

...into view

Road

No 2 Feb. Term, 1920

Laurence M. Boggs

Versus

Page 24

North of Rt. 1759 where it joins  
Rt. 869

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

The petition of the undersigned Supervisors of Lawrence Township and the Supervisors of Boggs Township, as also residents and tax payers of Lawrence and Boggs Townships, respectfully represents:-

FIRST: That a portion of a certain public road in the said Townships of Lawrence and Boggs leading from a point at or near the store house of John Olsen, at or near Clearfield Creek Bridge at Dimeling Station to a point at the edge of Little Clearfield Creek at or near the Clearfield and Southern Railroad bridge, then across said creek to a point at or near the residence of George Root in Boggs Township, has become useless, burdensome and an expense upon the townships for maintenance.

SECOND: That there is great necessity and need for a new public road in the township of Boggs and Lawrence, leading from a point in Boggs Township at or near the residence of George Root, thence down to Little Clearfield Creek in Boggs Township, at some point above the Clearfield & Southern Railroad bridge, and thence through land of John Olsen to a point at or near the store house of John Olsen in Lawrence Township.

Your petitioners respectfully pray the court that viewers may be appointed to view and vacate the said portion of public road as hereinbefore described, and to supply a new public road between the points as set forth in this petition.

And they will ever pray, etc.

Edwin Graham

John H. Thompson

Amos C. Reed  
Supervisors of Lawrence Town-  
ship.

Geo. B. Shugart

S. S. Walk

E. A. Dixon  
Supervisors of Boggs Township.

W. T. Ward

Leland H. Hurd

John W. Hurd

Sheldon Hurd

H. M. Amos

John Olson

John D. Stone

Uriah H. S.

W. B. Gallaher

J. W. Pennock

J. M. Lamborn

W. W. Walcott

W. W. Walcott

Allen R. Hurd

John H. Hurd

Doc. Hurd

Milton Grish

A. A. Arda

Clearfield County, SS

Amos C. Reed, one of the Supervisors of Boggs Township,  
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.

Amos C. Reed

Sworn and Subscribed before me  
this 3 day of November, A. D.

~~1919~~ 1920

John H. Moore  
Pr

Nov Dec 28 1919 ending  
 Helen Mueller and  
 daughter A. G. Krauss  
 Ed Willard of St. Michael  
 are admitted U. S. in  
 4 years and 6 cents  
 each year  
 By the Court  
 Singletun J. Bell

✓  
Filed Jan 6 1920  
Geo W. Rault Clerk

**MILLER & HARTSWICK**  
ATTORNEYS AT LAW  
CLEARFIELD, PA.

---

<sup>1</sup> Jan. 4  
BALTIMORE OFFICE SUPPLY CO., BALTIMORE

**BALTIMORE OFFICE SUPPLY CO., BALTIMORE**

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

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SECOND: That there is great necessity and need for a new public road in the township of Boggs and Lawrence, leading from a point in Boggs Township at or near the residence of George Root, thence down to Little Clearfield Creek in Boggs Township, at some point above the Clearfield & Southern Railroad bridge, and thence through land of John Olsen to a point at or near the store house of John Olsen in Lawrence Township.

Your petitioners respectfully pray the court that viewers may be appointed to view and vacate the said portion of public road as hereinbefore described, and to supply a new public road between the points as set forth in this petition.

And they will ever pray, etc.

John H. Thompson

Amos C. Resch

Elmer Graham

Supervisors of Lawrence Town-  
ship.

Geo. B. Shigart

E. A. Dixon

S. S. Walk

Supervisors of Boggs Township.

Island People.

M. M. Thompson

M. S. Bennett

J. B. Ogden

Edward B. Bond

C. W. Mapes

Harry J. S. H. H. H.

Allen Brown

Clearfield County, SS

Amos C. Reed, one of the Supervisors of Boggs Township,  
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.

Amos C. Reed

Sworn and Subscribed before me  
this 3 day of <sup>January</sup> November, A. D.  
1919.

John H. Moore  
Prothonotary



LAW OFFICES

J. A. GLEASON

238-240-242-244 DEPOSIT NATIONAL  
BANK BUILDING  
DUBOIS, PA.

June 19th.,

1 9 23.

W. I. Swoope, Esq.,  
Clearfield, Penna.

Dear Sir:

I have your letter of June 13th,  
regarding the George Root matter, and gladly enclose  
you the papers.

Mr. Root has a case of some merit, but  
on account of the distance he lives from DuBois, it would  
be a great deal better if you would handle it.

Very truly yours,

JAG/MM  
Encl/

*J. A. Gleason*

FIRST: That a portion of a certain public road in the Township of Lawrence and Boggs leading from a point at or near the store house of John Olson, at or near Clearfield Creek Bridge at Dimeling Station to a point at the edge of Little Clearfield Creek at or near the Clearfield and Southern Railroad bridge, then across said Creek to a point at or near the residence of George Root in Boggs Township, has become useless, burdensome and an expense upon the townships for maintenance.

SECOND: That there is great necessity and need for a new public road in the Townships of Boggs and Lawrence, leading from a point in Boggs Township at or near the residence of George Root, thence down to Little Clearfield Creek in Boggs Township, at some point above the Clearfield & Southern Railroad bridge, and thence through land of John Olson to a point at or near the store house of John Olson in Lawrence Township.

Your petitioners respectfully pray the Court that viewers may be appointed to view and vacate the said portion of public road as herein before described, and to supply a new public road between as set forth in this petition, and they will ever pray etc.

**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 Sixth day of  
January in the year of our Lord  
one thousand nine hundred Twenty

Judge of the same Court: Upon the petition of  
sundry inhabitants of the Township of  
Lawrence and Boggs  
in said County, setting forth that

and therefore, praying the Court to appoint proper persons to view and  
lay out the road between the points mentioned, whereupon the Court upon  
due consideration had of the premises, do order and appoint from and  
among the County Board of Viewers A. G. Kramer, Esq., E. D. Billotte,  
and J. S. Michaels,

who have been duly appointed by the Court and filed their oaths of office and  
are duly qualified to perform the duties of their appointment with 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.

Geo. W. Ralston 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 Boggs & Lawrence and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 21 day of January, A. D. 1920, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 22d day of January, 1920, at 9 o'clock A. M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Elmer Graham one of the Supervisors of Lawrence Township and George B Shugart one of the Supervisors of Boggs Township and John Olson, besides all the viewers

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 22d day of January, A. D. 1920, when the following appearances were noted: Elmer Graham one of the supervisors of Lawrence Township with H. B. Hartswick, Esq. of Miller & Hartswick Attorney's for the Supervisors of Lawrence Township; and George B. Shugart one of the Supervisors of Boggs Township.

After the view and hearing above mentioned, the undersigned ~~viewers~~ viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is necessary for a public road. And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for public use the following described road, to-wit: Beginning at a point in Boggs Township at or near the residence of George Root on the public road leading from Clearfield to Faunce; thence leading north eight (8) degrees, thirty (30) minutes; east three hundred and sixty three (363) feet over said Township road; Thence north twenty two (22) degrees, thirty (30) minutes; west one hundred and twenty (120) feet over land of George Root; thence over land of the said George Root the following courses and distances to wit: North sixty six (66) degrees west fifty (50) feet; thence north eighty (80) degrees thirty (30) minutes; west, fifty (50) feet; Thence south eighty five (85) degrees, west fifty (50) feet; Thence south seventy two (72) degrees, west one hundred and thirty five (135) feet; Thence north thirty five (35) feet to low water mark on little Clearfield Creek which is the dividing line between Boggs and Lawrence Townships; Thence north thirty (30) degrees west thirty (30) feet to the centre of the creek; Thence north, thirty five (35) degrees, west thirty (30) feet from the centre of the said creek to low water line on the north west side of little Clearfield Creek which said creek is the dividing line between ~~Boggs and~~ Boggs and Lawrence Townships; Thence over land of John Olson in Lawrence Township the following courses and distances; to wit: From the bank of little Clearfield Creek, north west one hundred and forty five (145) feet to the New York Central Railroad tract, leading from Dileling Station to Mahaffey; thence across the said New York Central Railroad tract, north fifteen (15) degrees thirty (30) minutes, west thirty seven (37) feet; Thence, north forty one (41) degrees east five hundred (500) feet; thence north fifty two (52) degrees, east two hundred and twenty five (225) feet

To T. R. Weimer, Jesse. E. Dale and M. L. Farrell,  
County Commissioners of Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view and lay out a public road from a point in a public road at or near the residence of George Root in Boggs Township down to little Clearfield Creek at some point above the Clearfield and southern Railroad bridge on the south east side of said creek in Boggs Township; thence across said creek into Lawrence Township, thence on the north west side of said creek through land of John Olson; to a point in the public road at or near the store house of John Olson; in Lawrence Township:

And vacate that part of said public road to be supplied by said new road to be laid out between said points; from at or near the residence of George Root in Boggs Township to at or near the store house of John Olson in Lawrence Township in the County aforesaid, will meet at the house of John Olson in Lawrence Township on Wednesday the 21st day of January A. D. 1920 at one o'clock P. M. to attend to the duty assigned them, of which time and place aforesaid all parties interested 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 before the filing of their report in court, in order to give all parties interested, either for or against the change of said road a chance to be heard by the viewers, will be held in the Arbitration Room in the Court House in Clearfield Pa on Thursday the 22d. day of January A. D. 1920 at nine oclock A, M, when and where all parties interested in said road may appear and be heard.

*A. G. Kramer*

*E. D. Billotte*

*J. S. Michaels*

VIEWSERS.

Now Jany 12 1920 service accepted of the foregoing notice for the  
County Commissioners of Clearfield County Pa.

*L. C. Morris*

Clerk.

To: George B Shugart, S. S. Walk, and E, A, Dixon.

Supervisor's of Boggs Township Clearfield County Pa.

You are hereby notified; that the undersigned viewers; appointed by the Court of Quarter Sessions, of Clearfield County Pa, to view and lay out a public road from a point in a public road at or near the residence of George Root in Boggs Township, down to little Clearfield Creek, at some point above the Clearfield and southers Railroad bridge on the south east side of said Creek, in Boggs Township; thence across said Creek through land of John Olson, to a point in the public road, at or near the store house of John Olson in Lawrence Township.

And vacate that part of said public road to be supplied by said new road to be laid out between said points; from at or near the residence of George Root in Boggs Township, to at or near the store house of John Olson in Lawrence Township, in the County aforesaid, will meet at the house of John Olson in Lawrence Township on Wednesday the 21st, day of January A. D. 1920 at three o'clock P. M. to attend to the duty assigned them, of which time and place aforesaid all parties interested 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, before the filing of their report in Court, in order to give all parties interested either for or against the change of said road, a chance to be heard by the viewers; will be held in the Arbitration Room in the Court House in Clearfield Pa on Thursday the 22d, day of January A. D. 1920 at nine o'clock A. M. when and where all parties interested, in said road may appear and be heard.

*A. G. Krasser*

*E. D. Billotte*

*J. L. Michaels*

VIEWERS.

Now Jany 14 1920 served this notice on George B Shugart, E, A. Dixon and S. S. Walk the Supervisors of Boggs Township personally by handing each of them a true and correct copy of same.

*Geo B. Shugart*

T: Elmer, Graham, Amos, C, Read and John, H, Thompson.  
Supervisors of Lawrence Township Clearfield County Pa.

You are hereby notified; That the undersigned viewers, appointed by the Court of Quarter Sessions, of Clearfield County Pa, to view and lay out a public road from a point in a public road at or near the residence of George Root in Boggs Township, down to little Clearfield Creek, at some point above the Clearfield and Southern Railroad Bridge on the south east side of said creek in Boggs Township; thence across said Creek through land of John Olson, to a point in the public road, at or near the store house of John Olson in Lawrence Township.

And vacate that part of said public road to be supplied by said new road to be laid out between said points; from at or near the residence of George Root in Boggs Township, to at or near the store house of John Olson in Lawrence Township, in the County aforesaid, Will meet at the house of John Olson in Lawrence Township on Wednesday the 21st, day of January A. D. 1920 at one o'clock P. M. to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

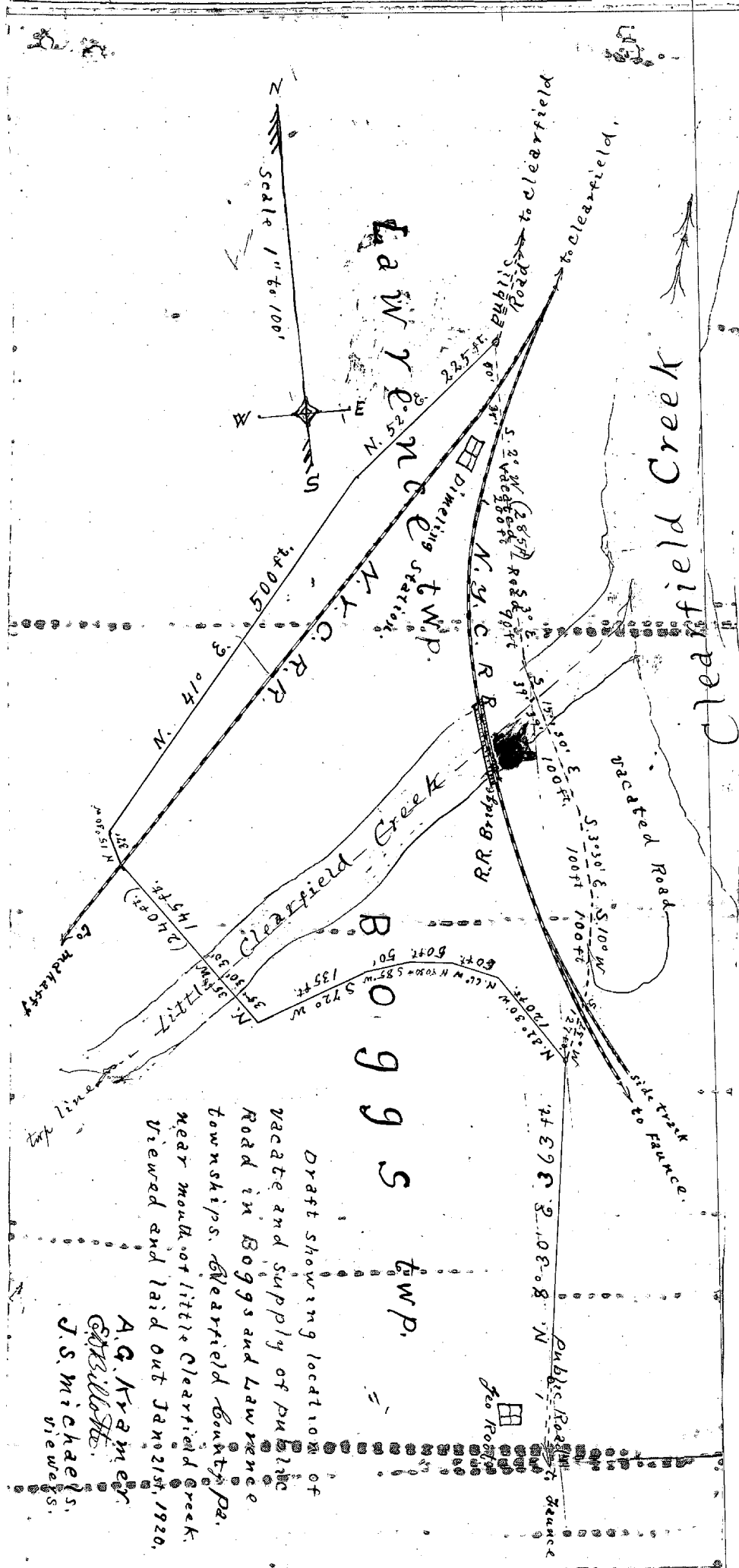
And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers before the filing of their report in court, in order to give all parties interested either for or against the change of said road, a chance to be heard by the viewers, will be held in the Arbitration Room in the Court House in Clearfield Pa on Thursday the 22d, day of January A, D, 1920 at nine o'clock A. M. when and where all parties interested, in said road may appear and be heard.

A G Kramer  
E W Billotte  
J L Michaels  
VIEWERS.

Now Jan'y 17 - 1920 served this notice on Elmer Graham, Amos, C, Read and John H. Thompson the Supervisors of Lawrence Township parsonally by handing each of them a true and correct copy of same.

*Making return on this  
Copy date of date of service  
and signed and then return  
this copy to A G Kramer*

Elmer Graham





to the centre of the public road leading to Clearfield near the store house of John Olson in Lawrence Township: And vacate that portion of the township leading from Faunce to Clearfield, at a point near the store house of John Olson in Lawrence Township where the road laid out intersects with the Township road, leading from Faunce to Clearfield near the store house of John Olson. Thence running south east fifty (50) feet to where said road vacated crosses the main line of the New-York Central Railroad, leading from Clearfield to Mahaffet: Thence south east thirty five feet across the Clearfield and Southern Railroad a branch of the New York Central Railroad leading from Dimling station to Irvona, Thence south two (2) degrees; west two hundred (200) feet; Thence south three (3) degrees, east ninety (90) feet to the western edge or bank of little Clearfield Creek; thence south three (3) degrees fifteen (15) minutes; east seventy eight (78) feet to the southern bank of said Creek which is the Boundry line between Boggs Township and Lawrence Township: Thence east one hundred (100) feet; Thence south three (3) degrees; thirty (30) minutes, east, one hundred (100) feet; thence south ten (10) degrees, west to the side tract and main line of the Clearfield and Southern branch of the New York Central Railroad, Thence across the said side tract and main line of the said Clearfield and Southern branch of the New York Central Railroad leading from Dimling station to Irvona; south twenty five (25) degrees; west one hundred and twenty seven (127) feet to where the new road laid out connects with the said road, leading from Clearfield to Faunce in Boggs Twp. 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,

~~XXXXXXXXXX~~

~~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:

John Olson	\$5.00
George Root	\$1.00

~~and we have not been able to obtain releases from the following persons:~~

WITNESS our hands and seals this 22: day of January, A. D. 1920

*A. G. Kramer*  
*E. B. Billott*  
*J. S. Michals*



No. 2. Feby Sessions, 1920

# ORDER

To view, vacate & supply a road for public use in the townships of Lawrence & Boggs, Clearfield County

Feby Session, 1920.

read and confirmed. N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court  
Mythrus Bill

May 20 1920.

Confirmed & validly by the Court  
Mythrus Bill

Filed

Fees \$1.25 paid by Attys

Miller & Hartswick.

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. G. Kramer	3	16.23.20
W. D. Balluff	3	56.25.30
J. D. Michaels	2	52.19.10

FILED  
JAN 29 1920  
GEO. W. BALSTON  
CLERK

## 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\_\_\_\_\_

SEAL  
SEAL  
SEAL  
SEAL