

Road DOCKET No. 6

Number	Term	Year
7	Sept	1924

Road from Ocean Mine Tipple to the

Cross Roads in Decatur Twp

**Versus**

R. d. #6 - Page 7

Port. Twp. Rd. 17658

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 11th day of August 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 Decatur in said County, setting forth that they labor under great inconveniences for want of a public road or highway to lead from Ocean Mine Tipple in Woodward Township to the Cross Roads at Parsonville in Decatur Twp. That the Division of Rural Mail Service of the postoffice Dept. has disapproved the application of your petitioners for an extension of rural mail service owing to the impassable condition at the present time of the private road in use, but have agreed to again take up the question of extending the rural mail service providing assurances be given that the road in question will receive necessary repairs.

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., Harry Reese, and Jack 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 Palstone, Clerk.

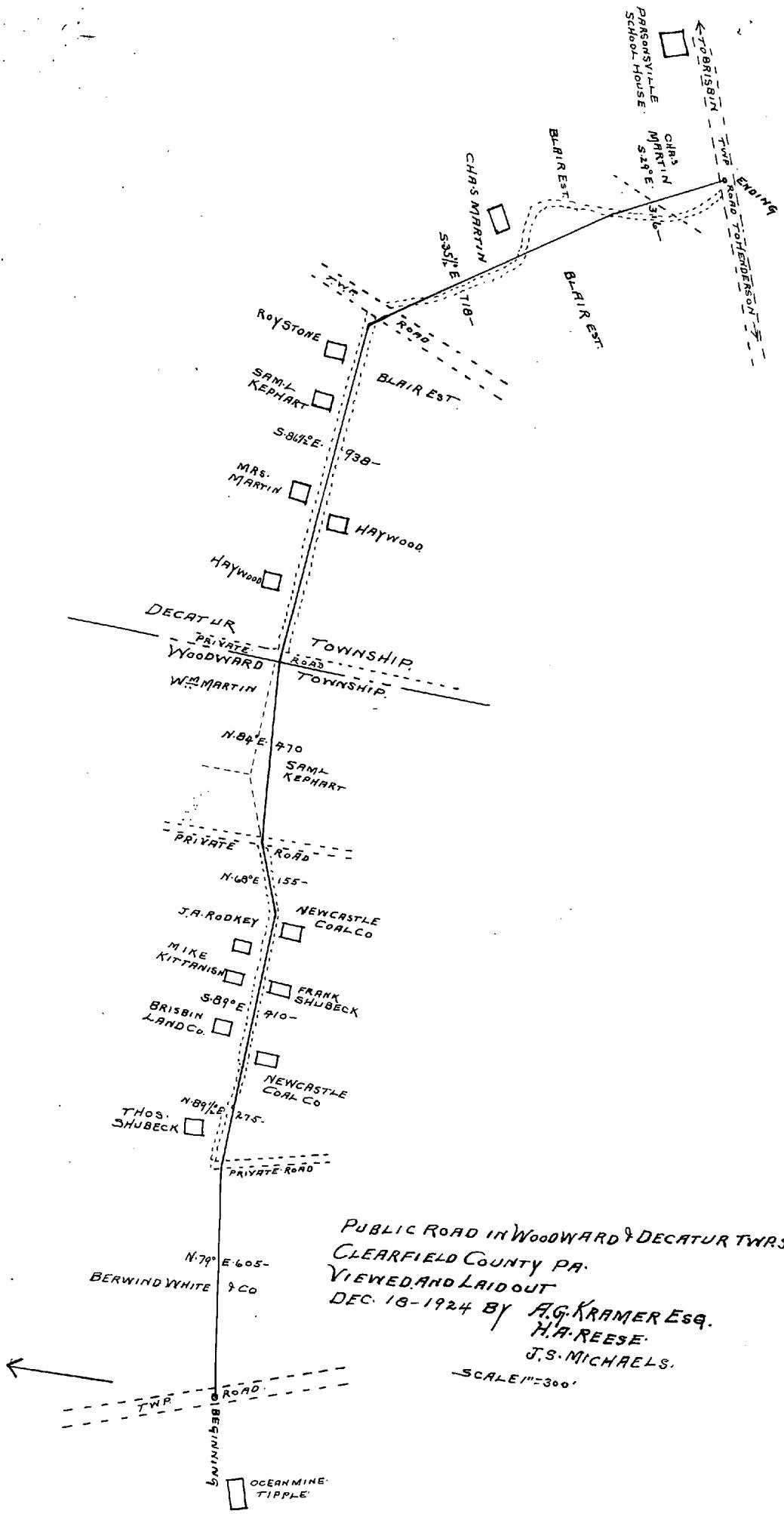
# RETURN OF VIEWERS

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 Decatur & Woodward 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 December A. D. 1924, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 19th day of December, 1924, at 10, o'clock A.M. That all 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 J. P. Drain, William Todhunder and Charles Anderson the Supervisors of Woodward Township and K. O. Kephart one of the Supervisors of Decatur Township and Samuel Kephart Roy Stone, Curtus Phillips, Fred Merrett, Charles Martin and others parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 19th day of December A. D. 1924, when the following appearances were noted: John Scollans attorney for the petitioners with Joseph Rodkey, John Martin, Herman Custard and others, and others

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 Township road near the Ocean mine tipple in Woodward Township. Thence running over land of the Berwind White Company North, seventy nine (79) degrees, East six hundred and five (605) feet to a private road. Thence North along the different properties as shown on the draft attached as part of the report of the viewers North, eighty nine and one half degrees, East two hundred and seventy five (275) feet. Thence: Thence South, along the properties shown on the draft, eighty nine (89) degrees, East four hundred and ten (410) feet: Thence along the properties shown on the draft, North sixty eight (68) degrees, East one hundred and fifty five (155) feet to a private road on line of land of Samuel Kephart: Thence over land of Samuel Kephart and William Martin North, Eighty four (84) degrees, East four hundred and seventy (470) feet to a private road on the Division line between Woodward and Decatur Townships. Thence along the abutting properties shown on the draft South eighty six and one half (86-1/2) degrees; East nine hundred and thirty eight (938) feet to a Township Road: Thence North across said township road and land of Charles Martin and the Blair Estate, South thirty five and one half (35-1/2) degrees; East seven hundred and eighteen (718) feet to a point in the public road leading from Houtzdale to Brisbin near the Parsonville School House in Decatur Township County and State aforesaid.



TO: JESSE. E. DALE, T. R. WEIMER AND B. W. McCACKEN.  
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; leading from the Ocean Mine Tipple in Woodward Township, to the cross roads at the village of Parsonville in Decatur Township in the County aforesaid; will meet at the cross roads at the village of Parsonville in Decatur Township on Thursday the 18th day of December A. D. 1924 at ten o'clock A. 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 a chance to be heard, will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday December 19th 1924 at ten o'clock A. M. at which time and place all parties interested may attend and be heard.

A G Kramer  
H A Rees,  
J S Michaels,  
VIEWERS.

Now December 6 1924 service accepted for the County Commissioners of Clearfield Pennsylvania

L C Morris

Clerk.

TO:- *P. J.* Drain, William, Todhunter, and Charles, Anderson. Supervisors of Woodward 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, leading from the Ocean Mine tipple in Woodward Township to the cross roads at the village of Parsonville in Decatur Township in the County aforesaid; will meet at the cross roads at the village of parsonville in Decatur Township on Thursday the 18th day of December A. D. 1924 at ten (10) o'clock A. 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 a chance to be heard, will be held in the Arbitration Room in the Court House in Clearfield Pa on Fridat December 19th 1924 at ten oclock A. M. at which time and place all parties interested may attend and be heard.

A. G. Kramer  
H. R. Reed  
J. S. Michaels  
VIEWERS.

Now December 6<sup>th</sup> 1924 served the foregoing notice on J. P, Drain, William, Todhunter and Charles Anderson the above named Supervisors of Woodward Township personally by handing to each of us them a true and correct copy of same.

Charles Anderson  
J. P. Drain  
Wm Todhunter

To: Joseph, A, Ashcroft, Robert, N, Showers and K. O. Kephart  
Supervisors of Decatur 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; leading from the Ocean Mine Tipple in Woodward Township to the cross roads at the village of Parsonville in Decatur Township in the County aforesaid will meet at the cross roads at the village of Parsonville in Decatur Township on Thursday the 18th day of December A. D. 1924 at Ten (10) o'clock A. 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 a chance to be heard, will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday December 19th 1924 at ten o'clock A. M. at which time and place all parties interested may attend and be heard.

A. G. Kramer

H. R. Reesl

J. S. Michaels

VIEWERS.

accepted by

Now December 6<sup>th</sup>, 1924 served the foregoing notice  
Joseph A Ashcroft, Robert N Showers and K. O. Kephart the above  
named supervisors personally by handing to each of ~~the~~ <sup>us</sup> a true  
and correct copy of same.

K. O. Kephart

R. N. Showers

Joe A Ashcroft

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, ~~crossing~~

~~WITNESSES~~

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:

No damages were claimed and after giving the matter of damages due consideration are fully convinced that none of the property owners or those abutting on the road as laid out suffer any damages that are not offset by the benefit and advantages gained therefore no damages are assessed.

~~WITNESSES~~

WITNESS our hands and seals this 20<sup>th</sup> day of December, 1924.

A. D. 1924.

A. G. Kramer Seal  
K. A. Reese Seal  
J. S. Michaels Seal  
Seal

1924

No. 7 Sept Sessions, 19

## ORDER

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.

Viewers 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	Amount

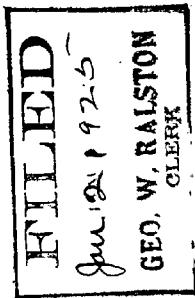
To view a road for public use in the township of DECATUR, Clearfield County

At 1925 Sessions, 1925,  
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 Court  
A. M. Lane

Now May 6 1925 no exceptions  
granted confirmed absolutely  
By the Clerk  
A. M. Lane

Filed 1925  
Fees \$1.25 paid by John Scollins, 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. 1925.

Seal  
Seal  
Seal  
Seal  
Seal

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

To the Honorable A. R. Chase,

President Judge of said Court:

The petition of the undersigned inhabitants, citizens and tax payers of the Townships of Woodward and Decatur, Clearfield County, respectfully represents:

That your petitioners labor under great inconveniences for want of a public road or highway to lead from Ocean Mine Tipple in Woodward Township to the Cross Roads at Parsonville in Decatur Township, Clearfield County;

That the Division of Rural Mail Service of the Post-office Department has disapproved the application of your petitioners for an extension of rural mail service owing to the impassable condition at the present time of the private road in use, but have agreed to again take up the question of extending the rural mail service providing assurances be given that the road in question will receive necessary repairs.

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.

George Bell

Curtis Phillips

Benjamin Wilkes

Samuel J Kephart

John Martin

Harry Jozwienski

Thomas D Martin

W. P. Kennedy

William Hayward

Fred B Merritt

John Ticartec

Fred Bulckaw

Washko Laninski

Nicolas Kishlack

Joseph Phillips

John Phillips

Frank Kenney

David Anderson

Charles Storze

Newton Grun

Norman Green

Edw Anderson

Herman Gustard

John Greenland

Joseph Wilkes

Henry Kephart  
Charles Martin

Albert Martin

George Kephart

H. D. Cago

John Colton

Karp Sullivan

Joseph A. Rodkey

Frank Hasubick

H. W. Hasubick.

John J. Rodkey.

William Lindblom

John M. Selvage

William Rodkey

John A. Rodkey

Harry Munson.

Lewis Tubs.

James Tubs

Emile Castiaux

Chas. Anderson

James M. Wilson

Andresie Lohout

Ray Stone

Delvey Greenland

Alfred Hayward

State of Pennsylvania : : SS,  
County of Clearfield :

Personally appeared before me the subscriber,  
a Justice of the Peace in and for said County and State,  
SAMUEL J. KEPHART of Decatur Township, who being duly sworn  
according to law doth depose and say that the facts set forth  
in the foregoing Petition are true and correct.

Samuel J Kephart

Sworn and subscribed before me this 26th day of July, A.D.  
1924.

John Socino  
NOTARY PUBLIC  
PA CO. OF PENNS.  
JULY 26 1924

Order of Court

Now, this        day of       , 1924, the  
within Petition of divers inhabitants of the Townships of  
Woodward and Decatur, in said County, setting forth that  
they labor under great inconveniences for want of a public  
road or highway to lead from Ocean Mine Tipple in Woodward  
Township to the Cross Roads at Parsonville in Decatur Township,  
and praying the Court to appoint proper persons to view and  
lay out the same according to law, upon due consideration the  
Court do order and appoint

Members of the County Board of Viewers to view the premises  
and make report of their proceedings to the next Court of  
Quarter Sessions as required by Acts of Assembly and Rules  
of Court in such case made and provided.

7 Sept 20 1924

In the Court of Quarter  
Sessions of Clearfield County  
Pennsylvania

In re: Public Road or High-  
way to lead from Ocean Line  
Bridge in Woodward Township  
to the Cross Roads at Peron-  
ville in Decatur Township.

Petition and Order of Court

Aug 11, 1924  
F. G. Schaefer Esq.  
Henry Kline and  
Jack Daniels are  
Complaintants  
and  
Petitioners  
by the County  
of Clearfield  
P. J.

**FILED**  
AUG 11 1924  
CFO  
W. RAYMOND SCOLLINS  
PACHTON STATION  
PA