

DOCKET No. 6

Number

1

Term

Feb

Year

1925

Petition for Public road in Penn

Twp

Versus

P. A. #6 - Page 224

Filed for Record

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

In re Petition for public road leading from a point in a public road leading from Gearharts to the river, at a point in the line of lands of G. M. Passmore, and the Crescent Fire Brick Company; thence to a point in the public road leading northerly toward Curwensville at the barn of Claude Freeman.

To the Supervisors of Penn Township:

You are hereby notified that the petition for citizens for road as above stated will be presented to the Court of Quarter Sessions on Monday, December 15th, 1924.

Bill Boulton Ferryth
Attorneys for Petitioners.

Served the above Notice on Wm. J. Phors,
Supervisor of Penn Township by handing him
a true and attested copy of notice, on
December 3rd A.D. 1924 at his residence
in Penn Township
So Answered.

A. H. Hall

County of Clearfield } 55
State of Pennsylvania }

Sworn to before me, this 8th day of
December A.D. 1924, a Justice of the Peace and
for Clearfield County. John L. Rafferty

MY COMMISSION EXPIRES
JANUARY 1ST, 1925

Cost of Service 1.00
" Mileage 66
J. H. Qualifying 75
1.85

Now Dec. 15 1924

Service accepted for County Commissioners

By L. C. Morris
Clerk

IN THE COURT OF QUARTER SESSIONS, CLEARFIELD COUNTY, PENNSYLVANIA

The petition of the undersigned residents of Township of Penn, Clearfield County, Pennsylvania, respectfully represents:

1. That there is a public necessity for a public road leading from a point in a public road leading from Gearharts to the river, at a point in the line of lands of G. M. Passmore, and the Crescent Fire Brick Company; thence to a point in the public road leading northerly toward Curwensville at the barn of Claude Freeman.

2. That they therefore pray that your Honorable Court will appoint viewers to proceed in the manner required by law.

John Danner
G. M. Passmore
W. F. Blawie
Joseph Haag
J. I. Spencer
Wm H Guichen
Albert Regozinski
Jacob Hadzjula
John Swear
Claude Freeman
Ed Greedcliff
E. M. Haag
Oern McDevitt
Bernard W. Passmore
R. M. M. M.
E. A. Spencer
E. M. Walter
B. F. Marshall
John Danner
G. E. M. M.
J. R. Smith
Murray Spencer
W. L. M. M.
Walter R. M.
W. M. M.
Jast M. M.
Stanley Freeman
Geo. G. D. M.
Walter Addelman
W. W. M.
R. M. M.
Ed Clark
Allen M.
Job Spencer

J. H. Coors Jr
William J. Wall
Orvis Smith
Albert Wall
Anna Wall
Thos. Stany
John Haley
James L. Rafferty
William Clark
Frank Guiker
Ellsworth Bents
Frank W. Wiley
James E. McKinn
Harry Gorse
E. J. Lynn
Gust Madera
Wm. T. Coors
J. R. Kendall
Harry McKinnick
Thos. Nicholson
Jas. E. Rafferty
John P. Rafferty
J. E. McKinnick

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2. That they therefore pray that your Honorable Court will appoint viewers to proceed in the manner required by law.

Thomas Inner On R. Porter

E. X. Thomas

Serg. B. Wadsworth to love & miles

Robert Radzietz Steve Harvath

John Cathmarich

Walton Boerge

Edward Spruill

John Wetherill

John Ravig

P. P. Weisgarber

Eulo Wisor

Andy Korman

Miles Wisor

Henry Caldwell

James Rose

J. D. Kipper

Geo Sezer

Allen Bonsall

Geo H. H. H.

Robert H. H.

Dan Stiller

Ed Moorack

Clark Taylor

W. H. H.

Ernest S. H.

Wm. Gruber

Clearfield County, SS:

G. M. Passmore, being sworn according to law, doth depose and say that the facts set forth in the foregoing petitions are true and correct and that the several persons whose names appear as signers on the foregoing petitions did in fact execute the said petitions.

G. M. Passmore
.....

Sworn and subscribed before me:
this 1st day of December, 1924.




F. Cortez Bell
Notary Public

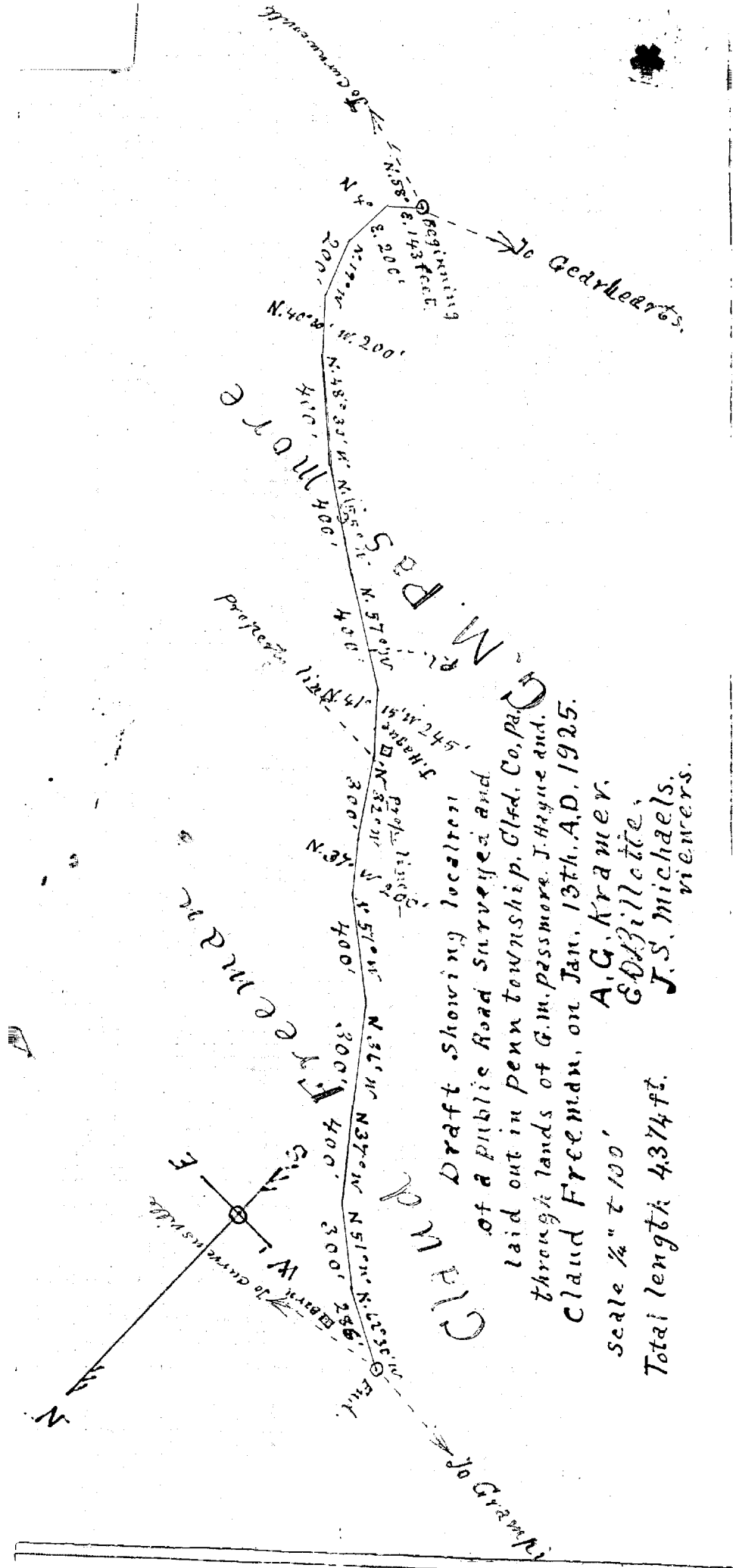
MY COMMISSION EXPIRES MARCH 5, 1927

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned,
are held and firmly bound to the Commonwealth of Pennsylvania
in the sum of one hundred (\$100.00) dollars in payment of which
we do hereby bind ourselves, our heirs and representatives.
Sealed with our seals this 29th day of November, A. D. 1924.

The condition of this obligation is such that whereas a
petition is presented to the Court of Quarter Sessions of Clear-
field County praying for a public road leading from a point in a
public road at the premises of G. M. Passmore to a point in a
public road at the barn of Claude Freeman.

Now, if the said road so prayed for shall be granted by the
Court, or failing therein, the petitioners shall pay the costs
incurred in the proceeding, this obligation to be void and of no
effect, otherwise to be and remain in full force and virtue.

G. M. Passmore. 
O. L. Bloomer. 
C. E. Porter. 



Draft showing location
 of a public Road surveyed and
 laid out in penn township, Glfd. Co, Pa.
 through lands of G. M. passmore, J. Hayne and.
 claud Freeman, on Jan. 13th. A.D. 1925.
 A. G. Kramer.
 E. D. Billotte,
 J. S. Michaels,
 viewers.
 scale $\frac{1}{4}$ " = 100'
 Total length 4374 ft.

TO:- Jesse, E, Dale, T, R, Welmer and, B, W, McCracken.
County Commissioners of 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 in a public road, leading from Gearhart's to the river at a point in the line between the properties of G. M. Passmore and the Crescent Fire Brick Company: -----

In Penn Township, to a point in the public road leading in a northerly direction towards Curwensville at or near the barn of Claud Freeman in Pen Township in the County aforesaid, will meet at the house of G M Passmore in Penn, Township on Tuesday the thirteenth (13th) day of January A. D. 1925 at one o'clock P. M. to attend to the duty assigned them, of which time and place aforesaid, you 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 Wednesday January 14th 1925, at nine o'clock A. M. at which time and place all parties interested either in favor of said road or against the same may appear and be heard.

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

January 2, 1925.
Now ~~December~~ 1924 service accepted for the County Commissioners of Clearfield County, Pa.

J. C. Norriss
CLERK.

To:- William, T. Thorp, William Helper and Charles Philips

The Supervisors of Penn 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 in the the Public road, leading from Gearhart's to the river at a point in the line between the properties of G. M. Passmore and the Crescent Fire brick Company in Penn Township, to a point in the public road leading in a northerly direction towards Curwensville at or near the barn of Claud Freeman in Penn Township in the County aforesaid will meet at the house of G M Passmore in Penn Township on Tuesday the thirteenth (13th) day of January A. D. 1925 at one (1) o'clock P. M. to attend to the duty assigned them, of which time and place aforesaid, all parties, all parties interested will please take notice.

And that the public hearing as required by the Act m 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 by the viewers in the Arbitration Room in the Court House in Clearfield Pa; on Wednesday January the fourteenth (14th) 1925 at nine o'clock A. M. at which time and place all parties interested either in favor of or against the said road may attend and be heard.

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

*Costly 2 Service \$1.00
6 miles 1.20
JP 25
Rudawir Cont 2.45*
County of Clearfield
State of Pennsylvania

Now Jan'y 2 1925 served the foregoing notice on William T. Thorp. William Helper and ~~Charles Philips~~ the above named Supervisors of Penn Township Clearfield County Pa personally by handing to each of them a true and correct copy of same.

Sworn to before me this 2d day of January A.D. 1925 John Y. Rafferty

R. M. Danvir

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 16th day of December
in the year of our Lord one thousand nine hundred
twenty four

Judge of the same Court: Upon the petition of sundry in-
habitants of the Township of Penn

in said County, setting forth that that there is a public
necessity for a public road leading from a point in a public road
leading from Gearhart's to the river, at a point in the line of lands
of G. M. Passmore, and the Crescent Fire Brick Company; thence to a
point in the public road leading northerly toward Curwensville at the
barn of Claude Freeman

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.,
Ed. Billotte, and J. S. Michaels

who have been duly appointed by the Court and filed their oaths of office and are duly quali-
fied 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. Palston, 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

Penn. and that Three ----- notices thereof were posted along the route of the proposed road, that the said view would be held on the 13th day of January.

A. D. 1925, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 14th day of January -----, 192 5, 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 G. M. Passmore, Joseph Hague, and Claud Freeman. -----

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 14th day of January A. D. 192 5, when the following appearances were noted: G. M. Passmore, Joseph Hague and Claud Freeman in favor of the road, and William Helper one of the Supervisors of of the Township of Penn in the County of Clearfield and State of Pennsylvania : -----

After the view and hearing above mentioned, the undersigned, ~~undersigned~~ 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 end of a public road leading to Curwensville and the Lumber City road near the residence of G. M. Passmore in Penn Township Clearfield County and State of Pennsylvania: Thence over land of the said G. M. Passmore the following courses and distances, to wit: North, fifty eight (58) degrees; East, one hundred and forty three, feet: Thence North four, (4) degrees, East, two hundred (200) feet. Thence North, nineteen (19) degrees; West two hundred (200) feet, Thence North forty (40) degrees, thirty (30) minutes, west two hundred (200) feet, Thence North, forty eight (48) degrees, thirty (30) minutes, West four hundred (400) feet: Thence North fifty five (55) degrees, West four hundred (400) feet: Thence North fifty seven (57) degrees, West four hundred (400) feet. Thence North forty one (41) degrees, fifteen (15) seconds. West two hundred and forty five (245) feet to the property line of Joseph Hague.

From thence over property of Claud Freeman the following courses and distances, to wit: North, thirty two (32) degrees; west three hundred (300) feet, Thence North thirty seven (37) degrees, West two hundred (200) feet; Thence North, fifty seven (57) degrees West four hundred (400) feet; Thence North, thirty six (36) degrees, West, three hundred (300) feet. Thence North thirty seven (37) degrees West four hundred (400) feet. Thence North fifty one (51) degrees, West, three hundred (300) feet: Thence North sixty two (62) degrees thirty minutes (30) minutes. West two hundred and eighty six (286) feet to the township road leading from Gramplan to Curwensville near the residence of Claud Freeman in Penn Township County and State

as shown by draft attached as part of our report.

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~~

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

No Damages claimed by the property owners of the property over whose property the road passes.

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 their damages and make report thereof as follows:

and we have with them releases obtained and copy of the notices.

WITNESS our hands and seals this 15th day of January.

A. D. 1925.

A. G. Kramer Seal
E. B. Silotte Seal
J. S. Michael Seal
Seal

No. 1 Feb — Sessions, 1925

ORDER

To view a
road for public use in
township of Penn
Clearfield County Penna.

Feb Sessions, 1925,
read and confirmed Ni. Si. ~~road to be~~
opened 23 feet wide, except where there
is side hill cutting or embankment and
bridging, there to be 16 feet wide.

By the Court
J. H. Chase

10-1
Now May 6 1925 No exceptions
their findings absolutely.
134 the Court

J. H. Chase
P. J.

Filed 19

Fees \$1.25 paid by

Bell, Boulton & Forsyth, Atty's.

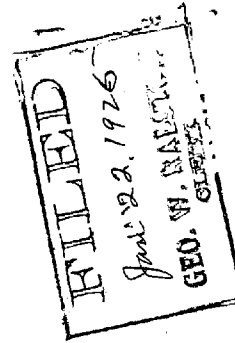
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.



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 enrolling 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