

No. 1-76 Sessions, 1918

COMMONWEALTH

VERSUS

Read in  
Pike Township

CHARGE

Walter Welch,  
District Attorney

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

To the Honorable the President Judge of said Court:-

The petition of the undersigned citizens and residents of the township of Pike in the county of Clearfield, respectfully represent:-

That there is a road in the said township which has been a public road but which has been abandoned by the township for many years and no work has been done upon the same for a great many years; that the said road is a road beginning at the Old Oakland School House in said township and extending to Wilson McClure's place in said township, connecting there with the Grampian road. The said road is in bad condition, passes through a swamp and the improvement of it so as to make it reasonably fit for public travel would involve a great deal of expense to the township. It is a road that is difficult to maintain at all times on account of the character of the ground over which it passes. The road is useless and burdensome so far as the township is concerned. It accommodates practically none of the inhabitants of the said township and as to even those that it does accommodate they are all supplied with another road which is being maintained by the township, which replaces the road in question.

Your petitioners respectfully pray for an order to view and vacate said piece of road in order that the township may be relieved of liability for the same.

And they will ever pray, etc.

C

S. R. Steper  
D. P. Pyle  
Chas. Addleman  
Geo Addleman  
Louis Stevens  
J. M. Wise  
R. Whitaker  
R. Bailey  
W. R. Morris  
C. P. Carr  
R. M. Cochran  
W. C. Carr  
Chas. G. Bailey  
Galt Bodl  
John Smeal  
Theodore Franck  
S. G. Doorn  
Orla P. Bass  
Chas. W. Lawhead  
Walter Long  
Urban & Cleaver  
Hill Smith  
John M. Bennett  
Lyde H. Bennett  
William Post

STATE OF PENNSYLVANIA : : SS:  
COUNTY OF CLEARFIELD : :

*S. L. Horn* . . . . and *Chas. W. Lawhead*

being duly sworn according to law, say that the facts stated in the foregoing petition are true and correct to the best of their knowledge and belief.

Sworn and subscribed before  
me this 5 day of October,  
A. D. 1917.

*John J. W. Dale*  
Justice of the Peace

*S. L. Horn*  
.....  
*Chas. W. Lawhead*

My Commission Expires  
First Monday in Jan. 1909

#7 July 20 1918  
IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD COUNTY

In Re Road in Pike Township

P E T I T I O N

July 21<sup>st</sup> 1918 Petition  
presented and filed  
by James S. Michael  
and Ed. P. Scott for an  
affidavit necessary to  
prove to Master Sessions  
of Pike County

At H. Woodward  
Attorney at Law  
Clearfield, Penna.

BALTIMORE OFFICE BIRMINGHAM, BALTIMORE, MD.

# 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 21st day of January in the year of our Lord one thousand nine hundred eighteen.

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Pike.

in said County, setting forth that there is a road in the said township which has been a public road but which has been abandoned by the township for many years and no work has been done upon the same for many years, that the said road is a road beginning at the old Oakland School House in the said township and extending to Wilson McClures place in said township, connecting there with the Grampian road.

and therefore, praying the Court to appoint proper persons to view and ~~vacate~~ 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, J.S. Michaels, and E.D. Sillote.

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~~ <sup>road</sup> proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for ~~the~~ road, they shall proceed to ~~vacate~~ lay out the same, as agreeable to the desire of the petitioner, as may be, having respect to the ~~best~~ ground ~~over which said road may pass~~ 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~~ road 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 ~~vacating~~ <sup>vacating</sup> 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 account~~ <sup>in consequence</sup> of 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. Moore, Clerk.  
Brothman, Tracy.

## RETURN OF VIEWERS.

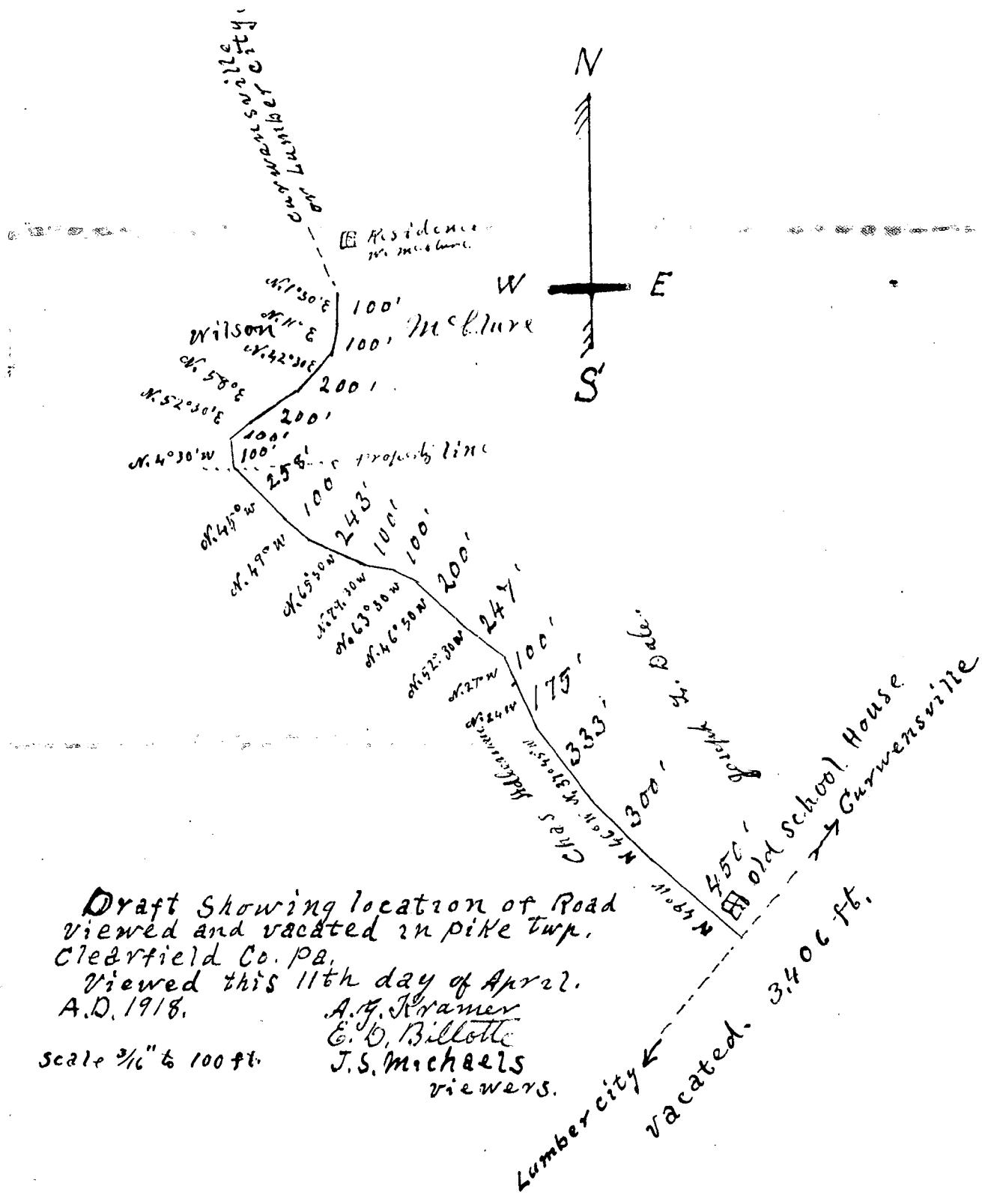
To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

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 Pike and that Three (3) notices thereof were posted along the route of the proposed road, that the said view would be held on the 11th day of April, A. D. 1918 and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the Friday ~~12th day of April~~ 1918, at 9:30 o'clock A. M. That ~~the~~ viewers appointed by the said order viewed the ~~road~~ proposed ~~above mentioned~~ and that there were present at the view Charles W. Lawhead, Walter Long and A. L. McKee the Supervisors of Pike Township and Charles Addleman Lewis Houban in favor of vacating the road and Wilson McClure opposed to vacating it.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 12th day of April A. D. 1918, when the following appearances were noted: Charles W. Lawhead with A. H. Woodward Attorney for the Township and Wilson McClure who opposed the vacating of said road.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for ~~said~~ road ~~as desired by the petitioner~~, and that the same is not necessary for a public ~~road~~ 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 ~~recommend~~ report that said road use the following described road, to wit: Beginning in the public road leading from Curwensville to Lumber City at a point near what is known as the Old Oakland School House to near the residence of Wilson McClure in Pike Township a distance of 3406 feet which said road passes all the way through woodland along a side hill and is in a very bad condition being a side hill cut and never having been opened over ten feet in width and a good part of the way not over eight feet wide and owing to the grade being steep, part of the way over five degrees it is badly washed out and at the present time not in a fit or safe condition to travel and in view of the fact that there is only one family living along said road who has an outlet by a public road from his residence to the main public road leading from Grampian to Curwensville without any material increase in the distance and from all appearances that the travel on said road even if kept up would be very limited. The viewers are ~~of~~ of opinion that the township would not be justified in incurring the expence of several hundred dollars which it would require to put said road in a fit condition to travel besides the expence of keeping it up owing to the marshy condition of the ground over which the road passes and owing to the steep grade the wash on the same from heavy rains would make The viewers are therefore of opinion that the said road has become useless, inconvenient and would be burdensome to the taxpayers of the township to keep up and would therefore recommend that the same be vacated.



Draft Showing location of Road  
viewed and vacated in pike twp.  
Clearfield Co. Pa.

Viewed this 11th day of April 22.  
A.D. 1918. A. F. Kramer

Scale  $\frac{3}{16}$ " to 100 ft.

A. F. Kramer  
E. D. Billotte  
J. S. Michaels  
viewers.

TO:- Jessie. E. Dale, H. H. Spencer, and Austin Haney;  
County Commissions 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 vacate a public road leading from a point near the Old Oakland School House in Pike Township, to a point in the public road leading to Grampian at or near the Wilson McClure place in Pike Township: Will meet to make said view at the Old Oakland School House in Pike Township on Thursday the (11th) day of April A. D. 1918 at one (1) o'clock P. M. to attend to the duty assigned them, of which time and place all parties in any way interested, either for or against the vacation of said road will please take notice.

And that the public hearing as required to be held by the viewers in order to give all parties in any way interested either in favor of or against said road being vacated, a chance to be heard by the viewers before the filing of their report in court as required by the Act of Assembly and the Rules of Court will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the twelfth (12th) day of April A. D. 1918 at (8.30) o'clock A. M. when and where all parties interested may appear and be heard.

A G Kramer  
E D Billotte  
J S Michaels

VIEWERS.

Now this 27 day of March A. D. 1918 service of the above notice accepted for the County Commissioners of Clearfield County Pa.

L C Morris  
Clerk.

TO:- Charles W Lawhead, Walter Long and A, L, McKee,  
Supervisors of Pike Township in 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 vacate a public road leading from a point near the Old Oakland School House in Pike Township, to a point in the public road leading to Grampian at or near the Wilson McClure place in Pike Township: Will meet to make said view at the old Oakland school house in Pike Township on Thursday the 11th day of April A. D. 1918 at one (1) o'clock P. M. to attend to the duty assigned them, of which time and place all parties in any way interested, either for or against the vacating of said road will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers in order to give all parties in any way interested, either in favor of or against vacating said road a chance to be heard by the viewers before the filing of their report in Court, will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the twelfth (12th) day of April A. D. 1918 at (8.30) o'clock A. M. when and where all parties interested may appear and be heard.

A G Kramer  
E W Billotte  
J S Michaels.

VIEWERS.

Now Apr. 6 1918 served this notice on Charles, W, Lawhead  
Walter, Long, and A. L. McKee the Supervisors of Pike Township  
personally by handing each of them a true and correct copy of same.

Chas. W. Lawhead

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, ~~and 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 passed releases in writing of all claims to damages that may arise from ~~opening~~ 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 12<sup>th</sup> day of April —  
A. D. 1918.

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

No. 1 T. J. Sessions, 1913

**ORDER**

To view a road for public use in the township of Pike, 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.

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.

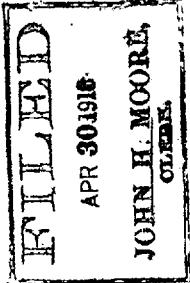
DAY. MILES AMT.

A. G. Kramer	3	18 15.70
Eck Bellotta	4	52 22.70
J. A. Michael	2	84 14.20

Feby Session, 1913, 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.

Now May 9<sup>th</sup> 1913, /to  
affix confirming me s/s.

By the Comr  
Surplus Beef  
abrely  
By the Comr  
Myself and Beef



19  
Filed  
Fees \$1.25 paid by  
by A. J. Woodward  
150

**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 sealing and delivery hereof, have released, released and forever quit claimed, and do hereby release, 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. 1911.



IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY PENNSYLVANIA:

In Re; Petition to vacate )  
and supply a public road :  
in Bradfore Township Pa. )

To the Honorable Singleton Bell, President Judge of said Court:  
The petition of the undersigned citizens of Bradfore Township respectfully represents; That a portion of the public road long since laid out opened and in public use, leading from Lower Woodland in Bradfore Township, to Litzes Bridge in Boggs Township, from a point in said road at or near the Chestnut Grove School House in Bradford Township to a point at or near the ~~intersection of the~~ <sup>Road near the</sup> ~~Wes~~ <sup>Wes</sup> in Boggs Township in said road has on account of the excessive grades and wash outs become, inconvenient and burdensome to travel and that your petitioners beleive that said road could be very much improved by a change of the location of that part of said road between said points. They therefore pray the Court to appoint viewers, to view and lay out a new road from a point in said road from at or near the Chestnut Grove School House in Bradford Township to a point in the same road at or near the ~~intersection of the~~ <sup>Road near the</sup> ~~Wes~~ <sup>Wes</sup> in Boggs Township.

And vacate that portion of said road between said points supplied by the said proposed new road; according to the provisions of the Act of Assembly in such case made and provided. And will ever pray, etc.

Signatures

Signatures

George W. Minor	Ch. Rowles
John W. Moore	H. Warren
John Phelps	Foster's Minor
J. G. Henderson	James Miller
M. O. Wilson	E. Young
G. E. Mank	John Peters
John Falconer	Chas. Rowles
J. V. Knapp	Carl Peters
W. D. Sparhawk	Thomas Gargent
J. B. Hackman	John Steenke
J. H. Swope	Jack Division
J. H. Palmer	Sam Goffius
R. B. Barry	Edward Turner
Charlie Delivitt	Alfred Hull
Chas. Libyder	O. Johnson
Ed. C. S. S.	John P. Pickles
Day & my wife	J. B. J. Young

less or in

State of Pennsylvania }  
County of Clearfield } SS

*February*

On the 17<sup>th</sup> day of ~~October~~ A.D. 1918, before me a Justice  
of the Peace in and for said County and State, personally came

George Wiser who being duly sworn according to law  
doth depose and say that the facts set forth in the foregoing peti-  
tion are true and correct to the best of his knowledge, information  
and belief.

Sworn and subscribed to before me  
this 11<sup>th</sup> day of ~~February~~ 1918.

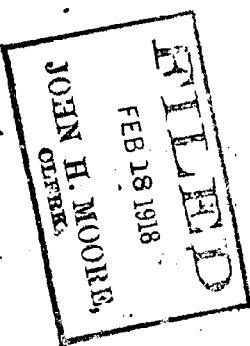
George Wiser

H. O. Barger, J.P.  
My Commission Expires  
First Monday of January, 1920.

*Long distance*  
Petition to place at  
and supply a public  
road or trail along the  
Boggs boundaries

Now Oct 1917,  
Mr. G. Edwards - Secy  
Bellott & Henry here  
opposed in numerous  
ways

by the court  
President Bell  
et al



125 paid by alexander

KNOW ALL MEN BY THESE PRESENTS,

That George Wisor

are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of One Hundred (100.00) Dollars, lawful money of the United States of America to be paid unto the said Commonwealth of Pennsylvania its certain attorney, executors, administrators, or assigns, to which payment well and truly to be made, we bind ourselves, our heirs executors and administrators, firmly by these presents. Sealed with our seals, and dated the 30th day of September in the year of our Lord one thousand nine hundred and sixteen.

Whereas a petition has been presented to the Court of Quarter Sessions of Clearfield County Pa to No December Term 1916 to change a portion of a public road leading from Lower Woodland in Bradford Township to Litzs Bridge in Boggs Township from a point in said road at or near the Chestnut Grove School House in Bradfore Township to a point at or near the Bethlehem School House in Boggs Township in said road has on account of the excessive grades and wash outs become inconvenient and burdensome to travel and that the petitioners believe that said road could be very much improved by a change of the location of that part of said road between said points &c:

And whereas on presentation of the said petition, viewers were appointed by the said Court, and the said action involves the incurring of certain costs incident thereto which shall be first paid out by the county and which in case of failure of said petition may be placed upon upon the petitioners; therefore in accordance with the provisions of the Act of Assembly to secure the county against the payment of said cost when the same is concluded as the Court may direct:

Now therefore the condition of this obligation is such, that if the said petitioners shall pay or cause to be paid all costs which the Court may order and direct the petitioners in said petition to pay and shall indemnify and save harmless the County of Clearfield against any and all costs which may be paid by it as provided by law, and because of the failure of said petitioners to succeed in their application for the change of said road, then this obligation to be void, and of no effect; otherwise to be of full force and virtue.

Witness present

*George W. Wisor* (SEAL)  
*John T. Pickles* (SEAL)  
(SEAL)

Bond  
Road near in Broad-  
ford & Bogg's with

November 1917 Bring  
telephone  
By Mr. Caud  
Telephone Bell

