

No. 5 FEBRUARY Sessions, 1917

COMMONWEALTH

VERSUS

REVIEW OF ROAD IN LAWRENCE TOWNSHIP

CHARGE

X  
Walter Welch,  
District Attorney

In the Court of Quarter Sessions of Clearfield County

In re public road in Lawrence Township .-

To the Honorable Singleton Bell Judge of said Court .-

The petition of Charles A Eoessner respectfully represents

That he is the owner of about ten acres of land in said

Township of Lawrence adjoining the Borough of Clearfield Penna

That a petition signed by a number of citizens of the said

Township of Lawrence was presented to the said Court asking

for the appointment of viewers to view, vacate and supply a

public road from the Mouth of Moose Creek to a point at or

near the Sheep rocks in said Township of Lawrence.- That said

petition was filed to No I December Term 1916 and viewers appoin

ted who recommended the vacation of said public road and supplied

the same from said points by laying out a new road through the

edge of land of the Joseph Shaw estate and then extending it

from the rail road bridge through the centre of land of peti

tioner to Moose Creek .- That if said road as laid out be con-

firmed by the said Court it will be very injurious to your peti

tioner and burthensome to the township to keep up .-

That the amount of damages allowed by said viewers is not sufficient compensation for the damages that will be sustained by your petitioner .- Your petitioner therefore prays your

Honorable Court to appoint proper persons to review the said road and parts adjacent thereto and make report thereof to the Court according to law .-

And he will ever pray

*Charles A. Eoessner*

YTHNOT BILFSEL TO ANOINER2 TOTIQU TO JYNU GOMF ETI

- . QIDANWOT EOMENWOT MI BEOT CILDING ETI

- . JYNU BISZ TO EPHU TELI HOMELYNI2 ALDORH ETI OT  
ADMENGER VILMTOEDER TEPPEH A BILFEL TO NOTIFIEQ ETI

BISZ MI BILF TO ZOTER MI TUDS TO TEPPEH ETI ETI JYNU  
SOMEY BILFTEEDO TO MUNOT AND PRINCIPIA EOMENWOT TO VILMTOED

BISZ ETI TO ANOINER2 TO TEPPEH A YD BILFTEEDO TO JYNU  
YDNEIS JYNU BISZ ETI OT BILFONER2 YD EOMENWOT TO VILMTOED

A VILMTOED BISZ EOMENWOT TO VILMTOED BISZ ETI YD  
TO JYNU BISZ ETI OT BILFONER2 YD VILMTOED MI BILF CILDING

BISZ JYNU - . EOMENWOT TO VILMTOED BISZ ETI ADKOT QESD ETI TEP  
TEPPEH BISZ BILF CILDING BISZ TO NOTIFIEQ ETI BILFONER2 CILW BISZ

ETI VILMTOED BISZ VEN A JYNU BILF YD VILMTOED BISZ MI BILF ETI  
TI VILMTOED BISZ VEN A JYNU BILF ETI VILMTOED BISZ MI BILF ETI

ETI VILMTOED BISZ ETI VILMTOED BILF BISZ ETI VILMTOED  
BILFONER2 BISZ BILF CILDING BISZ TO NOTIFIEQ ETI BILFONER2 CILW BISZ

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.. . YDNEIS JYNU BISZ ETI JYNU BILF

YDNEIS JYNU BISZ ETI JYNU BILF



State of Pennsylvania

County Crawford SS

Personally appeared before me the subscriber  
a Notary Public in and for said County and State Charles A  
Roessner who being duly sworn according to law doth depose and  
say that the facts set forth in the foregoing petition are true  
and correct as he verily believes .-

Sworn & Subscribed to  
before me this 27 day of  
January A D 1917

*Charles Roessner*

*John M. Moran*  
notary Public  
my commission expires  
*January 22, 1921.*

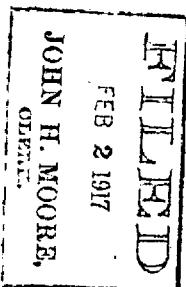
5 Feb. 1917

Now May 21<sup>st</sup> 1917, the  
Proceeding to no 1 are so  
1916 truly still pending  
and not discontinued, the  
Forces of the U.S. have  
an undesignated ~~Supreme~~

Now this 5<sup>th</sup> day of October  
AD 1917, Frank Muller,  
Army Lawyer, whom

are appointed to name to  
consider and pass upon the  
matter of compensation as  
set out in the following

1919. By the Court  
Stephen Bell  
By  
Sergeant Major  
27



IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY

IN RE PUBLIC ROAD IN LAWRENCE TOWNSHIP

To the Honorable Singleton Bell Judge of said Court:

The petition of Charles A. Roessner respectfully represents  
That he is the owner of about ten acres of land in said Township  
of Lawrence adjoining the Borough of Clearfield, Penn'a., That  
a petition signed by a number of citizens of the said Township  
of Lawrence was presented to the said Court asking for the  
appointment of viewers to view, vacate and supply a public  
road from the Mouth of Moose Creek to a point at or near the  
Sheep Rocks in said Township of Lawrence.- That said petition  
was filed to No. 1 December Term 1916 and viewers appointed who  
recommended the vacation of said public road and supplied the  
same from said points by laying out a new road through the  
edge of land of the Joseph Shaw estate and then extending it  
from the railroad bridge through the centre of land of peti-  
tioner to Moose Creek.- That if said road as laid out be con-  
firmed by the said Court it will be very injurious to your  
petitioner and burthensome to the Township to keep up.-

That the amount of damages allowed by said viewers is not  
sufficient compensation for the damages that will be sustained  
by your petitioner.- Your petitioner therefore prays your  
Honorable Court to appoint proper persons to review the said  
road and parts adjacent thereto and make report thereof to the  
Court according to law.-

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 5th day of February in the year of our Lord one thousand nine hundred 17.

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

in said County, setting forth that as per petition.

and the enlarging of powers of viewers as per the order of Court under date of May 14th 1919. To Reserve, to Original and present the matter of Compensation as set out by Petitioners

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 Frank Hutton H. A. Reese

George Weber,

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 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.

J. 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 Lawrence and that Three notices thereof were posted along the route of the proposed road, that the said view would be held on the 19th day of August, A. D. 1919, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 19th day of August, 1919, at 1:30 o'clock P. M. That all 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, Supervisor of Lawrence Township

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 19th day of August, and then adjourned until Saturday, August 23rd, 1919, when the following appearances were noted: W. A. Haggerty Esq. Atty for L. F. Hopfer, H. B. Hartwick Esq., Atty for Clearfield County and also for the Supervisors of Lawrence Township. L. F. Hopfer, A. W. Cowder, M. L. Farrell, Simeon Cross, Jacob Burge. Witnesses and Elmer Graham, Supervisor of Lawrence Township.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is 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 Mt. Joy Road near a concrete bridge, lately constructed over Moose Creek; thence through a twelve (12) foot Alley between the lots of Blair Owens and Perry Rowles and over parts of said lots of Blair Owens and Perry Rowles adjoining said Alley, North 61° East, One Hundred and Seventy Two (172) feet to a twelve (12) foot Alley; thence across said Alley and over improved farm land of L. F. Hopfer North 78° 10' East, Ten Hundred and Fifty Four (1054) feet to an intersection of the river road at South side of the right-of-way of the B. R. & P. R. R. Co.; thence over the said River Road and under the bridge of the B. R. & P. R. R. Company 49° East, forty five (45) feet; thence over the right-of-way of the B. R. & P. R. R. Co. lands and lands of the Joseph Shaw estate the following courses and distances to wit: North 26° east, One Hundred (100) feet; thence over lands of Joseph Shaw estate North 63° 15' East, Three Hundred (300) feet; thence North 71° East, Three Hundred (300) feet; thence South 37° East, One Hundred and Twenty (120) feet to intersection of public road, known as the "River Road" near the Sheep Rocks, in Lawrence Township. The Viewers suggest that, that portion of the proposed road running between the properties of Blair Owens and Perry Rowles, be limited in width to twenty (20) feet.

Your Viewers further report, that having viewed the public road known as "The River Road", from the Sheep Rocks to the mouth of Moose Creek, they find that a portion of said River Road will become useless

convenient and burdensome to the tax payers of Lawrence Township upon the opening of said proposed new road. They would therefore recommend that that portion of the "River Road" from where an Alley on the North side of the residence of James Merritt intersects with said "River Road", thence North 60° East, about Nine Hundred and Forty Eight (948) feet to the South side of the right-of-way of the B.R.&P. R.R. Company's lands; and <sup>also</sup> that portion of said "River Road" from the North side of the B.R. & P.R.R. Company's right-of-way to its intersection by the proposed new road, at the Sheep Rocks a distance of about Six Hundred and Fifty (650) feet be vacated as prayed 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, excepting

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 failed to procure such releases from any of

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: Blair Owens on lot \$50.00

Perry Rowles " 40.00

L.F. Hopfer on farm \$400.00

Joseph Shaw estate 75.00

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

WITNESS our hands and seals this 23rd day of August

A. D. 1919

Frank Sutton   
J. L. Lewis   
Geo. T. Trober 



H. A. REESE  
GEO. WEBER

# 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, vacate & supply  
a Road leading from the mouth of Moose Creek

in Lawrence Township to a point at or near the  
Sheep Rocks

in Lawrence Township, in the county aforesaid, will  
meet at the <sup>mouth of</sup> house of Moose Creek,  
in Lawrence Township, on Tuesday,  
the 19th day of August A. D. 1919, at 9  
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 the public hearing required under the law  
and Rules of Court to be held by the Re-Viewers,  
will be held on Tuesday the 19th day of August 1919  
at the Court House in Clearfield at 1:30  
o'clock, P.M. at which time and place  
all parties interested may attend and  
will be heard.

Mark Hyatt  
W. A. Rees  
George Weber

VIEWERS

July 29th, 1919.

Now August 9<sup>th</sup> 1919

Service accepted for County  
Commissioners

L. C. Storrs Clerk.

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ocks

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And that the public hearing required under the law  
and Rules of Court to be held by the Re-Viewers will  
be held at the Court House in Clearfield on Tuesday  
19th day of August 1919 at 1:30  
P. M. at which time and place  
parties interested, either for or  
against the Road, may attend, and will  
be heard.

Frank Hallen  
H. A. Rees  
George Scherer

VIEWERS

July 29th, 1919.  
Service received for six weeks  
Aug 12 1919

Elmer Graham