

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 ~~that the said view would be held on the 24th day of July~~ <sup>to the claimant</sup> ~~that the said view would be held on the 24th day of July~~ <sup>that the said view would be held on the 24th day of July</sup> A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 25th day of July, 1923, at 9 o'clock A.M. That the ~~viewers~~ 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 Magis and Stephen Hollenchick

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, ---- A. D. 1923, when the following appearances were noted: John Scollins Esq the Attorney for the claimant and the claimant Mike Magis and Stephen Hollenchick

After the view and hearing above mentioned, the undersigned, the ~~viewers~~ viewers, do agree that there is ~~an~~ occasion for a road as desired by the petitioner, and that the same is ~~not~~ necessary for a public road: ~~And having had present at the view the claimant and the 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 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 tenths feet in width at the wide end and 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 road 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 road having never been opened 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; To wit.

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  
twenty eight

Judge of the same Court: Upon the petition of sundry in-  
habitants 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 preceeding 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 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.

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 1928 at nine o'clock A. M. of 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. 1928 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. 1928 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.

A G Kramer  
E D Billott  
J S Michals  
VIEWERS.

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

Mike <sup>his</sup> + Megis  
mark

29 October 1928 service accepted of notice of intention this day to present report for confirmation  
A. M. Swieright  
County Solicitor

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, ~~REDACTED~~  
~~REDACTED~~

~~REDACTED~~

~~REDACTED~~  
~~REDACTED~~  
~~REDACTED~~

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.

~~REDACTED~~ and copy of the notices. served.

WITNESS our hands and seals this 25th day of July, -----

A. D. 1928.

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

No. 2 Sept Sessions, 19 28

## ORDER

To view and assess damages xx  
xx to Mike Megis xx  
township of Woodward  
Clearfield County

Sessions, 19

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.

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

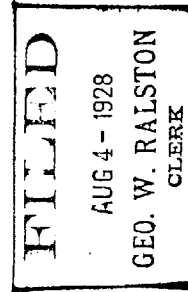
Also, viewers will carefully note the number of  
days employed and set the amount out at the foot  
of their return.

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.
A. G. Kramer	5	32	\$24.10
A. G. Kramer			
E. D. Billotte	4	45	\$32.50
J. S. Michaels	5	65	\$25.35

Nov. Dec 3, 1928 No Exceptions  
Having been filed, Viewers  
Report Confirmed absolute  
Geo. W. Ralston  
Clerk



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. 192\_\_\_\_\_.

Seal  
Seal  
Seal  
Seal

S. 85° 15' W. 177 ft  
 S. 60° W. 29.5 ft  
 N. 81° E. 179 ft

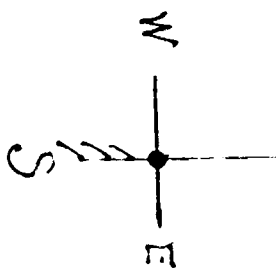
St. Joseph 1004<sup>25</sup>  
 and adjoining of Public

Mrs. Frusick.

Mike Magg is 177 ft

Houtzdale

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



Scale 1" = 100'

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.

*Ris*  
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.

*his*  
Mike X Megis  
*mark*

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

A. L. Collins

NOTARY PUBLIC  
Commission expires Jan. 20, 1930

ORDER

And now, *July 12<sup>th</sup>* 1928, the  
within petition presented, read and considered: whereupon  
*Aaron Hanner Esq. 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,

*A. B. Chase.*

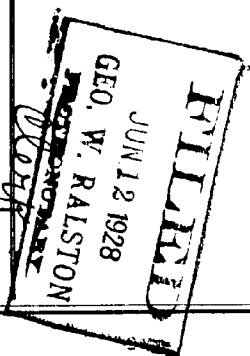
P. J.

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

No. 2 September Sessions, 1928.

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

PETITION AND ORDER



JOHN SCOLLINS  
ATTORNEY AT LAW  
HOUTZDALE, PENNSYLVANIA

*400 by city*