

DOCKET No. 6

Number Term Year

4 December Sessions 1930

Petition to view ROAD in

Lawrence Township

Versus

R.d. #6 - Page 250

Part Two Rd. 17599

KNOW ALL MEN BY THESE PRESENTS, That we

are held and firmly bound unto the Commonwealth of Pennsylvania, its certain attorneys or assigns, in the sum of Fifty Dollars, lawful money, for the payment of which sum, well and truly to be made, we do bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 19 day of September,  
A. D. 1930.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bounden, principal and sureties will prosecute the petition presented in the Court of Quarter Sessions of Clearfield County for the laying out of a road in the locality of the Mt. Joy Section until a final determination of the same, and if abandoned they will be responsible for any costs incurred and unpaid in said proceeding, and that upon the matter being determined by the Court, then this bond to be null and void, otherwise to be in full force and effect.

John M. Fenwick (SEAL)

James M. Fenwick (SEAL)

D. D. Long (SEAL)

In re : Petition for  
Viewers for road in  
Lawrence Township.

B O N D

Jan Oct 14<sup>th</sup> 1830  
Bond affirmed.  
By the County  
of Allegheny

ENTERED

Geo. Oct 14<sup>th</sup> 1830

Clerk

W. H. Welch

Attorney at Law  
Chestnut, Pa.

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

In re: Petition for Viewers )  
for road in Lawrence Town- )  
ship )

TO THE HONORABLE A. R. CHASE, PRESIDENT JUDGE OF SAID COURT:

We, the undersigned, residents of Lawrence Township living near the Mt. Joy Church and School House, suffer great inconvenience and difficulty by reason of the public road being hilly and in places marshy, pray the Honorable Court for the appointment of viewers to eliminate said hills and marshy road by laying out of a road to begin on the Flegal Road at a point, being an oak tree, corner of land of Raymond Ogden and Harold Ogden's land; thence in an Easterly direction by the line fence of the same and that of Ida McKendrick to intersect with the Mt. Joy Road at the corner of property of Andrew McKendrick and Fred Ogden, being a distance of about one-fourth of a mile. And they will ever pray, etc.

Satue Ogden. M. M. McKendrick.  
Della Stevens. Mrs. Fred B. Ogden  
Dr. R. Owen Mrs. Fred B. Ogden  
Alef Eddington Fred B. Ogden  
James Williams Tom Ogden  
D. D. Long Roy Ogden.  
Elmer Graham Wallace Ogden  
J. M. Sheesley Kenneth Graham  
Don Sheesley Matie Giles  
Lloyd Sheesley R. H. Zetzer  
R. M. Fahey Clearfield Rd 2 Miller Peacock  
Iva M. Haney Rd 2 L. G. Nelson Lester Ogden  
Verne Lutz Rd 2 David Whalen (144)  
Hollis Rooney Clearfield L. M. Shantz (144)  
Wallace Evans Clearfield, Pa E. D. G. G.  
Emile Goolin Clearfield, Pa E. D. G. G.

B. H. Boylston  
Edgar Jay.  
John E. Bollig.  
Martin F. Duckett  
St. S. Barnes  
Earl Barnes  
N. A. Ogden  
Mrs. N. A. Ogden.  
(P.M. Morrison  
P.M. Morrison  
(Alvin E. Shaffer  
Mrs. Harry Shaffer  
Ralph Miller  
Wm. Voss  
Mrs. William Voss  
Lee Potter  
Thomas M. Duff  
Harry Trulspiece  
S. S. Green

STATE OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

being duly sworn  
according to law doth depose and say that the facts set forth in  
the foregoing petition are true and correct to the best of their  
knowledge, information and belief.

James McKersieoff

D.W. Long

Sworn and Subscribed before me  
this 19th. day of September, 1930.

Jennie E. Bailey

NOTARY PUBLIC  
My Commission expires March 6, 1931

14 Due to 1921  
In the Court of Quarter  
Sessions of Chester Co.

In re: Petition for  
Power for road in Law-  
rence Township.

Dear Oct 14<sup>th</sup> 1920

Carl Rose Esq.

Harry Reese, and

H. P. Kunkle are  
affidated herein  
to have and report

By the comittee

John P. Welch  
Attorney at Law  
Chester, Pa.

John P. Welch  
Attorney at Law  
Chester, Pa.

John P. Welch  
Attorney at Law  
Chester, Pa.

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

In the matter of Petition : Of December Term,  
of inhabitants of Lawrence : 1930  
Township for the Laying out :  
of a Public Road in said :  
Township. : No. 4.

To the Supervisors of Lawrence Township and the Commissioners  
of Clearfield County;

You and each of you will please take notice that upon petition  
of sundry inhabitants of Lawrence Township for appointment of Viewers  
to view and lay out a public road in Lawrence Township, which said  
road is hereinafter described, the Court has appointed the undersigned  
as Viewers for said purpose; the Viewers to view and make report to the  
next term of the said Court of Quarter Sessions of Clearfield County.

In the order issued to the Viewers, the proposed road is described  
as follows:-

"Beginning on the Flegal Road at a point, being an oak tree,  
corner of land of Raymond Ogden and Harold Ogden's land, thence in an  
easterly direction by the line fence of the same and that of Ida  
McKendrick to intersect with the Mt. Joy road at the corner of property  
of Andrew McKendrick and Fred Ogden, being a distance of about one  
fourth mile";

The Viewers have fixed upon Saturday, October 25, 1930, at 2.30  
o'clock P. M. as the time of meeting to view, and the Oak Tree, the  
first above named of the termini as the place of meeting, and the  
Arbitration Room in the Court House at Clearfield, Pa., as the place,  
and 9.30 o'clock A. M. Monday, Oct. 27, 1930, as the time of meeting  
of the Viewers to hear all persons interested in the matter as is  
required by law and the Rules of the above named Court.

Charles Boies  
Harry Reese  
H P Dawler

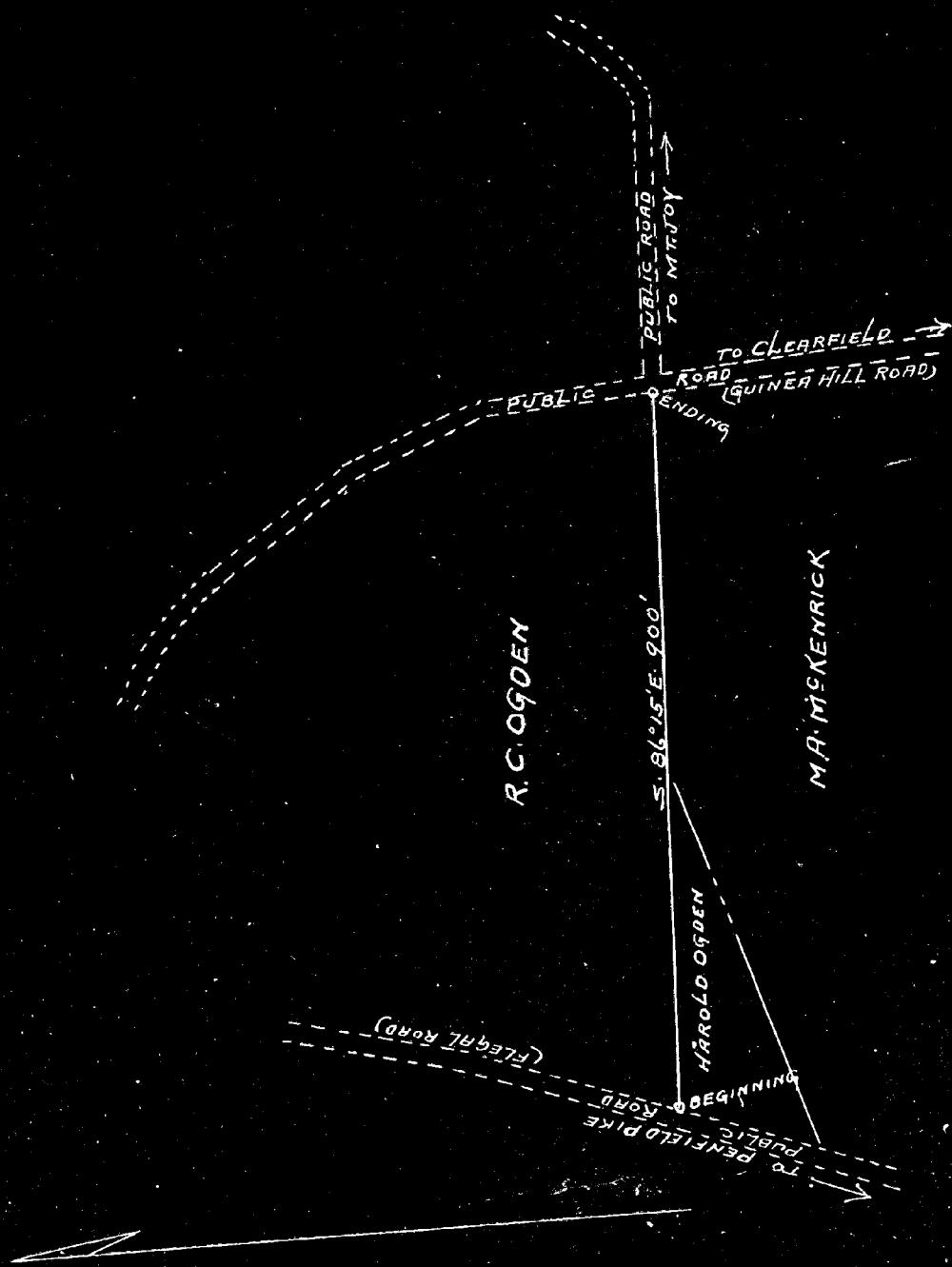
Viewers.

Now, October 18, 1930, Service of above notice is received and service  
accepted for the Commissioners of Clearfield County; the usual ten day  
notice being hereby specifically waived.

L. C. Morris  
Clerk.

Now, October 18, 1930, service of the above notice is received and service  
accepted for the Supervisors of Lawrence Township; the usual ten day  
notice being hereby specifically waived.

Carl A. Belin  
Atty for Law



Public Road in Lawrence Township  
CLEARFIELD County PA.  
VIEWED AND LAID OUT OCT 25-1939  
BY E.G. BOOSE, ESQ.  
H.A. REESE  
H.P. DOWLER

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 14 day of October in the year of our Lord one thousand nine hundred and thirty

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Lawrence in said County, setting forth that a road should be layed out beginning on the Flegal Road at a point, being an oak tree, corner of land of Raymond Ogden and Harold Ogden's land, thence in an easterly direction by the line fence of the same and that of Ida McKendrick to intersect with the Mt. Joy road at the corner of property of Andrew McKendrick and Fred Ogden, being a distance of about one fourth mile.

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 Earl Boose Esq. Harry A. Reese and H.P. Dowler

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.

  
G. McAlstair, 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 25th day of October 1930, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 27th day of October 1930, at 9.30 o'clock A. M. That all viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view the Supervisors of Lawrence Township, Raymond Ogden and divers other citizens of Lawrence Township

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 27th day of October 1930, A. D. 1930, when the following appearances were noted: The Supervisors of Lawrence Township personally, and by their counsel, Carl Belin Esq; the petitioners for the road in person and by their counsel, Walter Welch Esq., Raymond Ogden and divers other citizens of Lawrence Township.

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 an Oak Tree on the public road commonly known as the Flegal Road and so designated in the petition and the Draft hereunto attached; thence by lands in part of Raymond Ogden and in part by lands of Harold Ogden and of Ida McKendrick, South, 86° 15' East, a distance of nine hundred (900) feet to the point of intersection of the Mt. Joy Road with the Guiner Hill Road.

Carl A. Belin Esq., requested that it be noted in this report that a counsel for Lawrence Township, he appeared to object to the jurisdiction of the Viewers in the premises, it appearing that no notice of the intention of the petitioners to present a petition for appointment of viewers to lay out the road involved, had been served upon the Supervisors of Lawrence Township. Objection overruled.

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 Ida McKendrick

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 Raymond Ogden the sum of Twenty-Five Dollars. he having stated that it would costs that sum to remove his line fence from the proposed road to the northern line of said proposed road; to Harold Ogden the sum of Fifteen Dollars for land actually taken and appropriated for said public road.

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

WITNESS our hands and seals this 28th day of October  
A. D. 192--1930

Earl G. Bowler Seal

Seal

K. A. Reese Seal

Seal

H. H. Bowler Seal

No. 4 Dec Sessions, 1930

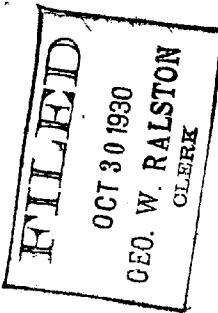
## ORDER

To view road  
road for public use in the  
township of Lawrence  
Clearfield County

Dec Sessions, 1930  
rent and confirmed Ni. Si. Road to be  
opened 33 feet wide, except where there  
is side hill cutting or embankment or  
bridging, there to be 16 feet wide.

A. P. House  
By the court  
A. P. House

Dec 19  
Fees \$1.25 paid by



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.
Earle G. Bonse	4	90	\$39.00	
Harry Reese	3	59	\$28.40	
H. P. Fowler	2	4	\$15.40	

## 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 the Commissioners of Clearfield  
County,

at and before the sealing and delivery  
hereof, have remised, released and forever quit-claimed, and do hereby remise, release and  
forever quit-claim to the said Clearfield County,

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 27th day of October  
A. D. 1930.

Ida M. Merrick Seal  
Seal  
Seal  
Seal