

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 Boessner 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 sustaines

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. Boessner

In the Court of Quarter Sessions of Chester County

In re Public Road in Lawrence Township. -

To the Honorable Singleton Bell Judge of said Court. -

The petition of Charles A. Roemer respectfully represents

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

Township of Lawrence adjoining the Borough of Chesterfield 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 1 December Term 1918 and viewers appoint

ed who recommended the vacation of said public road and supplied

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

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

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

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

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

tioner and burthenome to the township to keep up. -

That the amount of damages allowed by said viewers is not

sufficient compensation for the damages it will be sustained

by your petitioner. - Your petitioner therefore prays your

Honorable Court to appoint proper persons to review the said

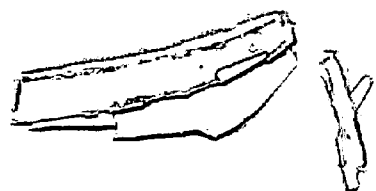
road and parts adjacent thereto and make report thereof to the

Court according to law. -

And he will ever pray

Charles A. Roemer

Attorney for Petitioner



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 :

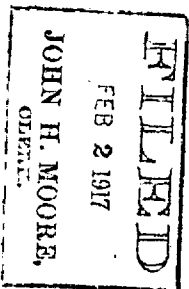
Charles A. Roessner

Lulu M. Moran
Notary Public
my commission expires
January 22, 1921.

5 Jul. 1917

Now May 21st 1919, the
proceeding to No 1022 85
1916 body still standing
and not disturbed; the
bones of 1022 in view
are enlarged to Sept 20
1919. By the Court
Sergeant Bell

Now the 5th day of July
1917. Frank Fuller
Henry Allen and Geo. Wilson
are appointed re-view to
inspect and have upon the
matter of compensation as
set out in their petition.
By the Court
Sergeant Bell



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 petitioner to Moose Creek.- That if said road as laid out be confirmed 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 Review, A

Original and proceed on 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 impari-
ality 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.

John H. Moore, Clerk.

RETURN OF VIEWERS.

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

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

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of 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, A. D. 1919, and then Adjourned until Sat. 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 87° 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

~~As~~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 ^{also} 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. Hopper 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 Hutton
John H. Hutton
Geo. W. Hutton



West X

No. 5 2ebv Sessions, 19 17

ORDER

To view of road in a road for use in the township of Lawrence Clearfield County

See Session, 1919, read and confirmed Ni. Si. Road to be opened 23 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
Augustus Bell
May 22 1920. entered
in argument first.
By the Court
Augustus Bell
Filed Aug 28 1919.
Fees \$1.25 paid by

W. D. Haynes City

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.
H. A. Reese	4	11.4	35.70
Geo. K. Weber	3	10.6	27.80
Frank Hutton	3	11.2	28.10

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 _____.



ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned
Re Viewers, appointed by the Court of Quarter Sessions of
Clearfield County, Pennsylvania, to ^{Re}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 ^{mouth} ~~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

and that the public hearing required under the law
will take notice. 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 Hullm
H. A. Reese
George Weber
VIEWERS

July 29th, 1919.

Now August 9th 1919

Service accepted for County
Commissioners

L. C. Morris Clerk.

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned
Re-Viewers, appointed by the Court of Quarter Sessions of
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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 at the Court House in Clearfield on Tuesday
the 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.

Mark Hutton
H. A. Rees
George Weber
VIEWERS

July 29th, 1919.
Spencer Weaver for Duxman
Aug 12 1919
Edmer Graham