

DOCKET No. 5

Number Term Year

7 Feb 1924

Petition for viewers to lay out
public road in Lawrence Twp

Versus

R.C.S. #5 - Page 591

Township road but
not assigned a route number.

Streets in Richard Shows Addition
Clearfield Boro

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

IN RE: Petition for viewers to view and lay out public road in Lawrence Township.

BOND OF PETITIONERS.

Whereas, divers citizens and property owners of Lawrence Township, Clearfield County, Pennsylvania, have presented to the Judge of the above named Court their petition to appoint viewers to view and lay out for public use, a public road in the said Lawrence Township, known as West First Street, West Second Street, and Wallace, Hills and Patterson Streets in the said Township; the obligors hereto being among said petitioners.

KNOW ALL MEN BY THESE PRESENTS That we and each of us, as obligors, are jointly and severally bound by these presents unto the Commonwealth of Pennsylvania in the penal sum of One Hundred (\$100.00) Dollars, to the payment of which to be well and truly made and done, we and each of us are firmly bound.

And the condition of this obligation is such that if the Judge of the said Court shall by any decree or order direct that we shall pay the costs or any part thereof, of the expenses of the said proceeding, then and in such case we do bind ourselves jointly and severally to pay in the Office of the Clerk of said Court any such costs or part thereof as may be assessed to us, within ten days from the date of the making of such order or decree, and in such case this obligation is to be null and void; otherwise to be and remain in full force and effect.

IN WITNESS WHEREOF we have hereunto set our hands and seals this
day of January A.D. 1924.

(SEAL)

(SEAL)

(SEAL)

G. L. Morris S. L. Hilla
across H. C. Showalter
Creston O. Parks W. L. Holden
Leonard H. Phillips William Wilson
John Graham A. H. Hamilton
across Ira W. Conder
Joseph L. Hudzicki
A. J. Conrad
K. C. McConaughay
across
E. A. Chase
G. C. Reed
Lew Shirley
M. D. Woods
L. J. Pearson

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

IN RE: Petition for viewers
to view and lay out public
road in Lawrence Township.

BOND OF PETITIONERS.

Feb 4th 1924.

and others
of
Lawrence
Twp.

RECEIVED

Geo. W. Ralston
Clerk

W. ELBRIDGE BROWN

ATTORNEY AT LAW
CLEARFIELD, PA.

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

To the Honorable A. Roy Chase, President Judge of the said Court:

The undersigned petitioners, all of whom are residents or property owners of Lawrence Township, Clearfield County, Pennsylvania, would respectfully represent:

That they labor under great inconvenience for the want of public roads in the said Township of Lawrence, as set forth in the rough draft attached hereto and made a part hereof, being West First Street and West Second Street, Wallace Street, Hills Street and Patterson Street, beyond the Borough line of the Borough of Clearfield and between the Susquehanna River and the B. R. & P. Railroad; and that the said roads and streets were dedicated to the public use by the plan of the heirs of Richard Shaw, Sr., and recorded in the Recorders Office of Clearfield County in Deed Book 20 at page 322, but that the same are not maintained as public streets and are at frequent times impassable.

That they, therefore, pray that your honor may appoint the proper persons as viewers and direct that the said viewers view the premises and lay out the said public roads for the use of the public, and to make a return of the said view to the Court, according to law; and they will ever pray.

W. L. Golden.

H. C. McKenick

S. S. Kelly

Ira A. Cauder

H. C. Shaeffer

Joseph A. Hudzicki

William Wilson

J. S. Evans

Andrew Hamilton

~~R. Howell~~

Ed. S. Chase

G. C. Read

James Sherry

~~James Sherry~~
~~John Henry Th~~

M. O. Wood

John Pearson

awtee

Preston & Parks

Leonard H. Phillips

John Graham

P. G. Wood

CLEARFIELD

BORALINE

WALLACE STREET

WEST SECOND STREET

HILLS

STREET

WEST FIRST STREET

PATTERSON

STREET

N

State of Pennsylvania : : SS.
County of Clearfield : :

Recorder of Deeds

Before me a ~~Notary Public~~ duly commissioned in and for the
County of Clearfield and State of Pennsylvania, personally came
Recorder of Deeds, one of the signers to the
foregoing petition, and being by me duly sworn according to law,
deposes and says that the facts therein set forth are true and
correct to the best of his knowledge and belief.

Ed B. Chase

Sworn to and subscribed before me this 4th day of January 1924.

Alford Bratton
Recorder of Deeds
Notary Public

ORDER.

Now, February 4, 1924, the within petition being presented and read, John G. Hansen Esq., Edward B. Rotte, and Jack Michaels are appointed viewers and directed to make the view as prayed for and to make return to this Court on the first Monday of May A.D. 1924.

BY THE COURT.

John G. Hansen
P.J.

79 Feb 20 1924

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

RE: Petition for viewers to view and lay out public road in Lawrence Township

ESTIMATION.

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601

W. ELBRIDGE BROWN
ATTORNEY AT LAW
CLEARFIELD, PA.

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

Now this 1st day of February we accept service of notice of the written petition and notice that it will be presented to the Court on Monday February 4th at 9 A.M.

L. C. Morris, Clerk
for County Commissioners

Minerfactured
at the Road Supervisor of Barrow
Township

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

IN RE: Petition for viewers to lay :
out a public road in Lawrence : No. 7 February Sessions 1924.
Township, Clearfield County, :
Pennsylvania. :
:

To the Honorable A. Roy Chase, President Judge of said Court:

Now, this 9th day of April 1924 come the petitioners by their attorney, W. Elbridge Brown, and ask leave of Court to amend their petition as follows:

1. By striking out the description and the draft as set forth in the original petition filed February 4, 1924.

2. By substituting description as follows:

Beginning at the Borough line of Clearfield Borough at what is known as the end of West First Street and the Borough line, near the tenement house owned by A. M. Liveright; and thence for a distance of approximately two thousand three hundred and thirty (2,330) feet to a point at the bank of the Susquehanna river near the residence of Harry Kennedy.

And your petitioners by their attorney, pray that your Honor may allow the foregoing amendment to their petition filed to No. 7 February Sessions 1924, and that your Honor may refer the said amendment to A. G. Kramer, Esquire, Edward Billotte and Jack Michaels, the viewers appointed by your honorable Court to view the premises and to lay out the public roads as prayed for, for the use of the public, and to make a return of the said view to the Court; and they will ever pray.

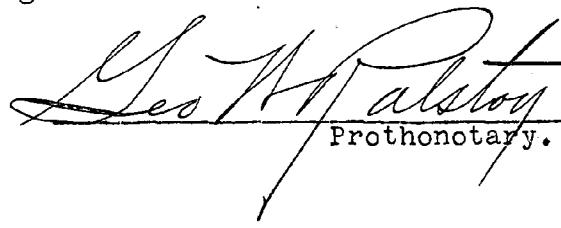


W. Elbridge Brown
Attorney for the petitioners.

State of Pennsylvania :
: SS.
County of Clearfield :

Before me the Prothonotary in and for said State and County, came W. Elbridge Brown, who being duly sworn according to law deposes and says that he is the attorney for the petitioners named in the foregoing petition; that he is authorized to acknowledge the same, and that the facts therein set forth are true and correct to the best of his knowledge and belief.

April 9-1924,


Leo W. Palstoy
Prothonotary.

ORDER.

Now, this 9th day of April 1924, the within petition being presented, it is ordered that the amendment therein prayed for be allowed and that said amendment be referred to A. G. Kramer, Esquire, Edward Billotte and Jack Michaels, viewers previously appointed by your Court in this matter.

BY THE COURT.



A. G. Kramer
P. J.

Feb 20 1924

IN THE COURT OF CHANCERY
SIXTY-THREE OF CLEARFIELD
COUNTY, FEB. 20, 1924.

IN RE: Petition for Road
View in Lawrence Township,
Clearfield County, Penna.

Amendment to Petition filed
to No. 7 Feb. Term 1924.

FILLED

APR 9 1924

REGO, W. RALSTON

Clerk

W. ELBRIDGE BROWN
ATTORNEY AT LAW
CLEARFIELD, PA.

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

In Re. Petition for viewers to lay : No. 7 February Sessions,
out a public road in Lawrence Town- : 1924
ship, Clearfield County, Penna. :

To the Honorable A. Roy Chase, President Judge of said Court:

Now, this 9th day of April 1924 come the petitioners by their attorney, W. Elbridge Brown, and ask leave of Court to amend their petition as follows:

1. By striking out the description and the draft as set forth in the original petition filed February 4, 1924.

2. By substituting description as follows:

Beginning at the Borough line of Clearfield Borough at what is known as the end of West First Street and the Borough line, near the tenement house owned by A. M. Liveright; and thence for a distance of approximately two thousand three hundred and thirty (2,330) feet to a point at the bank of the Susquehanna river near the residence of Harry Kennedy.

And your petitioners by their attorney, pray that your Honor may allow the foregoing amendment to their petition filed to No. 7 February Sessions 1924, and that your Honor may refer the said amendment to A. G. Kramer, Esquire, Edward Billotte and Jack Michaels, the viewers appointed by your honorable Court to view the premises and to lay out the public roads as prayed for, for the use of the public, and to make a return of the said view to the Court, and they will ever pray.

W. Elbridge Brown,
Attorney for the petitioners.

ORDER

Now, this 9th day of April 1924, the within petition being presented, it is ordered that the amendment therein prayed for be allowed and that said amendment be referred to A. G. Kramer, Esquire Edward Billotte and Jack Michaels, viewers previously appointed by your Court in this matter.

By the Court,

A. R. Chase.

P. J.

STATE OF PENNSYLVANIA : Certified from the record this
COUNTY OF CLEARFIELD : 10th day of April A. D. 1924.

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, 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 Four notices thereof were posted along the route of the proposed road, that the said view would be held on the 23d, day of April 1924, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 24th day of April 1924, 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 E. W. Brown Esq the Attorney for the petitioners E. W. Rowles one of the Supervisors of Lawrence Township and the following citizens residents in the community and in to wit W L Holden, WM Wilson Hugh McKenrick S G Hills D S Evans & others parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 24th day of April 1924, when the following appearances were noted: E. W. Brown Esq, Attorney for the petitioners and the following witnesses to wit who were called and sworn: H. C. McKenrick, S. G. Hill, J. L. Hubizicki, D. S. Evans, Howard Showaker, Mrs Leonard H Phillips, Mrs E C Reed, and William L Holden, all in favor of the road.

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 the corner or intersection in the plot laid out in town lots by the heirs of the late Richard Shaw Sr deceased on the streets dedicated as streets to the public at the time said plot was laid out in town lots at the corner of what is known as first Street and Wallace Street; thence running North eighty six degrees West four hundred and fifty (450) feet on Wallace Street to corner of second Street, along the properties shown: thence running south four (4) degrees; West Eight hundred and forty feet on what is known as West second Street along the properties shown on the draft to the corner of what is known as Patterson Street; thence South Eighty six (86) degrees, East Four hundred and eighty (480) feet on what is known as Patterson Street along the properties shown on the draft to the corner of front Street: Thence running North, four (4), degrees, East Eight hundred and forty (840) feet along Front Street along the properties shown on the draft to Wallace Street: thence South Eighty Six (86) degrees; East Three Hundred and eighty two (382) feet on what is known as Wallace Street to a point on the bank of the Susquehanna River near the residence of H. A. Kennedy along the properties shown on the draft attached as part of the report of the viewers:

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 4th day of February in the year of our Lord one thousand nine hundred twenty four

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Lawrence in said County, setting forth that they labor under great inconvenience for want of public roads, as set forth in the rough draft attached hereto, being W. First St. and W. Second St. Wallace St. Hills St. & Patterson St. beyond the Boro line of the Boro of Clearfield and between the Susquehanna River and the B. R. & P Railroad, and that the said roads and streets were dedicated to the public use by the plan of the heirs of Richard Shaw, Sr. and recorded in the Recorders Office of Clearfield County in Deed Book 20 at page 222, but that the same are not maintained as public streets and are at frequent times impassable

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. Edward Billotte and J. G. 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.

Ges W. Palton, Clerk.

TO. JESSE, E, DALE, T. R. WEIMER. AND BLAKE. W. McCRACKEN, COUNTY, COMMISSIONERS OF CLEARFIELD COUNTY. PENN'A.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Session of Clearfield County Pa. to view and lay out a public Road Leading from a point at the Borough line of the Borough of Clearfield at what is known as the end of west First Street, near the tenant house of A. M. Liveright, in Lawrence Township to a point on the Bank of the Susquehanna River near the residence of Harry Kennedy in Lawrence Township in the County aforesaid, will meet at the tenant house of A, M, Liveright in Lawrence Township on Wednesday the 23d day of April A. D. 1924 at one thirty (1.30) 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 said road for or against the same a chance to appear and be heard, will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa on Thursday the 24th day of April A. D. 1924 at nine (9) oclock A. M. when and where ^{all} parties interested in the said road for or against the same may appear and be heard.

A G Kramer
E D Billotte
J S Michalls

VIEWERS.

Now April 12 1924 service accepted for Jesse, E. Dale, T. R. Weimer and Blake, W, McCracken the Supervisor's of Clearfield County Penn'a.

L C Morris
Clerk

TO: VERN, W, ROWLES, JOHN. H, THOMPSON AND J. R. FULLERTON, 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 Pa to view and lay out a public road leading from a point at the Borough line of the Borough of Clearfield at what is known as the end of west First Street, near the tenant house of A. M. Liveright in Lawrence Township, to a point on the Bank of the Susquehanna River, near the residence of Harry Kennedy in Lawrence Township in the County aforesaid, will meet at the tenant house of A. M. Liveright in Lawrence Township on Wednesday the 23d day of April A. D. 1924 at one thirty (1.30) 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 said road for or against the same a chance to appear and be heard, will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa, on Thursday the 24th day of April A. D. 1924 at nine (9) o'clock A. M. when and where all parties interested in the said road for or against the same may appear and be heard.

H. G. Kramer
E. D. Billotte
J. S. Michaels

VIEWERS.

Now April, 16th 1924 served the above notices on Vern W Rowles John H Thompson and J. R. Fullerton personally by handing to each of them a true and correct copy of same. the above named supervisors

J. S. Michaels
W. R. Stoedle

No. 7 Feb

Feb. 19 Sessions, 1911

ORDER

To view _____
road for _____ Lawrence _____
township of _____ Clearfield County _____

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

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.

May Sessions, 1924
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 Compt. of the H. H.

Nov 20th 1824
Improved ab initio
Johnstone
S.J.

Filed 19 Fees \$1.25 paid by Elbridge Brown, Atty.

KILLED
MAY 3 1924
GEO. W. RAJSTON
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 respectfully by reason of the location and opening of the said road, so that neither we nor any af 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

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. ~~maximum~~

the following persons having refused to release the damages to which they respectively 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:

Said road being laid out on what purports to be streets dedicated to the property owners and the public therefore in the opinion of the viewers as no land belonging to any of the adjoining property owners is occupied ~~therefore~~ none of the property owners is at all damaged therefore no damages are assessed; -----

WITNESS our hands and seals this 25th day of April -----

A. D. 1924.

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

