

DOCKET No. 5

Number	Term	Year
4	Feb	1923

Road in Lawrence Twp from

Clfd. to Pleasant Dale School House

Versus

P. J. & - Page v-43

Port Twp, Rd 17519

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

We, the undersigned, tax-payers and residents of Lawrence Township, respectfully petition and represent:

That your petitioners residing in the Pleasant Dale section of Lawrence Township suffer great inconvenience on account of the excessive and unusual grade on the Public Road leading from Clearfield to Pleasant Dale School House.

Your petitioners therefore pray the Honorable Court to view out and lay a public road to begin on the said road leading from Clearfield to Pleasant Dale School House at the intersection of the Wesley Ogden land and to end at the forked roads near Richard Rishel's residence, being about one-fourth mile, and they will ever pray.

Sylvester Green	H. Loy, Ogden
M. Wilson Lee	D. D. Long
Brow Point - R. & G. Lee	J. Horles Ogden
E. B. Job Jr.	G. M. Morrisas
A. M. Merrifield	Orvis Ogden
Jeff Butler	Amon W. Pifer
N. A. Ogden	R. C. Ogden
H. A. Giles	M. A. Macmillan
D. A. Owen	J. G. Fairson
J. W. Meader	W. R. Daniels
J. T. Ogden	E. G. Daniels
Eliza S. Somerville	Ralph Miller
Joseph Shaffer	

John Williams
W.G. Shaffer

R.D. Ruskel

S. J. Shaffer

Long Green

Burrell & Butler

W.H. Hargan

Ed. T. Bird

Ind. B. Leaven

~~Ed. C. Clark~~

Ira B. Waite

Mr. M. Dawson Editor Journal

State of Pennsylvania : : SS
County of Clearfield :

S. S. Green being duly sworn according to law doth depose and say that the facts set forth in the foregoing petition are true, to the best of his knowledge, information and belief.

Sylvester S. Green

Sworn and subscribed before me
this 4th. day of January 1923.

Jessie E. Bailey
Notary Public.

MY COMMISSION EXPIRES AT THE END
OF THE NEXT SESSION OF THE SENATE.

4 Feb 21 1923
1923

In re: Petition to appoint
Viewers for Lawrence Town-
ship Road.

And now, January 21, 1923,
the within petition read and
considered, whereupon

A. J. Kramer
Ed. Welch
E. G. S. Muckel

are appointed viewers to
view the proposed road and
report to the Court.

John Conk
Myron Dyer
John Dyer

Walter Welch
Attorney at Law
Clermont, Pa.

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 12 day of January in the year of our Lord one thousand nine hundred twenty-three

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Lawrence in said County, setting forth that your petitioners residing in the Pleasant Dale section of Lawrence Twp. suffer great inconvenience on account of the excessive and unusual grade on the Public Road leading from Clearfield to Pleasant Dale School House at the intersection of the Wesley Ogden land and to end at the forked roads near Richard Rishel's Residence, being about one-fourth mile, and they will ever pray

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, Esq. 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 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 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 whereever 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.

Klo M. Palstone, 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, 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 Lawrence and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 26th day of January A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 27th day of January, 1923, at (9), o'clock A. M. That Two of the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Sylvester Green, W. S. Pifer and Wesley Ogden:

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 27th day of January A. D. 1923, when the following appearances were noted: appeared and were heard; Sylvester Green, W. S. Pifer and Wesley Ogden besides John H Thompson and J R Fullerton two of the Supervisors of the Township of Lawrence:

And After the view and hearing above mentioned, the undersigned, the majority of the said 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 the public road, leading from Clearfield Pa to Bish Ogden near the residence of I Wesley Ogden; on the dividing property line between I Wesley Ogden and Richard S Rishel in Lawrence Township Clearfield County Pennsylvania. Thence running North five (5) degrees, twenty seven (27) minutes; East, nine hundred and seventy five (975) feet on the dividing property line between the said I Wesley Ogden and Richard S Rishel as above stated; so as to make the dividing property line between the said I Wesley Ogden and Richard S Rishel the center of the new road laid out; To the centre of the public road leading from the Mount Joy Church and School House to Bish Ogden near the residence of Rishard S Rishel in Lawrence Township in the County and State aforesaid.

KNOW ALL MEN BY THESE PRESENTS THAT we, S. S. Green,
Jeff Butler and Joseph Shaffer, are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of Fifty Dollars, to which payment well and truly to be made, we do bind ourselves, our and each of our heirs, executors and administrators, jointly and severally by these presents.

Sealed with our seals and dated this 4th. day of January
A. D. 1923.

Whereas, a certain petition has been presented to the court of quarter sessions in and for Clearfield County for the appointment of viewers for a public road on the public highway between Clearfield and Pleasant Dale School House in Lawrence Township.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said petitioners will carry out the order of said court in the event said petition should be abandoned and save and keep harmless the County of Clearfield of all costs, then this obligation to be null and void. Otherwise, to be and remain in full force and effect.

Sylvester S. Green (SEAL)

Jeff Butler (SEAL)

Joseph Shaffer (SEAL)

#4 Feb 22 1923

In re: Petition for appointment
of viewers for Lawrence
Township Road.

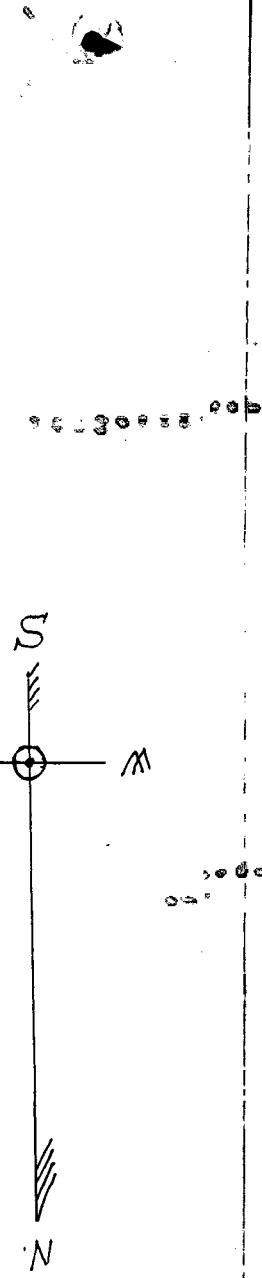
B O N D.

Now, January 12, 1923

Bond approved.

By the Court,

Angeline Buel



Order
Improved Lands
II. W. Ogden

North 5 degrees 27' East 975 feet.
new road viewed and laid out

Richard S. Pichel
Improved Lands.

Draft showing location
of a public road in Lawrence
township, Clearfield County, Pa.
viewed and laid out by the under-
signed viewers on Jan. 26th, 1923.
A. G. Kramer,
C. O. Billotte
viewers.

No. 4 Feb. 1923.

TO; T. R. WEIMER, JESSE, E, DALE AND M, L, FARRELL,
COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PENNSYLVANIA:

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and lay out a public road leading from a point in the public road leading from Clearfield to the Pleasant Dale School House at the property line of Wesley Ogden in Lawrence Township; To a point in the public road near the residence of Richard S, Rishel in Lawrence Township in the County aforesaid; will meet at the house of Wesley Ogden in Lawrence Township on Friday the 26th day of January 1923 at two 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 in the laying out of the 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 Saturday the 27th day of January A. D. 1923 at nine (9) o'clock A. M. at which time and place all parties interested in the said road may attend and be heard.

A G Kramer
E D Ballotte
J S Michaels,
VIEWERS.

Now Jany 15, 1923 service accepted for the County Commissioners of Clearfield County Pa; of the above notice.

L C Morris,
Clerk.

TO; A, D, GOSS, JOHN, H, THOMPSON AND J. R. FULLERTON;
THE SUPERVISORS OF LAWRENCE TOWNSHIP; CLEARFIELD COUNTY; PENN'A

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania, to view and lay out a public road leading from a point in the public road leading from Clearfield to the Pleasant Dale School House at the property line of Wesley Ogden in Lawrence Township; To a point in the publick road near the residence of Richard S Rishel in Lawrence Township in the County aforesaid will meet at the house of Wesley Ogden in Lawrence Township on Friday January the 26th 1923 at two (2) 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 in the laying out of the 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 Saturday the 27th day of January A. D. 1923 at nine (9) o'clock A. M. at which time and place all parties interested in the said road may attend and be heard.

A. G. Kramer
E. D. Billotte
J. S. Michalls
VIEWERS.

Jany 17 1923 served this notice on A. D. Goss, John H Thompson and J. R. Fullerton the Supervisors of Lawrence Township personally by handing to each of them a true and correct copy of same

Sylvester A. Green

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, ~~and~~

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

To Richard S Rishel after deducting the benefits derived by said road the sum of Ten \$10.00 dollars

WITNESS our hands and seals this 30th day of January, -----

A. D. 1923. .

A. G. Krueger *Seal*
John W. Gillette *Seal*
Seal
Seal

No. 4 Feb Sessions, 1923

ORDER

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

	Days	Miles	Amt.
A. G. Chamber	4	8	\$30.40
Ed Billotte	4	36	\$1.80

January Sessions, 1923,
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.

By the Clerk
Singleton, Pa.

May 1923 Confirm
D. M. L. B. M.
By the Court
W. H. L. B. M.

Filed

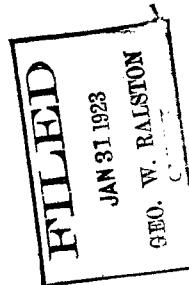
19

Fees \$1.25 paid by

May 12/1923

Walter Welch, Atty.

Opening order issued &
Paid by H. Grant



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 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. 1923.

Seal

Seal

Seal

Seal