

NO. 1 May SESSIONS 19

COMMONWEALTH

versus

~~Vaca~~ In Re Road in

~~Boggs Trust~~

Charge.

WALTER WELCH.
DISTRICT ATTORNEY.

No..... 12..... Term, 191.....

E. P. B.

No..... Term, 191.....

No..... Term, 191.....

Term, 191.....

Mochamad No. 3
Amanda 9/8/00

No..... Term, 191.....

No..... Term, 191.....

No..... Term, 191.....

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned
Viewers, appointed by the Court of Quarter Sessions of
~~Clearfield~~ County, Pennsylvania, to view a public

Road leading from the Lawrence Township line at Clearfield Creek
near the Dimeling Station of the N.Y. Central Railroad to the line of Knox
Township and thence on to Turkey Hill in the said Township of Knox.

in/ Township to/

in Dimeling Township, in the county aforesaid, will
meet at the house of Dimeling Station
in Boggs Township, on Wednesday
the 4th day of October A. D. 1916, at one
o'clock P M., to attend to the duty assigned them, of
which time and place aforesaid all parties interested
will take notice.

E. D. Billatte

J. W. Spangle

L. E. Boyer

VIEWERS

September 18th, 1916.

Now, September 19th, 1916, service of
written notice accepted for and on
behalf of the Commissioners of
Clearfield County, Pa.

County Commissioners
Rev L. C. Morris, Clerk.

Now, September 19th, 1916, service of written notice
accepted for and on behalf of the Super-
visors of Boggs Township

Geo. B. Shugart
Casper D. Bizzor
H. H. Moller

IN RE ROAD IN BOGGS

TOWNSHIP

: No, 9 September SS. 1916.

Notice is hereby given that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County, Pa., to view and vacate that part of the public road leading from the Lawrence Township line to Turkey Hill in Knox Township from the point where said public road crosses the Lawrence Township line, near the Dimeling Station on the New York Central Railroad in Boggs Township, to where the said public road leading to Turkey Hill crosses the Knox Township line at the southern end of Boggs Township in the county aforesaid, will hold a public hearing in said matter in the Arbitration Room of the Court House at Clearfield, Pa., at ten o'clock A.M. on Friday the 20th day of October, 1916, when and where all persons interested in said proceeding may appear and be heard.

J. L. Spangler
E. D. Billauer
B. B. Jr.

NOW, October 7th 1916 service of within notice is hereby accepted for and on behalf of the Commissioners of Clearfield County.

L. C. Morris
Clerk

NOW, October 7th 1916 service of within notice is hereby accepted for and on behalf of the Supervisors of Boggs Township.

Geo. B. Shryock

No. 10 SEPTEMBER Sessions, 1913

ORDER

To view and lay out a road for public use in the township of Boggs, 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 A.M.T.
S. P. Billings	3	11 25.86
Joe Spangler	3 18	24.35
J. B. Boyer	4	56 22.80

July Session, 1917.
read and confirmed No. 55.
Road to be opened 30 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
Magistrate Billings
September 1917
Maynard Billings
Filed
Fees \$1.25 paid by J. B. Boyer

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 sealing 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 respectively 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. 1911.

SEAL
SEAL
SEAL
SEAL

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

WITNESS our hands and seals this 20th day of October
A. D. 1916.

E. J. Billotto 
James W. Spangler 
B. B. Jr. 

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, beg 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 Boggs and that 3 notices thereof were posted along the route of the proposed road, that the said view would be held on the 4 day of October, A. D. 1916, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 20 day of October, 1916, at 10 o'clock A. M. That two viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view divers citizens of said Township and other parties of interest.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 20 day of October A. D. 1916, when the following appearances were noted: A. H. Woodward, Jr., for Supervisor of said Township, Geo. B. Shugars, Cyrus Rollion, Supervisor, and divers citizens in favor of the location of said road; A. R. Chase, Dr. R. A. Lanteri, Thos. Parks, Geo. Root and divers other citizens opposed remonstrating against the location thereof.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is — occasion for a road as desired by the petitioner, and that the same is — 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 use the following described road, to-wit: Beginning

Your Viewers are unanimously of the opinion
that said road is necessary as a public road;
that by the location thereof, the public would
be subjected to great inconvenience in securing
access to the territory served by it, especially
as in view of the proposed development
of the same and the location of in-
dustry, present and prospective, along the
same.

They accordingly recommend that said
road be not located in its present surface as a
public highway.

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 2 day of AUGUST in the year of our Lord one thousand nine hundred sixteen,

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Doggs

in said County, setting forth that on the 7th day of

February 1916 your Hon. Court appointed viewers to view a certain public road leading from Lawrence Township line, at Clearfield Creek, near the Dimelina Station of the New York Central railroad, to the line of Knox Township in said County. For the purpose of determining the vacation of same. That on Monday the 8th day of May 1916, the report of the Viewers was confirmed Nisi by your Hon. Court. Said report in part recommended to the Hon. Court that that portion of said road upon which lies between the Lawrence Township line at Dimelina Station to where the said road intersects the private road of Ross Lambert, be vacated, the vacation of which road, if confirmed absolutely by your Hon. Court will be injurious to a number of your petitioners of the Twp. by burdensome and detrimental 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 L. E. Boyer, E.D. Billotte and J. W. Spangle

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 judgment, 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.

John Moore, Clerk.