

DOCKET No. 6

Number Term Year

2 Sept 1928

Petition of Mike Megis for Appt.  
of viewers to assess damages in  
Woodward Twp

Versus

X

## 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 Woodward \_\_\_\_\_ and that \_\_\_\_\_ notices to the claimant \_\_\_\_\_ that the said view would be held on the 24th day of July \_\_\_\_\_ A. D. 1925, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 25th day of July \_\_\_\_\_ 1925, at 9 o'clock A.M. That the x \_\_\_\_\_ viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view John Scollins Esq the Attorney for the claimant Mike Megis and Stephen Holanchick \_\_\_\_\_

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 25th day of July, 1928, when the following appearances were noted: John Scollins Esq the attorney for the claimant and the claimant Mike Magis and Stephen Hollenchick.

That the claimant is the owner of a small tract of Clearfield improved land situate in Woodward Township Clearfield County Pennsylvania and that several years ago a public road was laid out through his said improved land leading from the Henderson cross roads to the morgan Run School House in said Township used for farming purposes cutting off from the claimant's land a three cornered strip of his land consisting of about one fourth of an acre being one hundred and seventy five (175) feet in length by twenty nine and five tenth feet in width at the wide end tapering down to a narrow point at the narrow end said lot or field is now used by the claimant for farming purposes and that on account of the cattle to run loose at will and on account of the destruction of his wire fence along the side of the to replace it with a new wire fence at a cost of not less than twenty (20.00 the length of the road changed through his field .

Said sum having never been located on the proposed location therefore so that in the opinion of the viewers is entitled to whatever damages.

he sustains by the construction of the said road through his land.

The viewers therefore assess the claimant the following damages;

For the amount of his land taken and destroyed about

One fourth (1/4) of an acre	\$25.00
The cost of replacing to wire fence destroyed	20.00
Total.	\$45.00

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 June in the year of our Lord one thousand nine hundred and twenty eight

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Woodward in said County, setting forth that a public road beginning at what is known as the Henderson Cross-Roads and ending at a point near the Morgan Run School House has been laid out in the Township of Woodward, in the County of Clearfield aforesaid, through the land of your petitioner; and has been opened as laid out within one year next preceding the presentation of this petition, by which said opening of the said public road your petitioner has sustained damages

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 Aaron 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. Palston, Clerk.

TO GEORGE MINN; J. C. GATEHOUSE AND W. E. TOBIAS.  
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 view and assess the damages that the petitioner Mike MEGIS sustained by the construction of a public road through his property lately opened to the public, leading from what is known as the Henderson cross roads to a point at or near the Morgan Run School House in Woodward Township in the County and State aforesaid.

And that the said viewers for the discharge of the duties of their appointment will meet at the end of the said road to be viewed at or near the end of the said road to be viewed at or near the Henderson Cross Roads in said township on Tuesday July 24th 1925 at nine o'clock A. M. oft which time and place you will please take notice and attend.

And that the public hearing as required by the Act Of Assembly and the Rules of Court to be held by the viewers in order to give all parties interested a chance to appear and 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 on Wednesday July 25th A. D. 1925 at nine (9) o'clock A.M. at which time and place all parties interested may attend and be heard.

A G Kramer  
E W Billotte  
J S Michaels  
VIEWERS

Now July 14 A. D. 1925 service accepted for the County Commissioners of Clearfield County Pa and personal service waived.

L C Morris  
Clerk.

TO, MIKE, MEGIS.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and assess the damages you sustained by the construction of a public road through your property lately opened to the public, leading from what is known as the Henderson cross roads to at or near the Morgan Run School House in Woodward Township in the County and State aforesaid.

And that the said viewers in the discharge of the duties of their appointment will meet at the end of the said road to be viewed at or near the Henderson Cross roads in said Township on Tuesday the 24th day of July A. D. 1928 at nine o'clock A. M. of which time and place 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 in order to give all parties interested a chance to appear and 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 Wednesday July the 25th A. D. 1928 at nine o'clock A. M. at which time and place all parties interested may appear and be heard.

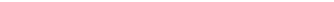
R G Kramer  
Ed Billott  
J S McHalls  
VIEWERS.

Now July 14<sup>th</sup> A. D. 1928 service accepted for Mike Megis the claimant and personal service waived.

Mike + Megis  
mark

29 October 1928 service accepted of notice of intention this day to present report for confirmation visi.

C. M. Swigert  
County Auditor

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, 

RRRRRRRRRRRRRR

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: as stated on third page.

RECORDED, INDEXED, SERVED, and copy of the notices. **served.**

WITNESS our hands and seals this 28th day of July, 1863.

A. D. 192 ~~A~~

Sealy

Seal

Seite

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No. 2 Sept \_\_\_\_\_ Sessions, 1928

## ORDER

To view and assess damages on  
Road from to Mike Megis ~~nearin the~~  
township of Woodward \_\_\_\_\_,  
Clearfield County \_\_\_\_\_,

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

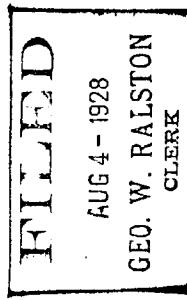
Also, viewers will carefully note the number of  
days employed and set the amount out at the foot  
of their return.

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	W.M.T.
A. G. Kramer		3	32	\$24.10
A. G. Kramer		3	32	\$24.10
E. D. Billotte	4	45	\$32.50	
J. S. Michaels	3	65	\$25.85	

Now Dec 25th 1928  
having been filed, viewer  
Report Confirmed absolute  
Geo. W. Ralston  
Chair



Filed \_\_\_\_\_  
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 \_\_\_\_\_

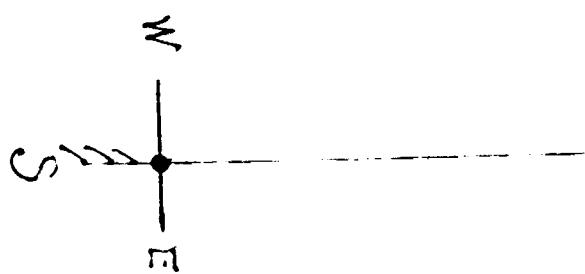
all damages that may arise to us respectfully by reason of the location and opening of the said  
road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter  
ask, sue for, demand, have or receive any damages for injuries arising or growing out of the  
location and opening of the road aforesaid.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 1928 \_\_\_\_\_.

Seal  
Seal  
Seal  
Seal

Mr. & Mrs. Frustick  
in possession of  
S. 85° 15' W. 179 ft  
S. 60 W. 29.5 ft  
N. 81° E. 179 ft

Mike Higgins  
Hantz  
Hantz



Draft showing land taken  
by change of public road in the  
town of Woodward, Elsd. Co. Pa.  
viewed and surveyed July 24th.  
A.D. 1928.

A. G. Kramer,  
E. D. Billotte  
J. S. Michaels,  
viewers.

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

In the matter of the :  
Public Road beginning at :  
Henderson Cross-Roads and :  
ending at the Morgan Run :  
School-house, in the Township :  
of Woodward. :  
:

To the Honorable A. R. Chase,

President Judge of said Court:-

The petition of Mike Megis of the Township of Woodward,  
County of Clearfield and State of Pennsylvania, respectfully represents:

That a public road beginning at what is known as the  
Henderson Cross-Roads and ending at a point near the Morgan Run School  
House has been laid out in the Township of Woodward, in the County of  
Clearfield aforesaid, through the land of your petitioner; and has  
been opened as laid out within one year next preceding the presentation  
of this petition, by which said opening of the said public road your  
petitioner has sustained damages.

Your petitioner therefore prays your Honorable Court  
to appoint a Board of Viewers to view the premises and assess the  
damages sustained by him in consequence of the opening of said public  
road, agreeably to the Acts of Assembly in such case made and provided.

And he will ever pray.

*Mike X Megis*  
mark

State of Pennsylvania : :

County of Clearfield : :

Personally appeared before me the subscriber,  
a Notary Public in and for said County and State, MIKE MEGIS,  
within named petitioner, who being duly sworn according to law  
doth depose and say that the facts set forth in the foregoing  
petition are true and correct.

Mike X Megis  
*his mark*

Sworn and subscribed before me, this 2nd day of June,  
A. D. 1928.

K. L. Scollard

NOTARY PUBLIC  
Commission expires Jan. 28, 1930

ORDER

And now, July 12<sup>th</sup> 1928, the  
within petition presented, read and considered: whereupon  
*Aaron Kramm Rapp, Ed Billotte, and*  
*Jack Michaels*  
are appointed viewers to view the premises and assess the damages  
of the within named petitioner, Mike Megis of Woodward Township,  
and make report thereof to Court.

Returnable,

By the Court,

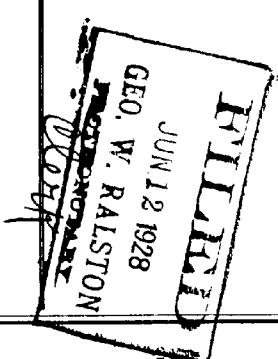
*H. Blaauw.*

P. J.

IN THE COURT OF QUARTER SESSIONS  
OF CLEARFIELD COUNTY, PENNA.  
No. 2 September Sessions, 1928.

In re: Proceedings by  
MIKE MEGIS of the Township  
of Woodward to ASSESS DAMAGES.

PETITION AND ORDER



JOHN SCOLLINS  
ATTORNEY AT LAW  
HOUTZDALE, PENNSYLVANIA

4-00 key only