

DOCKET No. 6

Number
13

Term
May

Year
ss 1926

Petition to lay out a road in
Lawrence Twp

Versus

R.S. # 6 - Page 104

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY,

We the undersigned citizens of the Township of Lawrence,
County of Clearfield, State of Penn'a. respectfully represent:

That we labor under great inconvenience for the want of
a public road beginning at the borough line where Smith Street crosses
William Street near the residence of Stewart Morrison, to a point on Rae
Street near the residence of Paul Kolbe and William Hinkle. They hereby
pray your honorable Court to appoint viewers to view and lay out the same
and make report thereof to said Court, and they will ever pray.

J. W. Simmers

J. W. Simmers

Jennie J. Powell

Howard E. Sherkart

Edgar Roseberry

Halford G. Ogden

S. S. Green

Chas Stevens

Stewart Morrison

W. Schnars

Inac S. Rider

H. B. Raney

Ra Ogden

M. C. Thomas

A. R. Simpson

13 May 1926

Pittou

For
Foster Jones in
Lawrence Day

New April 12th 1926

A. G. Krane, Esq.,
Ed. Billotte, and J. A. M.
Nichols are appointed
viewers to view and
report.

By the Court.

J. A. M. Chase

APR 12 1926

W. RAISTON
CLERK

Heagerty

KNOW ALL MEN BY THESE PRESENTS, that we Stewart Morrison, John Hunter and William Schmars are held and firmly bound unto the Common Wealth of Penn'a. in the sum of one hundred dollars (\$100.00) Lawful money of the United States, to be paid to the said Common Wealth or certain attorneys or assigns to which payment, well and truly to be made and done, we bind ourselves and our heirs, executors and administrators, jointly and severally firmly by these presents; sealed with our seals and dated the 26th day of March A. D. 1926. Whereas the said Stewart Morrison, John Hunter and William Schmars and other citizens of the Township of Lawrence have applied to the Court of Quarter Sessions of Clearfield County to view and lay out a public road in Lawrence Township, from the Borough line on Smith Street crossing William St. to a point of Rae St. Now the condition of this obligation is such that in case said petition is refused a portion of the costs are directed by the Court to be paid by the petitioners of the said road, that when said costs are paid this bond will become null and void otherwise to remain in full force and virtue.

----- (SEAL)

----- (SEAL)

----- (SEAL)

13 May 22 1926

Dear

1

Steen Hansen

Enc

Good

RECEIVED
APR 19 1926
W. FALSTON
Hoyne

W. A. HAGERTY

ATTORNEY-AT-LAW
CLEARFIELD, PA.

April ~~6th~~ 1926

To the County Commissioners

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Clearfield County on Monday the 5th day of April 1926 asking the Court to appoint viewers to view and pay out a public road from the Clearfield Borough line where Smith Street crosses William Street to a point on Race Street near the residence of Paul Kolby

W. A. Hagerty

Atty for Petitioners

Now April 5th 1926

*Service accepted for
County Commissioners.*

L. C. Morris

Clear

PAID
APR 12 1926
GEO. W. RALSTON
CHICAGO

TO: JESSE. E. DALE. T. R. WEIMER AND B. W. McCracken;
County Commissioners 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 lay out a public road leading from a point at the borough line of Clearfield Pa, at the intersection of William's and Smith streets in Lawrence township, to a point on Race street near the residence of Paul Kolbe and William Hinkle in the county and State aforesaid, will meet at the intersection of William's and Smith streets, in Lawrence township on Tuesday April the twenty seventh (27th) day of April A. D. 1926 at nine (9) o'clock A. 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 in order to give all parties interested either in favor of or opposed to the said road, a chance to be heard 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 the same day of the view on Tuesday April the twenty seventh (27th) 1926 at one thirty (1.30) o'clock P. M. at which time and place all parties interested may attend and be heard.

A. G. Kramer,

E. D. Billotts,

J. S. Michaels,

VIEWERS:

Now April 17 1926 service accepted for the county Commissioners of Clearfield County Pa of the above notice.

L. C. Morris

Clerk.

TO: Vern, W, Rowles, J, R, Fullerton and Lee, Peoples,
The supervisors of Lawrence Township Clearfield county Penna:

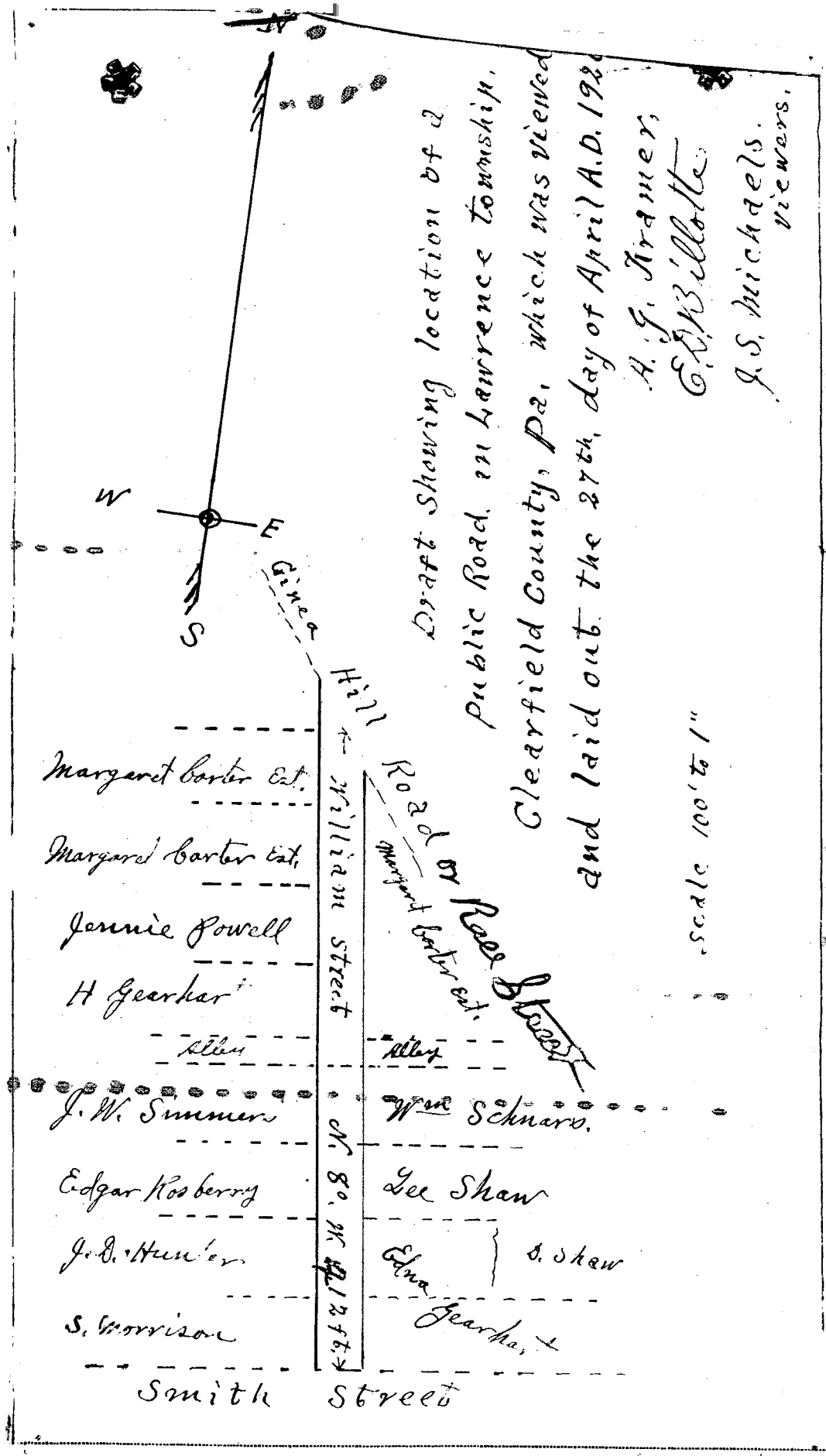
You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and lay out a public road leading from a point at the borough line of Clearfield pa at the intersection of Williams and Smith Streets in Lawrence Township to a point on Race Streets near the residence of Paul Kolbe and William Hinkle in Lawrence Township in the County and State aforesaid; Will meet at the intersection of Williams and Smith Streets in Lawrence Township on Tuesday April the twenty seventh (27th) A. D. 1926 at nine (9) o'clock A. 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 in order to give all parties interested either in favor of or opposed to said road a chance to be heard 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 the same day of the view on Tuesday April 27th 1926 at one thirty (1.30) o'clock P. M. at which time and place all parties interested may attend and be heard.

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

Now April 18th 1926 served this notice on Vern, W. Rowles, J. R. Fullerton and Lee Peoples personally by handing to each of them a true and correct copy of the same.

Vern Rowles } Supervisors
J. R. Fullerton }
Lee Peoples }



Draft showing location of a
 public road in Lawrence township,
 Clearfield County, Pa., which was viewed
 and laid out the 27th day of April A.D. 1928

H. G. Kramer,
 C. B. Billotte,
 J. S. Michaels,
 viewers.

Scale 100' to 1"

Margaret Carter Est.

Margaret Carter Est.

Jennie Powell

H. Gearhart

Allen

J. W. Summers

Edgar Rosberry

J. D. Hunter

S. Morrison

Smith Street

Hill Street

Road or Road

Wm. Schnare

Lee Shaw

Edna } S. Shaw

Gearhart

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 12th day of April 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 Lawrence

in said County, setting forth that we labor under great inconvenience for the want of a public road beginning at the Borough line where Smith Street crosses William Street near the residence of Stewart Morrison, to a point on Rae Street near the residence of Paul Kolbe and William Hinkle.

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 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 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 three notices thereof were posted along the route of the proposed road, that the said view would be held on the 27th day of April, A. D. 1926, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 27th day of April, 1926, at 1.30 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 besides the viewers J, W, Simmers,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 27th day of April, A. D. 1926, when the following appearances were noted: J, W, Simmers, J, D, Hunter, William Schnarrs and Joseph Hite.

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 public 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 Beginning at the borough line at the intersection of Smith and Williams Street in the third ward of the borough of Clearfield thence running North West over what is known as the extension of Williams Street along the properties fronting of Williams Street as shown on the draft attached four hundred and twelve (412) feet to the intersection of Williams Street with what was formerly known Guinie Hill road now called Race Street near the residences of Paul Kolbe and William Hinkle in the township of Lawrence, county of Clearfield and State of Pennsylvania ;

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~~
No damages, assessed as no private property was taken the only land taken is the bed of a public street dedicated to the use of the public by the owners of the land as shown by draft filed in the Recorders office in Clearfield Pa.
~~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:

~~and we here with return releases obtained and~~ ^{returned} copy of the notices. **served hereto attached**

WITNESS our hands and seals this 30th day of April,
A. D. 1926.

A. G. Kramer Seal
E. B. Willette Seal
J. S. Michaels Seal

No. 13 May Sessions, 1926

ORDER

To view and lay out a road for public use in the township of Lawrence, Clearfield County

May Sessions, 1926
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. H. Lane.

How Sept 88-1926
Confirmed absolutely,
By the court.

A. H. Lane
P. J.

Filed 19

Fees \$1.25 paid by

W. A. Hagerty, Atty.

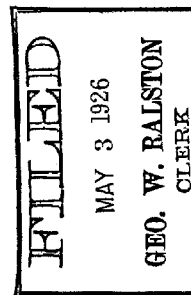
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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 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. 1926.

Seal
Seal
Seal
Seal