

DOCKET No. 5

Number	Term	Year
2	Sept ss	1922

Petition for road in the Village

of Hawk Run, Morris Twp.

Versus

Rd. #5 - Page 517

Part Twp. Rd. 17683
12692

KNOW ALL MEN BY THESE PRESENTS, That we, Peter McDermott
Jos. Sallurday and A.A.J. Colmont, are held
and firmly bound unto The Commonwealth of Pennsylvania, in the sum
of Fifty (\$50.00) Dollars, lawful money, for the payment of which
sum, well and truly to be made, we do bind ourselves, our and each
of our heirs, executors and administrators, jointly and severally,
firmly by these presents. Sealed with our seals and dated this
24th day of April, A. D. One Thousand Nine Hundred and Twenty two.

WHEREAS, a petition has been presented to the Court of
Quarter Sessions of Clearfield County to supply a public road in
Morris Township, beginning at the Episcopal Church on Whitman
Street in the village of Hawk Run and ending at Pardee No. 1 Mine
on the public highway leading from Philipsburg to Munson, praying
for a view.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the
said petitioners shall well and truly take care of and pay all
costs incurred in the presenting and carrying out of said petition,
in the event that the same is abandoned or is reported adversely,
this obligation to be null and void, otherwise to be in full force
and effect.

Peter McDermott (SEAL)

Jos. Sallurday (SEAL)

A.A.J. Colmont (SEAL)

BOND.
No 2 Sept 11 1922

Peter McDermott,
et al

-To-

Commonwealth of Pennsylvania -
nia.

FILED

MAY 2 1922

GEO. W. BALSTON
CLERK

Walter Welch
Attorney at Law
Clerkfield, Pa.

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

To the Honorable Singleton Bell, President Judge of said
Court: -

The petition of the undersigned, being residents of the
village of Hawk Run, Morris Township, Clearfield County, Pennsylv-
ania, respectfully represents:

That your petitioners labor under great inconvenience for
want of a public road or highway in said village of Hawk Run and
Township of Morris, beginning at a certain point, which said
point is the Episcopal Church on Whitman Street and
ending at Pardee No. 1 Mine, on the public Highway leading from
Philipsburg to Munson, and covering about one-half mile.

Your petitioners therefore pray the Court to appoint
proper persons to view and lay out the same according to law.

And they will ever pray.

Joe Sallverday	Enoch Hayward
Peter McDermott	James Daugherty
Wm Hamilton	Andy Malin
Jess Stopp	John Moriarty
Valent Verost	Mike Lawrence
James M ^c Donnell	William Edmiston
John B ^c Duvall	Leus Conk
Ed. Haywood	Ed. Jovanelly
Samuel Petrick	George Mason
Malvin C. Cole	WM Jones
George Goda	Mike Brekshi Jr
John Fowler	Arnille & J Bohman
Wm H. McIlmunt	Thomas Russell
Paul Kapit an	John T. Russell
Henry Jovanelly	John Radomsky Jr.
John Radomsky	Jim Bowen
Victoria Vienne	John Teremny
John Jaltunarsky	Geo D Daugherty
Lucas Piron	Paul Chigash
Andy Vatal	St Walker
Mrs E Davis	Wm J. J. J. J.

State of Pennsylvania :

: SS

County of Clearfield :

On this 21st day of April, A. D. 1922, before me, a

Justice of the Peace in and for said County and
State came the above named Peter M. Dermott, who
being duly sworn according to law doth depose and say that
the facts set forth in the foregoing petition are true and
correct to the best of his information and belief.

Peter M. Dermott

Sworn to and Subscribed be-

fore me the day and year

aforesaid.

William Sleeper

My Commission Expires
First Monday in January, 1923

No 2 Sept 11 1922

Petition for Road in the
Village of Hawk Run,
Morris Township.

✓

Now Sept 1 1922

I herewith petition
road and covered
whereupon H. & E. Edwards
and Mary Reese were

J. N. Hargreave

are appointed viewers
to view and report to
the court

My the Court
Proctor 1922

HILL
Attorney at Law

MAY 2 1922
Clearfield, Pa.

EO. W. D. A. COMPANY
BALTIMORE OFFICE, SUPPLY CO., BALTIMORE, MD.

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, be 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 18th day of July

A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 19th day of July, 1923, at 10:30 o'clock A. M. That

3 viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Harry Reese, James Spangle,

and A. L. Edwards, viewers and John Nicholls Supv.; Joseph Salady & Peter M. Dennett in favor of said road.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 19th day of July A. D. 1923, when the following

appearances were noted: Harry Reese, James Spangle & A. L. Edwards,
viewers; Joseph Salady & Peter M. Dennett & their Attorney,
Walter Willeh Esq. in favor of said road. There was no one
present opposed to said proposed road.

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 Township Road at or near the Episcopal
Church on Whitman Street in Hawk Run, thence N. 68° 15' E.
1654 feet to a point, thence N. 6° 30' E. 235 feet, thence N. 3° 30' E.
735 feet to the Township Road leading from Philipshurg to
Munson, near the Porter Mine. (See map hereto attached)

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 2nd day of May in the year of our Lord one thousand nine hundred twenty-two

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

in said County, setting forth that your petitioners labor under great inconvenience for want of a public road or highway in village of Hawk Run in said Twp. beginning at a certain point, which said point is the Episcopal Church on Whitman Street, and ending at Pardee No. 1 mine, on the public highway leading from Philipsburg to Munson, and covering about one-half mile

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, Esq., Harry Reese and J. W. Spangle

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 judgement, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual 2 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 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.

Les W Ralston, Clerk.

THREE
PARCELS, 1886

PUBLIC ROAD IN VILLAGE OF HAWK RUN
MORRIS TOWNSHIP CLEMATON COUNTY PA
VIEWED AND Laid OUT JULY 13-1923
BY A. L. EDWARDS Esq.
H. H. REESE
JAS. SPANGLER

SCALE 1"=200'

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 A PUBLIC ROAD Road leading from A CERTAIN POINT WHICH SAID POINT IS THE EPISCOPAL CHURCH ON WHITMAN STREET IN HAWK RUN

in MORRIS Township to THE PARDEE NO. 1 MINE ON THE PUBLIC HIGHWAY LEADING FROM PHILIPSBURG TO MUNSON AND COVERING ABOUT ONE HALF MILE.

in MORRIS Township, in the County aforesaid, will meet at the house of AT EPISCOPAL CHURCH, HAWK RUN, PA.

in MORRIS Township, on WEDNESDAY the 18th day of JULY A. D. 1923, 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 a hearing on said view will be held in the Arbitration Room of the Court House at Clearfield Thursday July 19th at 10-30 A. M.

A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

Viewers

July 6th

19 23

*Now July 10 " 1923
Service accepted by the Commissioners of Clearfield
County, by L. C. Morris, Clerk*

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 none

when it was not practical 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 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: Calvin Pardee Estate \$1.00

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

WITNESS our hands and seals this 19th day of July
A. D. 1923.

A. L. Edwards Seal
W. A. Reese Seal
James W. Spangle Seal

No. 2 Sept Sessions, 1922

ORDER

To view a
road for public use in the
township of Morris
Clearfield County Penna

Sept Sessions, 1923

read and confirmed: Ni. Si. Road to
opened 33 feet wide, except where there
is side hill cutting or embankment and
bridging, there shall be 16 feet wide.

Now August 11-1923 the
power of the viewers are
extended to
Sept 1st 1923
by the Court
for good and full
Dec. 1923 confirmed
absolutely
by the Court
Angela Melby

Filed 19

Fees \$1.25 paid by

Walter Welch, Atty.

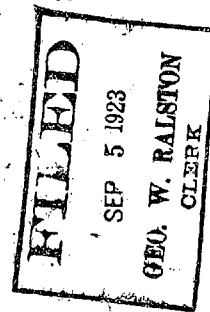
NOTE—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.
<u>Harry Reese</u>	<u>3</u>	<u>70</u>	<u>26.00</u>
<u>James Spangle</u>	<u>2</u>	<u>157</u>	<u>22.85</u>
<u>A. L. Edwards</u>	<u>3</u>	<u>62</u>	<u>25.60</u>



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 ensembling 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 respectfully 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. 192 _____

Seal
Seal
Seal
Seal