duly sworn according to law  
deposes and says: That he is the petitioner for the  
rule in this matter; that he is counsel of record for  
the petitioners for the road, and that the facts stated  
herein are true to the best of his knowledge, information  
and belief.

WITNESS my hand and official seal the day and  
year aforesaid.

*Geo W Ralston*  
.....  
Clerk

And now, ....., upon  
reading and consideration of the foregoing petition  
and on motion of James P. O'Laughlin, Esq., a rule  
is granted on \_\_\_\_\_  
to show cause why they should not begin the construction  
of afore mentioned road or show cause why they are  
prevented by law from so doing.

Rule returnable ..... Monday of .....1921.

.....  
.....  
.....

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD COUNTY, PA

No. ~~1~~ Dec. Sessions 1917

IN RE ROAD IN MORRIS

TOWNSHIP

Now Dec 13-1917 road made no  
ground in the Road  
Improvements of Morris  
Township to 1000  
acres up my line  
have with the said  
road is not under  
patented to 1<sup>st</sup> Mundy

of June 1921

By Mr. Local

Sealed and  
Signed

James W. Davis accepted

Dec 13, 1920

William H. Husted  
Attest My Hand

FILED  
DEC 13 1920

Geo. W. Ralston  
CLERK OF COURT  
CLEARFIELD COUNTY, PENNSYLVANIA  
LAW OFFICES:  
CLARK, RALSTON & LAUGHLIN,  
CLEARFIELD, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

In re- proceedings to lay )  
out public road in ) No. 2 December Sessions 1917.  
Morris Township. )

NOW November 27, 1918, the Supervisors of Morris Township, by their attorneys, Miller & Hartswick, file the following exceptions to the proceedings in this case and against the confirmation and laying out of said road.

First: The petition filed in this case is not verified by affidavit.

Second: The termini of said road, indicating and marking the point of beginning and the point of ending are indefinite, uncertain and insufficient, under the law.

Third: The point of beginning of said road is not marked with sufficient certainty and particularity to give notice of the point of beginning or to enable the supervisors of the township to build and construct the same.


Fourth: The point of ending of said road is too indefinite and uncertain to enable the township to know where said public road ends or to enable the supervisors to end the building and construction of said road.

Fifth: Said report does not show the owners of the land through which said road is located, nor that the viewers obtained releases of damages from said owners or assessed damages to said owners.

Sixth: The township of Morris is unable to build said road through the ordinary taxes authorized by law. It has a bonded indebtedness now amounting to the full two per cent of the assessed valuation of its assessable property and said township could not issue bonds for the cost of building and constructing

said road. The road could not be built unless the citizens of said township at an election to be held for that purpose authorized the increase of indebtedness of said township beyond the two per cent limit.

Seventh: The building and constructing of said road would be too expensive and burdensome for the township of Morris to undertake under the present circumstances.

  
Attorneys for Morris Township.

No. 2 December Sessions 1917

In re- proceedings to lay  
out public road in  
Morris Township.

Exceptions filed by Super-  
visors of Morris Township.

MILLER & HARTSWICK  
ATTORNEYS AT LAW  
CLEARFIELD, PA.

PAID BY OFFICE SUPPLY CO., BALDWIN, MO.

KNOW ALL MEN BY THESE PRESENTS that we, *Chas. Diviney*  
.....and *R. H. George*..... are held and  
firmly bound unto the Commonwealth of Pennsylvania in the sum of  
Fifty Dollars, lawful money of the United States, to be paid to the  
said Commonwealth, its certain attorney or assigns, to which  
payment well and truly to be made we, and each of us, do bind our-  
selves, severally, and our heirs, executors and administrators,  
and every of them, jointly by these presents.

Sealed with our seals and dated the *13th* day of September  
1917.

The condition of this obligation is such that if the above  
bounden *Chas. Diviney*.....and  
*R. H. George*..... their heirs, executors, administra-  
tors, or either of them, shall well and truly pay or cause to be  
paid unto the Court of Quarter Sessions of Clearfield County,  
Pennsylvania, all of the costs in a certain proceeding brought in  
the said Court to No. .... September Sessions 1917, being a  
proceeding for the establishment of a certain public road in Morris  
Township, Clearfield County, Pennsylvania, without fraud or further  
delay, when the same shall be due and payable, then this obligation  
to be void and of no effect, otherwise to be and remain in full  
force and virtue.

Signed, sealed and  
delivered in the  
presence of us:

*Elizabeth Park*  
*Marion M. E. Linder*

*Chas. Diviney* .. (SEAL)  
*R. H. George* .. (SEAL)  
..... (SEAL)  
..... (SEAL)  
..... (SEAL)



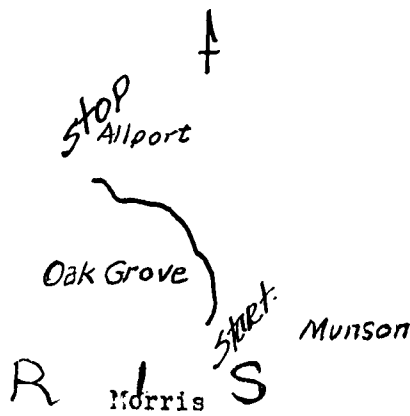
No 2 ~~Sept~~ 28. 1917.

In the matter of a  
road in Morris  
Twp. Clearfield  
Co. Pa

Bond for costs

Received 14<sup>th</sup> 1917  
Bond approved  
By the Court  
Angela Rice  
M.

Filed by  
Joseph A. Bingham  
Attorney for petitioners  
Clearfield Pa



Begin at point leading from  
 Munson to Allport at a point  
 445 feet from Sub Station of  
 Penna. Public Service Co. and  
 210 feet from the Creek, to  
 the end of said Public Road  
 leading from Kylesburg to  
 Philipsburg a distance of 342  
 Feet from Frank Limbery and a dist  
 of 31 feet from residence of  
 Hiram Hoffner

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNA.

IN THE MATTER OF A PUBLIC  
ROAD IN MORRIS TOWNSHIP,  
CLEARFIELD COUNTY, PENNA.

No. 2 December Sessions 1917

TO THE HONORABLE SINGLETON BELL,

PRESIDENT JUDGE OF THE SAID COURT:

The petition of James P. O'Laughlin respectfully represents:

(1) That he is attorney of record for the petitioners in the above entitled matter;

(2) That the facts set forth in the said petition are correct and true so the affiant hereto respectfully makes affidavit.

(3) That the one terminus of the said proposed highway petitioned for is the present terminus of a way which lies between land now or formerly of J.D. Gill Estate, and land now or formerly of Hiram Hoffner, at the junction point of the said way with the highway from Kylertown, in Clearfield County, Pennsylvania, to Philipsburg, Centre County, Pennsylvania.

(4) That the other terminus of the said proposed highway petitioned for is at a point on the highway from Munson, Clearfield County, Pennsylvania to Allport, Clearfield County, Pennsylvania, at a point 445 feet on said highway, toward said Allport from a Penn Public Service Corporation sub-station, which point is nearly opposite the junction of the Royal Branch of the New York Central Railroad with the said New York Central Railroad.

(5) That both of said termini and the route of the said proposed road are plainly shown on a draft thereof which is on file in the said Court with the papers in this matter and which draft was prepared by the viewers appointed by the said Court after a hearing on this petition.

(6) That it is averred in the exceptions filed by Adolph Kraska and the Supervisors of Morris Township in Clearfield County, Pennsylvania, that releases of damages are not shown to have been obtained from all owners of land through which the said proposed road passes.

(7) That it is also averred by said Kraska and by said Supervisors that the report of the said viewers does not show that they assessed damages to the owners of the land through which the proposed road passes.

(8) That it is also averred by the said Kraska that no personal notice was served on him as to the time and place of the view or of the hearing thereon.

WHEREFORE your petitioner respectfully requests,

(1) That the affidavit hereto be accepted as a compliance

nunc pro tunc with the law requiring that all petitions &c presented before the Court be duly verified;

(2) That the said petition be referred back to the said viewers with the direction that they re-view the said proposed roadway in the manner and form and time and after compliance with the law as to notice and releases and all else.

*Jas. P. O'Farrell*  
*Attorney for Petitioners*

CLEARFIELD COUNTY | SS:

On this ..... day of October 1919 before the subscriber hereto, personally appeared Daniel Wilson who being duly sworn or affirmed according to law deposes and says:

(1) That he is one of the petitioners who subscribed to the said petition presented before the said Court in said matter;

(2) That the averments in the said petition are correct and true;

(3) That the averments in this petition are believed by this affiant to be correct and true and he expects your petitioners to prove them at the hearings on this matter.

Sworn or affirmed to  
and subscribed before  
me this .16.... day  
of October 1919.

*Daniel Wilson* . . . . .

*Have it  
signed here*

*Wm. O'Connell*  
NOTARY PUBLIC  
COMMISSION EXPIRES MAR. 26, 1923

No. 2 December Sessions 1917

IN THE MATTER OF A PUBLIC  
ROAD IN MORRIS TOWNSHIP,  
CLEARFIELD COUNTY, PENNA.

*Verification  
Petition for re-venue*

FILED  
DEC 13 1917  
JOHN H. MOORE  
CLERK

JAMES P. O'LAUGHLIN,  
ATTORNEY-AT-LAW  
CLEARFIELD, PENNSYLVANIA  
*Atty for petitioners*

Now Oct 17<sup>th</sup> 1914, petition granted and matter  
referred to Harry Reese, Ed Bellotti and A. L.  
Eckelwelder who on re-appointed return and  
declined to re-view after compliance with all  
requirements as to notice &

*By the Court  
Singleton Bell*

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

In re Public Road in  
Morris Township

}  
}

No. 2 Dec. Sessions 1917  
Road Docket.

ORDER TO PLACE ON ARGUMENT LIST

To Honorable Geo. W. Ralston,  
Prothonotary of said Court.

Sir:

Please place above entitled case on the  
next argument list.

JAMES P. O'LAUGHLIN,  
LOUIS R. J. FENERTY  
EDWARD T. KELLEY,  
ATTORNEYS-AT-LAW  
CLEARFIELD, PENNSYLVANIA.

Attorneys for Petitioner.

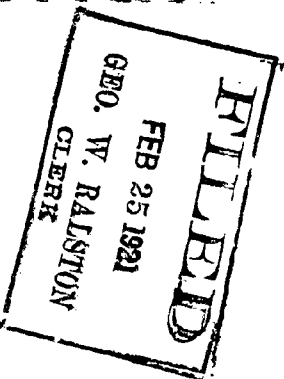
No. 2 Dec. Sessions 1917  
Road Docket

In re Public Road in

Morris Township.

Order to place on  
Argument List

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JAMES P. O'LAUGHLIN  
LOUIS R. INTRETT  
EDWARD T. KELLEY  
ATTORNEYS-AT-LAW  
CLEARFIELD, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In Re: :  
Public Road in Morris Township : No. 2 December Session  
: 1917.  
: Road Docket.  
:

Now, March 24, 1919, Adolph Kraska, by his Attorneys,  
Miller and Hartswick, file the following exceptions to the pro-  
ceedings in this case, and against the confirmation and laying out  
of said road.

FIRST. The petition filed in this case is not verified by  
affidavit.

SECOND. The said report of the viewers does not show the  
correct owners of the land through which said road is located.

THIRD. The report of the viewers does not show that the  
viewers obtained release of damages from the owners of the land  
through which the said road passes.

FOURTH. The report of the viewers as filed, does not show  
that the said viewers assessed damages to the owners of the land  
through which the road passes.

FIFTH. That no personal notice was served upon the above  
named exceptant as to the time and place of said view, or the  
hearing thereon.

SIXTH. The said road as located, passes through the lands



of the above named exceptant, separating one part of his land from another, and if located a strip of land of a uniform width of 33 feet and a length of about 1200 feet, the most valuable of exceptants land will be taken. That exceptant was never approached by the viewers as to a release of damages, nor was he called as a witness before the viewers to testify as to the value of the lands taken.

Allen H. Hutton  
Attorneys for Exceptant.

Clearfield County SS

Adolph Kraska being duly sworn according to law doth depose and say that the facts set forth in the foregoing exceptions are true and correct to the best of his knowledge and belief.

Adolph Kraska

Sworn and Subscribed this  
24th day of March, 1919.

John B. Moore  
Jno.

Ms. A. 2. 2. 5. 5, 1917  
Rough Draft

On the Public Road  
in  
Morris Township

Supplemental to the  
a property description



MILLER & HARTSWICK  
ATTORNEYS AT LAW  
CLEARFIELD, PA.

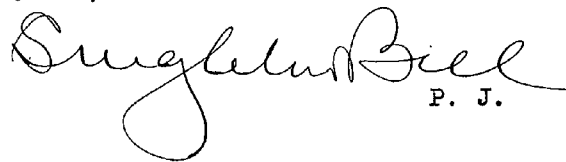
BALTIMORE OFFICE SUPPLY CO., BALTO., MD.

In the Court of Quarter Sessions of Clearfield County, Penna.  
In Re. Road in Morris     )     No. 2 December Sessions, 1917.  
                              )     :  
Township.                    )

Now, November 5th, 1920, road as laid out in the Report of the Reviewers confirmed absolutely, the proceedings appearing to be regular in all regards.

We note, however, that claim made by the Township as to its financial condition, a matter which is always proper for the serious consideration of Viewers, as new roads should not be laid out, except in urgent cases, where the construction and maintenance is to be burdensome to the Township. As the record here stands there seems to be no legal reason why this road should not be confirmed, but if the financial condition of the Township does not justify its construction at this time it should not be undertaken until the season of 1921; being of considerable length and consequence.

By the Court,

  
P. J.

No. 2 December Sessions, 1917.

In Re. Road in Morris Township.

Confirmation.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

IN RE THE MATTER OF A PUBLIC ROAD IN MORRIS TOWNSHIP.

To,

Honorable Singleton Bell,

President Judge of the said Court:

The undersigned citizens and tax payers of Morris Township,  
Clearfield County, Pennsylvania, do respectfully represent:

That they labor under great inconvenience for want of a  
public road leading from a point near the Koskey Farm on the road  
leading from Allport to Kylertown, to a point near substation of  
the Penn Public Service Company on the road leading from Allport  
to Munson.

They, therefore, respectfully pray the Court to appoint  
Viewers to view and lay out the proposed road, and they will ever  
pray.

David Johnson  
John Truhan  
Emery Shields  
John Quick  
Lynn Morrow  
Peter Eichler  
Wm. J. J. J.  
John Storch  
Paul M. J. J.  
H. E. Baumgardner  
R. R. Lemay  
E. H. J. J.  
Henry Menbanel  
Andrew Kondrsko  
Geo. Kondrsko  
Thos. Brooks  
William J. J.  
John H. Truhan  
Lawrence Ross  
Paul Truhan

W. J. J. J.  
James Broome  
J. Russell J. J.  
John Salley  
Edd Cook  
L. J. J. J.  
Jule Base  
W. H. J. J.  
Dan Shields  
Dave Pope  
Jonah Webb  
L. J. J. J.  
John J. J. J.  
Albert J. J. J.  
H. J. J. J.  
J. J. J. J.  
Geo. J. J.  
L. J. J. J.  
L. J. J. J.  
Albert J. J.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

IN RE THE MATTER OF A PUBLIC ROAD IN MORRIS TOWNSHIP.

To,

Honorable Singleton Bell,

President Judge of the said Court:

~~The undersigned citizens and tax payers of Morris Township~~

Clearfield County, Pennsylvania, do respectfully represent:

That they labor under great inconvenience for want of a public road leading from a point near the Koskey Farm on the road leading from Allport to Kylertown, to a point near substation of the Penn Public Service Company on the road leading from Allport to Munsen.

They, therefore, respectfully pray the Court to appoint Viewers to view and lay out the proposed road, and they will ever pray.

*Those Present:*  
Robert McElmurt  
G. S. Scott  
Frank B. Washburn  
Frank W. Emerson  
W. E. Peterson  
Gordon Lippie  
J. W. Peterson  
Joe Mackman  
Joe Kolesar  
John Bucaro  
John Kolesar  
Wm Potts  
Sidney Pearson  
Marion Snedden  
McBoulder  
John Shettuck  
Sam Lewis

*John Ferguson*  
Albert Wesosky  
Richard D. Dwyer  
Bob Lyke  
Fred Price  
J. C. Moyer  
G. L. Baumgardner  
J. J. Fischer  
L. A. Pligal  
R. F. Aldstadt  
Ellis Boyer  
William McCulley  
J. O. Baumgardner  
John Peterson  
Alvin Hall  
Robert B. Finch  
J. R. Kutz  
Gust B. Bell  
Florence Plubel

Richard Morgan  
James Price  
William Slee  
Josiah Jones  
S.E. Fowler  
C.B. Maxwell  
Gusar McDonald  
Chas. Wrye  
A.C. Waring  
H.C. Shugert  
Vollen Marince  
Jacob Tait  
John Barnes  
Harry Snedden  
George Trumble  
W.H. Densham  
H.F. Flegal  
M.C. Dinger  
Chas. E. Boyer  
Lane Coal Co.

Joe Spanogle

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In the Court of Quarter  
Sessions:

In the matter of the  
Public Road in  
Barrow Township

Now Aug. 27<sup>th</sup> 1917, A. D.  
Edward E. Henry, Plaintiff  
vs. D. D. Ballata and  
others, Defendants  
like Court as the  
By the Court  
for the Defendant

FILED  
AUG 27 1917  
JOHN H. MOORE  
CLERK

free  
for the  
petitioner



## 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 27 day of  
August in the year of our Lord  
one thousand nine hundred seventeen,

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

in said County, setting forth that the labor under  
great inconvenience for want of a public road leading from a point  
near the Koskey farm on the road leading from Allport to Kylertown  
to a point near substation of the Penn Public Service Co, on the road  
leading from Allport to Munson.

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, Harry Reese and  
E.D. Billotte

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 impartial-  
ity 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 dis-  
tance, 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.

 , 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 3 notices thereof were posted along the route of the

proposed road, that the said view would be held on the 26 day of August, A. D. 1918, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 31 day of August, 1918, at 11 o'clock A. M. That three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Dick George for petitioners

T. G. Davis, Thomas Berry & Thomas Hart Supervisors of Morris Township, Harry Reese, Ed Bellette and A. L. Edwards Viewers.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 31st day of August A. D. 1918, when the following appearances were noted: Jas. P. O'Donoghue Esq for petitioners & Thomas Hart for Supervisors, above named viewers were

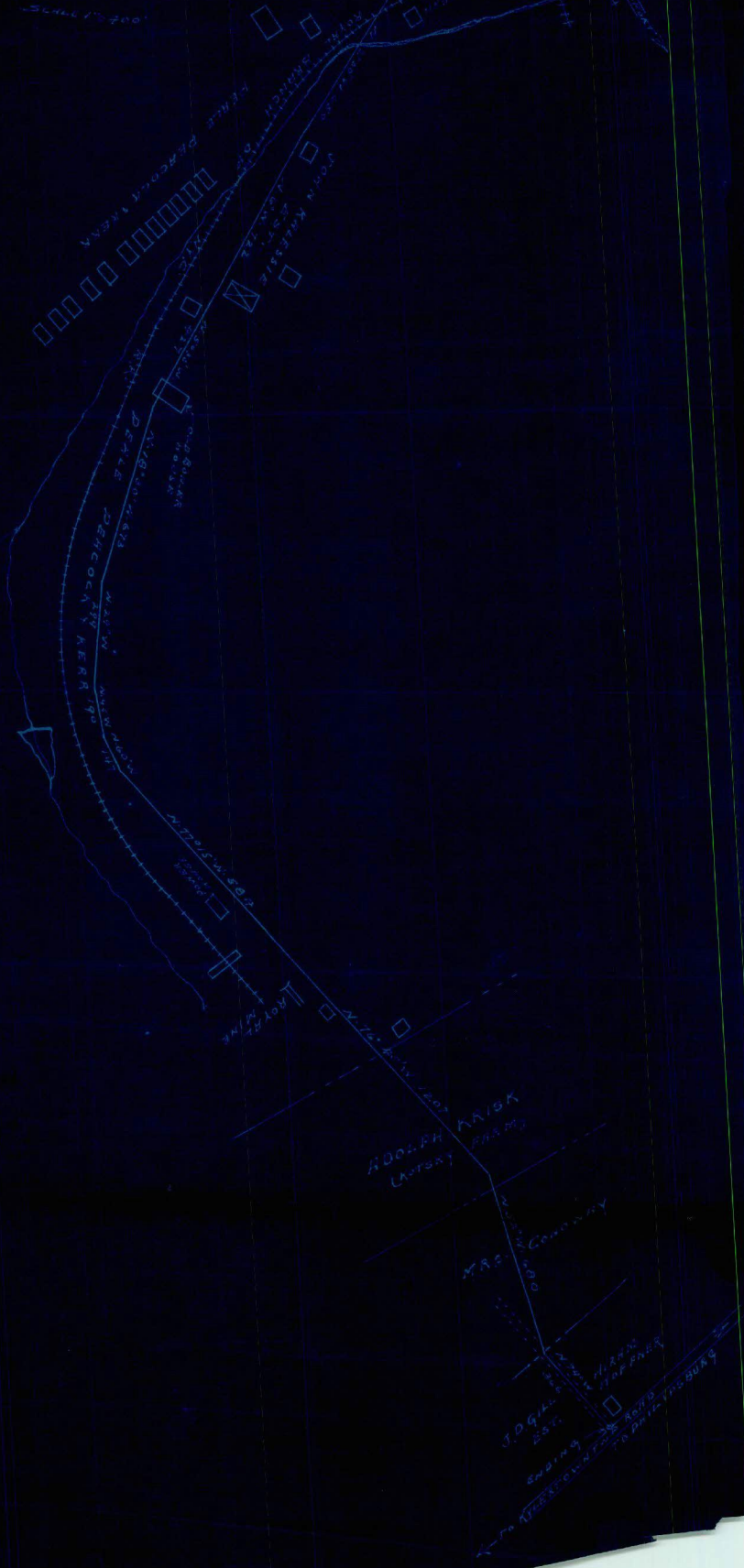
all present.

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 on the road leading from Belmont to Newsum thence north (see map) distance  
173 feet, thence N. 22° E. 450 feet, N. 2° 30' W. 650 feet, thence N. 6° W. 722 feet,  
N. 50° 30' W. 427 feet, N. 18° 30' W. 675 feet, N. 29° W. 299 feet, N. 45° W. 190 feet,  
N. 60° W. 147 feet, N. 77° 15' W. 584 feet, N. 76° 45' W. 1207 feet, N. 52° W. 680 feet,  
N. 74° W. 366 feet to a point on the Road leading from Elizabethtown  
to Philipshury (See map attached).

PUBLIC ROAD IN MORRIS TOWNSHIP  
 CLEARFIELD COUNTY PA  
 VIEWED AND Laid OUT  
 AUG. 26-1918 BY  
 F. EDWARDS, ESQ.  
 H. F. REESE  
 E. D. GILLOTTE

SCALE 1"=400'



# 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 a public Road leading from a point near the Koskey Farm on the road leading from Allport to Kylertown

in Morris Township to a point near substation of the Penn Public Service Co. on the road leading from Allport to Munson

in Morris Township, in the county aforesaid, will meet at the house of Penn Public Service Co. substation, in Morris Township, on Monday, the 26th day of August, A. D. 1918, at 10-30 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

And that a hearing upon the above view will be held in the Arbitration Room of the Court House at Clearfield on Saturday August 31st 1918 at 11 o'clock A.M.

A. L. EDWARDS

HARRY REESE

E. D. BILLOTTE

**VIEWERS**

August 10th, 1918.

Now August 15th., 1918 service of the within notice is  
hereby accented for the County Commissioners of Clearfield County.

L. B. Morris  
Clerk

(10)

# 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 a public Road leading from a point near the Koskey Farm on the road leading from Allport to Kylertown,

in Morris Township to a point near substation of the Penn Public Service Co., on the road leading from Allport to Munson.

in Morris Township, in the county aforesaid, will meet at the house of John Shaddock, in Morris Township, on Monday, the 26th day of August A. D. 1918, at 10-30 o'clock A.M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

And that a hearing upon the above view will be had in the Arbitration Room of the Court House at Clearfield on Saturday August 31st 1918 at 11 oclock A.M.

A. I. Edwards

Harry Reese

E. D. Billotte

**VIEWERS**

August 10th, 1918.

Now Aug 15, 1918 service of the within  
notice is hereby accepted.

T. G. Davis

Superior

Thomas Berry

Thomas Hart

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, excepting (see map)

when it was not practicable to preserve it within that 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

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:

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

WITNESS our hands and seals this 31<sup>st</sup> day of August

A. D. 1918.

A. L. Edwards.   
H. A. Reese   
E. D. Billotte 



No. 3 Dec Sessions, 1917

## ORDER

To view and layout a road for public use in the township of Morris, Clearfield County

Seph Session, 1918,  
read and confirmed Ni. Si.  
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  
Myself and Bell

Filed 19

Fees \$1.25 paid by Atty. O'Laughlin

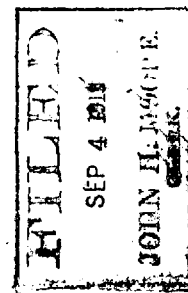
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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. Edwards	3	61
Harry Reese	3	
E. D. Bielke	2	



### 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\_\_\_\_\_.



## 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 17th day of  
October in the year of our Lord  
one thousand nine hundred and nineteen.

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 want of a public road leading from  
a point near the Koskey Farm on the road leading from Allport to  
Kylertown to a point near Sub-Station of the Penn Public Service  
Company on the road leading from Allport to Munson.

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 Harry Reese, E. D. Billotte,  
and A. L. Edwards, 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 impartial-  
ity 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 dis-  
tance, 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 or 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. Johnson 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 three notices thereof were posted along the route of the proposed road, that the said view would be held on the 29th day of April

A. D. 1920, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 30th day of April, 1920, at 11 o'clock A. M. That the 3 viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view A. L. Edwards, Harry Reese &

G. D. Billeth viewers, Thomas Berry, Thomas G. Davis & Thomas Deason Supervisors, Adolph Kraska, Peter Kolman, Joe Buchko, R. George, Mrs. David Dix, Mrs. Rie Lanberry

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 30th day of April A. D. 1920, when the following

appearances were noted: Howard Hartwick representing Adolph Kraska, Mrs. David Dix & Jas. P. O'Loughlin Esq. representing Royal Coal Mining Co & Peale, Prescott & Kerr, Mrs. David Dix in person & Adolph Kraska in person. as well as A. L. Edwards, G. D. Billeth & Harry Reese viewers.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is neccessary 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 on the road leading from Munson to Allport, at a point 445 feet from Sub Station of Penn. Pub. Ser. Co. & 210 feet from the Creek thence North 44° E. 173 feet, thence N. 22° E. 456 feet, thence N. 2° 30' W. 650 feet, thence N. 6° W. 722 feet, thence N. 56° 30' W. 427 feet, thence N. 18° 30' W. 673 feet, thence N. 29° W. 299 feet, thence N. 45° W. 190 feet, thence N. 60° W. 147 feet, thence N. 77° 15' W. 584 feet, thence N. 76° 45' W. 1207 feet, thence N. 52° W. 680 feet, thence N. 74° W. 366 feet to the ending of said road at a point on the Public Road leading from Rylstone to Philipshury at a distance of 342 feet from the residence of Frank Lumberg & a distance of 31 feet from the residence of Frank Hoffer.

(See draft of blue print of road hereto attached)

(Personal service of notice of view & hearing were served upon Adolph Kraska, Peale Prescott & Kerr, Mrs. David Dix, & Lanberry & John Kolman Esq.)

5000

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to <sup>Re</sup> view a Public Road leading from a point near the Kocky Farm on the road leading from Allport to Rightstown

in Morris Township to a point near Sub-Station of the Penn Public Service Company on the road leading from Allport to Munson

in Morris Township, in the county aforesaid, will meet at the house of at Sub-Station of the Penn Public Service Company on the road leading from Allport to Munson, in Morris Township, on Thursday, the 29th day of April A. D. 1920, at 10 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

*And a hearing upon above view will be held in the Arbitration Room of the Court House at Clearfield on Friday April 30, 1920 at 11 A. M.*

Harry Reese

E. D. Billotte

A. L. Edwards

VIEWERS

April 15, 1920.  
Service of the above notice is hereby accepted for the  
County Commissioners of Clearfield County. L. C. Morris, Clerk

REPROD. PRESS, CLEARFIELD

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to <sup>RE</sup>view A Public

Road leading from a point near the Koskey Farm on the road leading from Allport to Kylertown

in Morris Township to a point near the Sub-Station of the Penn Public Service Company on the road leading from Allport to Munson

in Morris Township, in the county aforesaid, will meet at the house of At Sub Station of Penn Public Service Co. on road leading from Allport to Munson,

in Morris Township, on THURSDAY,

the 29th day of April A. D. 19120, at 10

o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested

will take notice. And a hearing on said view will be held in the Arbitration Room of the Court House at Clearfield on Friday the 30th day of April A.D. 1920 at 11 o'clock A.M.

A. L. Edwards

Harry Reese

E. D. Billotte

**VIEWERS**

April 15th, 19120.

CS  
Now April 15th 1920, we the undersigned  
Supervisors of Morris Township hereby accept notice  
service of the within notice of sale and hearing.

Thomas Deacon

Thor Perry <sup>his</sup>  
mark

Thor Davis <sup>his</sup>  
mark

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, excepting *(no exceptions)*




when it was not practicable to preserve it within that 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 *none*

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: *Peale, Peacock & Kerr \$1<sup>00</sup>/<sub>xx</sub>, John Kolesar Est \$1<sup>00</sup>/<sub>xx</sub>, Adolph Kraska \$50<sup>00</sup>/<sub>xx</sub>, Mrs. David Dief \$25<sup>00</sup>/<sub>xx</sub>, C.C. Conway Est. \$1<sup>00</sup>/<sub>xx</sub>, Mrs. William Canabury \$1<sup>00</sup>/<sub>xx</sub>,*

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

WITNESS our hands and seals this *30<sup>th</sup>* day of *April*  
A. D. 19*20*.

*H.A. Reese*   
*E.B. Billotto*   
*A.L. Edwards* 



No. 3 Dec. Sessions, 1917.

## ORDER

Re-view  
To view a  
road for public use in the  
township of Morris  
Clearfield County, Penn'a.

	DAYS	MILES AM'T.
Harry Reese	3	68 25.90
E. D. Bittell	3	134 29.20
J. L. Edwards	3	73 26.15

May Session, 1917.  
read and confirmed N. 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. and ordered  
in argument by  
Mytho Coruh  
Mughtwied  
17

Filed  
City of Langhlin

FILED

Fees \$1.25 paid by MAY 4 1920

GEO. W. RALSTON

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.

### 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 enrolling 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 \_\_\_\_\_

