

DOCKET No. 6

Number	Term	Year
6	Dec	1926

Petition to lay out a public road  
in Jordan Twp

Versus

R. d. #6 - Page 138

A

To: The 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 No. 6, December Sessions, 1926, to view and lay out a road commencing at a point on the public road leading from the Village of Ansonville to the Village of McCartney, near the house of Angelo Fiasco, and ending at a point on the public road leading from Potts Run to W. W. Nevling near the house of Albert McNeal, in the Township of Jordan, in the County of Clearfield aforesaid, will meet at the dwelling-house of Albert McNeal in said Township of Jordan on Thursday, the 6th day of January, A. D. 1927 at eleven (11:00) o'clock A. M., to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly and 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 an opportunity to be heard, will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 7th day of January, A. D. 1927 at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

*John Hollins*  
*James Spangle*  
*Harry Reese*  
Viewers

Dated, December 17th, 1926.

Clearfield County, SS:

Now, this 20<sup>th</sup> day of December, A. D. 1926, service of the above Notice is accepted for the Commissioners of Clearfield County.

*L. C. Morris*  
Clerk

To: Joseph F. Johnson, Blair Tubbs and Stewart Straw, Supervisors of  
Jordan Township, Clearfield County, Pennsylvania.

You are hereby notified that the undersigned viewers,  
appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania,  
to No. 6, December Sessions, 1926, to view and lay out a road commencing at a  
point on the public road leading from the Village of Ansonville to the Village  
of McCartney, near the house of Angelo Fiasco, and ending at a point on the  
public road leading from Potts Run to W. W. Nevling near the house of Albert  
McNeal, in the Township of Jordan, in the County of Clearfield aforesaid, will  
meet at the dwelling-house of Albert McNeal in said Township of Jordan on  
Thursday, the 6th day of January, A. D. 1927 at eleven (11:00) o'clock A. M.,  
to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly  
and 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 an opportunity  
to be heard, will be held in the Arbitration Room in the Court House in Clear-  
field on Friday, the 7th day of January, A. D. 1927 at ten (10:00) o'clock A. M.,  
or as soon thereafter as counsel can be heard, at which time and place all  
parties interested may attend and be heard.

John Bellino  
James Spangle  
Harry Beer  
Viewers

Dated, December 17th, 1926.

Clearfield County, SS:

Now, this 22d day of December, A. D. 1926, service of the  
above Notice is accepted for the Supervisors of Jordan Township, Clearfield  
County.

Joseph F. Johnson

Stewart Straw

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 3rd day of November in the year of our Lord one thousand nine hundred twenty six

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Jordan in said County, setting forth that they labor under great inconvenience for want of a public road to commence at a point on public road leading from the village of Ansonville to the village of McCartney near the house of Angelo Fiasco and ending at a point on public road leading from Potts Run to W. W. Nevling near the house of Albert McNeal

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 John Scollins, Esq James Spangle and Harry Reese

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.

# 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

Jordan and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 6th day of January A. D. 1927, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 7th day of January, 1927, at 10 o'clock A.M. That two of the three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view two viewers: James H. Quinn, Joseph F. Johnston, E. A. Pearce, Wm. McMonigal and Jesse Patterson,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 7th day of January A. D. 1927, when the following appearances were noted: W. A. Hagerty, Esq., and F. C. Bell, Esq. of Bell, Boulton & Forsyth, Attorneys, with James H. Quinn and Joseph F. Johnston, Supervisor, petitioners, and Cark Ecklund and William McMonigal, witnesses.

Petitioners and witnesses being duly sworn, examined and cross-examined by Counsel and your Board.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not 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 post on public road leading from Ansonville to McCartney, near house of Angelo Fiasco, the centre line thereof/ extending North 57 degrees West along improved land of John Quinn 580 feet; thence North 51 degrees 30 minutes West 302 feet; thence North 65 degrees West 386 feet; thence North 80 degrees West 680 feet; thence North 59 degrees 45 minutes West 351 feet; thence North 30 degrees West 350 feet to and ending at intersection with Township Road leading to Potts Run.

That the aforesaid Road has long since been in general public use and at certain times public money and works have been expended thereon by the Supervisors of Jordan Township; in the belief that the aforesaid Road had by a former owner of the land been opened and dedicated to public use, and so accepted by Jordan Township.

That in view of the vacation of a portion of the public Road leading from Potts Run by proceedings had to No. 5, December Sessions, 1926, this Road affords the only outlet to persons going to and from Potts Run and McCartney, and is absolutely necessary for the accomodation of the public.

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

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: To John Quinn, the sum of Seventy-five (\$75.00) Dollars; to Albert McNeil, the sum of Twenty-five (\$25.00) Dollars

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 1st day of February  
A. D. 1927.

John Steeves  
Kil Reese

No. 6. Dec. Sessions, 19 26

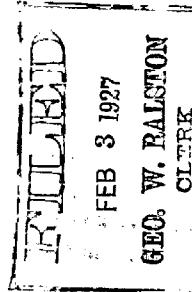
## ORDER

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

8-27  
Sessions, 1927.

Reviewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

	Days	Miles	Amt.
Harry Reese	1	57.50	
John Scollins	2	\$15.00	
Witnesses:			
C. Ecklund,		\$4.52	
Wm. McMonigal		\$6.52	



RECEIVED  
FEB 3 1927  
GEO. W. RALSTON  
CLTRK

Now May 8 8-1927  
confirmed a copy  
By the court  
All those  
P. J.

19  
Filed  
Fees \$1.25 paid by

W. A. Hagertry, Esq.,

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.

## 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  
Seal

In the Court of Quarter Sessions of Clearfield  
To the Honorable the Judge of said Court  
We the undersigned citizens of the Township of Jordan in the  
said County of Clearfield .- Respectfully represent , that  
they labor under great inconvenience for want of a public  
road to commence at a point on Public road leading from the  
Village of Ansonville to the village of McCratney near the house  
of Angelo Fiasco and ending at a point on public road leading  
from Potts run to W W Nevling,s near the house of Albert McNeal

They therefore pray your Honorable Court to appoint  
viewers to view and lay out the same and make report thereof  
to the next Term of said Court .-

And they will ever pray &c

<u>James M Quinn</u>	<u>John D Strong</u>
<u>Wm Mc Gronegal</u>	<u>W V Strong</u>
<u>James Gillen</u>	<u>Benjamin</u>
<u>W. D. Franklin</u>	<u>Gen Cutbush</u>
<u>John C. Franklin</u>	<u>John C. Franklin</u>
<u>Emmett Hayes</u>	<u>John C. Franklin</u>
<u>Thomas Hayes</u>	<u>John C. Franklin</u>
<u>Edgar Strong</u>	<u>John C. Franklin</u>
<u>W. J. Wilson</u>	<u>John C. Franklin</u>
<u>W. D. Wilson</u>	<u>John C. Franklin</u>
<u>Harry McNeil</u>	<u>Sylvia Strong</u>
<u>Wm. Wilson</u>	<u>John C. Franklin</u>
<u>W. J. Wilson</u>	<u>John C. Franklin</u>
<u>Wm. Bailey</u>	<u>Walter Bloom</u>
<u>D. R. Bloom</u>	<u>Ashley Dermott</u>
<u>S. H. Wilson</u>	<u>John C. Franklin</u>
<u>Olof J. Ecklund</u>	<u>Gen. D. C. C. C.</u>
<u>Carl Ecklund</u>	<u>Franklin D. Mitt</u>
<u>Thomas H. Hayes</u>	

L. E. Lewis Jas T Johnson Supervisor  
Sam Johnson Gle. Mize  
George Hammon Guy Hunter  
W. H. Hammon Victor F. Miller  
Harry Hammon M. G. Hunter  
John Hammon Arthur Johnson  
James Fisher Carl Bambury  
John Hammon Dan Tubb  
W. A. Hammon  
Frank Hamilton Jr.  
James Hamilton  
James Hammon  
Ora Pearce  
James Comstock  
Albert Johnson  
Leslie Patterson  
S. A. Pearce  
John Johnson  
John Johnson  
(R. W. Johnson Jr.)  
O. G. Smith  
S. B. Nichols  
A. J. W. B. Johnson

6 Dec 20 1926

NOV 3 1926  
SAC. W. R. BISHOP  
CLERK

Nov Nov 3<sup>rd</sup> 1926

See back of Envelope  
James Sample and  
Harry Deese are  
United miners  
to mine and return  
By the court  
W. B. Bishop

101