

DOCKET No. 5

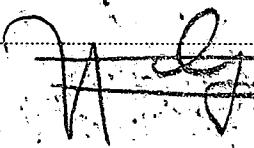
Number	Term	Year
7	May	1923

Road in Lawrence Twp from Clfd to

McPherson Mill known as the Coal
Hill Road

Versus

Rd 4 Page 554



RT 17040

No. 7. May Sessions, 1923

ORDER

To view vacate & supply 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 disadvantages as well as the disadvantages of the road, they will report to that effect.

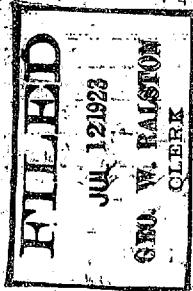
	Days	Miles	Amt.
A. G. Bremer	4	30.20	
E. B. Elliott	3	32.40	
J. J. Michaels	2	20.60	

Sept. 6 Sessions, 1923
read and confirmed Ni. St. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

At the corner of E. 70th Street and Highland Avenue, specifically pointing out, absolutely by the corner Highland Street.

Filed
Fees \$1.25 paid by

W. A. Hagerty, Atty.



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. 192

Seal
Seal
Seal
Seal

laid out forty nine (49) feet south west from the south west end of the bridge across Montgomery Creek on the road leading from Clearfield over coal Hill to McPherson's mill in Lawrence Township Clearfield County Penna.

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, ~~RECORDED IN THE OFFICE OF THE CLERK OF THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA, ON THE 3RD DAY OF JULY, 1923.~~

~~when it was not practicable to do so in view of the time that it would take.~~

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 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: William Hummel \$15.00
To J. L. McPherson 15.00

~~and have given to the assessors obtained and out of the aforesaid.~~

WITNESS our hands and seals this the third day of July, 1923,
A. D. 1923.

R. G. Kramer Seal
E. V. Killotte Seal
J. S. Michaels Seal
Seal

TO: T. R. WEIMER, JESSE. E. DALE AND M. L. FARRELL.
COUNTY COMMISSIONER'S OF CLEARFIELD COUNTY; PENNA.

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 the south side of the bridge across Montgomery Creek, on the road known as the Coal Hill road in Lawrence Township, leading from Clearfield to McPherson's mill, to where said public road connects with the public road leading from Hyde City to the McPherson's mill in Lawrence Township in Lawrence Township; and supply the same with a public road leading direct from the south side of the said bridge across Montgomery Creek in Lawrence Township; to a point in the public road, leading from Hyde City to the aforesaid McPherson's mill at or near the residence of William Hummel; in Lawrence Township in the County aforesaid, will meet at the end of the said bridge across Montgomery Creek in Lawrence Township on Friday the 29th day of June A. D. 1923 at one thirty (1.30) o'clock P. M. to attend to the duty assigned them, at which time and place all parties interested will please take notice.

And that the public hearing 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 in favor of or against the change of the said road a chance to be heard by the viewers, will be held 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 June thirtieth (30th) A. D. 1923 at nine (9) o'clock A. M. when and where all parties interested may attend and be heard.

A. G. Kraemer
E. D. Billotte
J. S. Michaels.

VIEWERS.

Now June 18 1923 service accepted for the County Commissioners of Clearfield County Penna.

L. C. Morris
Clerk.

To; A, D. Goss, John, H, Thompson, and J, R, Fullerton,
Supervisors of Lawrence Township, Clearfield County Penna:-

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 the south side of
the bridge across Montgomery Creek, on the road known as the Coal
Hill road in Lawrence Township, leading from Clearfield to McPher-
son's mill; to where said public road connects with the public
road leading from Hyde City to the McPherson's Mill in Lawrence
Township; and supply the same with a public road leading direct
from the south side of the said bridge across Montgomery Creek in
Lawrence Township; to a point in the public road, leading from
Hyde City to the aforesaid McPherson's Mill at or near the resi-
dence of William Hummel; in Lawrence Township in the County afores-
said, will meet at the end of the said Bridge across Montgomery
Creek; in Lawrence Township on Friday the 29th day of June A. D.
1923 at one thirty (1.30) o'clock P. M. to attend to the duty as-
signed them, at which time and place aforesaid, all parties inter-
ested will please take notice.

And that the public hearing required by the Act of Assem-
bly and the Rules of Court to be held by the viewers before the
filling of their report in Court in order to give all parties inter-
ested either in favor of or against the change of the said road
a chance to be heard by the viewers, will be held 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
June thirtieth (30th) A. D. 1923 at nine (9) o'clock A. M. when
and where all parties interested may attend and be heard.

A G Kramer
E W Billotte
J S Michaels

VIEWERS.

Now June 19th 1923 served this notice on A. D. Goss, John H Thomp-
son and J R Fullerton the supervisors of Lawrence Township person-
ally by handing to each of them a true and correct copy of same.

D W Henry

Bailey
Sotter

1-11-11
1-11-11
m-pher son

5.68° 45' E. N. 77° E.
75° 1.22°

N

Draft showing
location of public W
Road vacated and
supplied. in Lawrence
township. Clearfield Co. Pa. Viewed this
29th day of June 1923.

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

J. L. 12 McPherson
Property line
150 Hume

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 29th day of June 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 30th day of June, 1923, at (9) o'clock A. M. That the said viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Besides the viewers J. R. Fullerton one of the Supervisors of Lawrence Township; and A W Henry and James L McPherson:

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 30th day of June, 1923, A. D. 1923, when the following appearances were noted:

And by reason of laying out said road as above described the following road will become useless, inconvenient and burdensome to the Tax payers of the Township and is therefore vacated, as follows, to wit:

Beginning at the intersection of said public road leading from Hyde City to what is known as the Bailey Settlement in Pike Township in the County aforesaid, near the McPherson Saw Mill in Lawrence Township County and State aforesaid; then extending over land of James L McPherson the following courses and distances; to wit: South sixty eight (68) degrees, forty five (45) minutes, East seventy five (75) feet: Thence North seventy seven (77) degrees, East one hundred and twenty two feet (122) Thence South, seventy three (73) degrees, thirty (30) minutes; East three hundred and fifty five (355) feet to the intersection of the new road -

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 30th day of April, 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 a portion of a public road, long since laid out from the Boro of Clearfield to McPherson's Mill and known as the Coal Hill Road, from the south side of the bridge across Montgomery Creek to where said road connects with a public road leading from Hyde City to McPherson's mill has become useless and burdensome and cause the people either from Clearfield to Hyde City or from Hyde City to Clearfield to travel a considerable distance out of their way:—vacate & supply from the south side of said bridge to a point on the public road leading from Hyde City to McPherson's Mill at or near the residence of William Hummel 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 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.

Geo W. Ralston, Clerk.

To the Honorable Singleton Bell Judge of the Court of
Quarter Sessions of Clearfield County .- Respectfully Represents
That a portion of a public road, long since laid out from the Borough
of Clearfield to McPhersons Mill and known as the Coal Hill Road ,
from the south side of the Bridge across Montgomery Creek to where
said road connects with a public road leading from Hyde City to
McPherson's Mill has become useless and burdensome and cause the
travelling
people either from Clearfield to Hyde City or from Hyde City to
Clearfield to travel a considerable distance out of their way
They therefore pray your Honorable Court to appoint viewers to
view and vacate the same and to supply with a road leading direct
from the south side of said Bridge to a point on the public road
leading from Hyde City to McPherson's Mill at or near the residence
of William Hummell .

And the will ever pray &c

J. B. Crawford Hyde
E. L. Miller
P. B. McPherson Clearfield
F. W. & Passmore
Hos. W. Smeal Libby, D. & P. D.

Frank Schiotz
Quaker Schist Hyde Pa.

A. W. Henry, Clearfield Pa.

J. M. Copenhagen

L. E. Danvers

John Poole

James A. McPherson. Cleavland, Pa.
Chas C. Crawford. Hyde, Pa.
Murray Henry. Hyde, Pa.

May 20 1923

Patent Office
Received from the
Post Office & given
to the Office Supply
Room in same
handwriting of Rausser

Apr 30 1923 B. Rausser
to Billotte & and S. McHugh
on application received as
Patent

W. W. Rausser
Supt. Lab.

Board meets this Friday

FILED

APR 30 1923
Geo. W. RAISER
CLERK

Know all men by these presents that we W A Henry and
James A McPherson & Powell B McPherson are held and
firmly bound unto the Commonwealth of Pennsylvania in the sum
of one hundred dollars lawful money of the United States
to be paid to the said Commonwealth its certain Attorney or
assigns. to which payment well and truly to be made and done
we bind ourselves and each of us, our and each of our heris,
executors, administrators jointly and severally firmly by
these presents .-- Sealed with our seals and dated the 5th day
of June A D 1923

Whereas the said W A Henry and other citizens of
Lawrence Township Clearfield County Penna have petition the
Court of Quarter Sessions in said County of Clearfield
to vacate a part of a public road leading from Clearfield to
McPherson's Mill from a point where the Bridge crosses
Montgomery Creek to a point on the public road leading from
Hyde to McPherson's Mill and supply the same .--

Now the condition of this obligation is such that if the
said W A Henry shall pay all cost that may be assessed against
him in case vacation should be refused by the Court then this
obligation to be void or else to be and remain in full force
and virtue .-

A. W. Henry (Seal)
James A. McPherson (seal)
Powell B. McPherson (seal)

May 29, 1923

June 11, 1923

John W. Raison
Appraiser
Appraiser
Appraiser
Appraiser

