

ROAD

DOCKET No. 6

Number	Term	Year
1	Dec	1933

Petition to open up a road

in Pike Twp

Versus

R. S. #6 - Page 3 v 2

Part Twp Ref 17324

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

Petition to change road in Pike  
Township, Clearfield County, Pa.

To the Hon. A. R. CHASE, President Judge of said Court:

We, citizens of Pike Township, Clearfield County, Pennsylvania, respectfully represent:

(1). That there is at the present time a road leading from Humphrey Bridge to a point somewhat North of the Humphrey buildings. That this road is about 1050 feet long. This road is a very much used road in Pike Township, as a considerable amount of coal is hauled over the road, and it is also a mail route.

(2). That there has been proposed a new road between the above mentioned termini and which will be a distance of 800 feet.

(3). That the proposed new road will eliminate two sharp and dangerous curves and also eliminate a steep hill leading on to the bridge, and will place the road on higher ground, which will make the road drier and more easily maintained.

(4). That your petitioners have been advised that the present existing road is about to be improved, and your petitioners believe that before any improvement should be made on the old road that the new proposed road should be opened up between the above mentioned termini.

(5). That the new road will require passage through about 6/10 of an acre of land now owned by the Thomas Humphrey Estate.

Wherefore your petitioners respectfully pray for permission from your Honorable Court to open up a new road between the above mentioned termini.

Frank Thompson  
Frank Blom  
John L. Smith

Milo Lanthier  
Lus Lanthier  
Victor Tepler



STATE OF PENNSYLVANIA :  
: SS  
COUNTY OF CLEARFIELD :

Personally appeared before me, a Justice of the Peace,  
W. M. Haul who deposes and says that the  
facts contained in the foregoing petition are true and correct  
to the best of his knowledge, information and belief.

Sworn to and subscribed before:  
me this 14th day of September :  
1933. :

John A. Dale :

J. M. Mail

MY COMMISSION EXPIRES FIRST  
MONDAY IN JANUARY, 1934

Nov 1 Dec 11 1933

FOR THE ORDER OF THE  
SHERIFF OF CHARLESTON  
COUNTY, S.C.

W. R. CALDWELL  
SHERIFF

RETURN TO THE SHERIFF OF THE  
COUNTY OF CHARLESTON, S.C.  
ON OR BEFORE

Nov 15 1933  
and before the Sheriff of the  
County of Charleston, S.C.  
are ordered to bring  
and report  
by the laws  
of the

W. R. CALDWELL  
SHERIFF  
COUNTY OF CHARLESTON  
S.C.

and now left. 19, 1933, after consideration  
of the within petition,  
are ordered to return to the  
County Court.

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 18th day of September

in the year of our Lord one thousand nine hundred  
thirty three

Judge of the same Court: Upon the petition of sundry in-  
habitants of the Township of Pike

in said County, setting forth that there is at the present time

a road leading from Humphrey Bridge to a point somewhat North of  
the Humphrey Buildings. That this road is about 1050 feet long.

This road is a very much used road in Pike Township as a  
considerable amount of coal is hauled over the road, and it is also  
a mail route.

That there has been proposed a new road between the above mentioned  
termini and which will be a distance of 800 feet.

That the proposed new road will eliminate two sharp and dangerous  
curves and also eliminate a steep hill leading on to the bridge,  
and will place the road on higher ground, which will make the  
road drier and more easily maintained.

That your petitioners have been advised that the present existing  
road is about to be improved, and your petitioners believe that  
before any improvement should be made on the old road that the new  
proposed road should be opened up between the above mentioned  
termini.

That the new road will require passage through about 6/10 of an  
acre of land now owned by the Thomsa Humphrey Estate.

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.

W. R. Gallagher, 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 Pike and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 26th day of Sept., <sup>1933</sup>~~1932~~, and the hearing to be held in the <sup>Grand Jury</sup>~~Assessment~~ Room, at the Court House, in Clearfield, Pa., on the 28th day of Sept., 1933, ~~1932~~, 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 J. A. Weber, W. A. Perry, Zack McNaul, J. M. Humphreys and other citizens of Pike Township,

parties in interest. That the hearing was held in the <sup>Grand Jury</sup>~~Assessment~~ Room, in the Court House, at Clearfield, Pa., on the 28th day of Sept., <sup>1933</sup>~~1932~~, when the following appearances were noted: Frank Smith Esq., representing the Commissioners of Clearfield County; Edward Chaplin Esq., representing the Thos. Humphrey Estate; Morris Silberblatt Esq., representing the Supervisors of Pike Township, and C. R. Kramer Esq., representing the petitioners, and also numerous other citizens.

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 public use the following described road, to wit Beginning at the Western end of the Humphreys Bridge over the West Branch of the Susquehanna River, in Pike Township, and running thence in a straight line, Southwesterly across lands of the Thos. Humphrey estate, a distance of 875.6 feet, ending in the public road, near the farm barn on the Thos. Humphrey Estate. The Viewers return for vacation that part of the public road now in use, beginning at the said Western end of the Humphreys Bridge and running thence by its several curves and tangents, to the said point near the farm barn on lands of the Thos. Humphrey Estate, a total distance of 1050 feet., which road so layed out and the section of the existing public road hereby returned for vacation, being shown on the map hereunto attached, as a part of the record in this case.

# Road Viewers' Notice

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

Road leading from The Humphrey Bridge

in Pike Township, to a point near the Humphrey Buildings

in Pike Township, in Clearfield County, aforesaid, will meet at the Humphrey Bridge

in Pike Township, on Tuesday the 26th day of September 19 33, at 2.30 o'clock, P. M.

to attend the duty assigned them, of which time and place aforesaid all parties interested will take notice.

The Public Hearing in the matter required by the Act of Assembly, and the Rules of the aforesaid Court, to be held by Viewers, will be held in the

Grand Jury Room of the Court House at Clearfield, Penna., on Thursday the 28th day of September 19 33, at 9.30 o'clock A. M.

Earle G. Boose

Harry Reese

Sept. 20 19 33.

Jack Michaels

Viewers.



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

RE- Opening up New Public Road) Of December Term,  
in Pike Township. ) 1933.  
 ) No. 1.

To the Commissioners of Clearfield County and the Supervisors  
of Pike Township-

You and each of you are hereby notified that to petition of  
sundry inhabitants of Pike Township, Clearfield County, Penna.,  
the Judge of the above Court on Sept. 18, 1933, appointed the un-  
dersigned Viewers to view and lay out a new road in said Pike  
Township aforesaid, which is described in the Order to the Viewers  
as being a new road to supply the needs of the traveling public  
better than the present road, which leads from the Humphrey Bridge  
to a point somewhat North of the Humphrey buildings.

For the purpose of viewing the said road proposed to be layed  
out, the Viewers will meet at the Humphrey Bridge in said Pike  
Township, on Tuesday, the ~~twenty-sixth~~ day of September, 1933,  
at 2.30 o'clock P. M.

For purpose of the public hearing in the matter provided for  
by the rules of this court and the law, the Viewers will hold a  
public hearing in the premises in the Grand Jury Room in the Court  
House at Clearfield, Pa., on Thursday, the twenty-eighth day of  
September, 1933, at 9.30 o'clock A. M., where parties in interest  
may be heard.

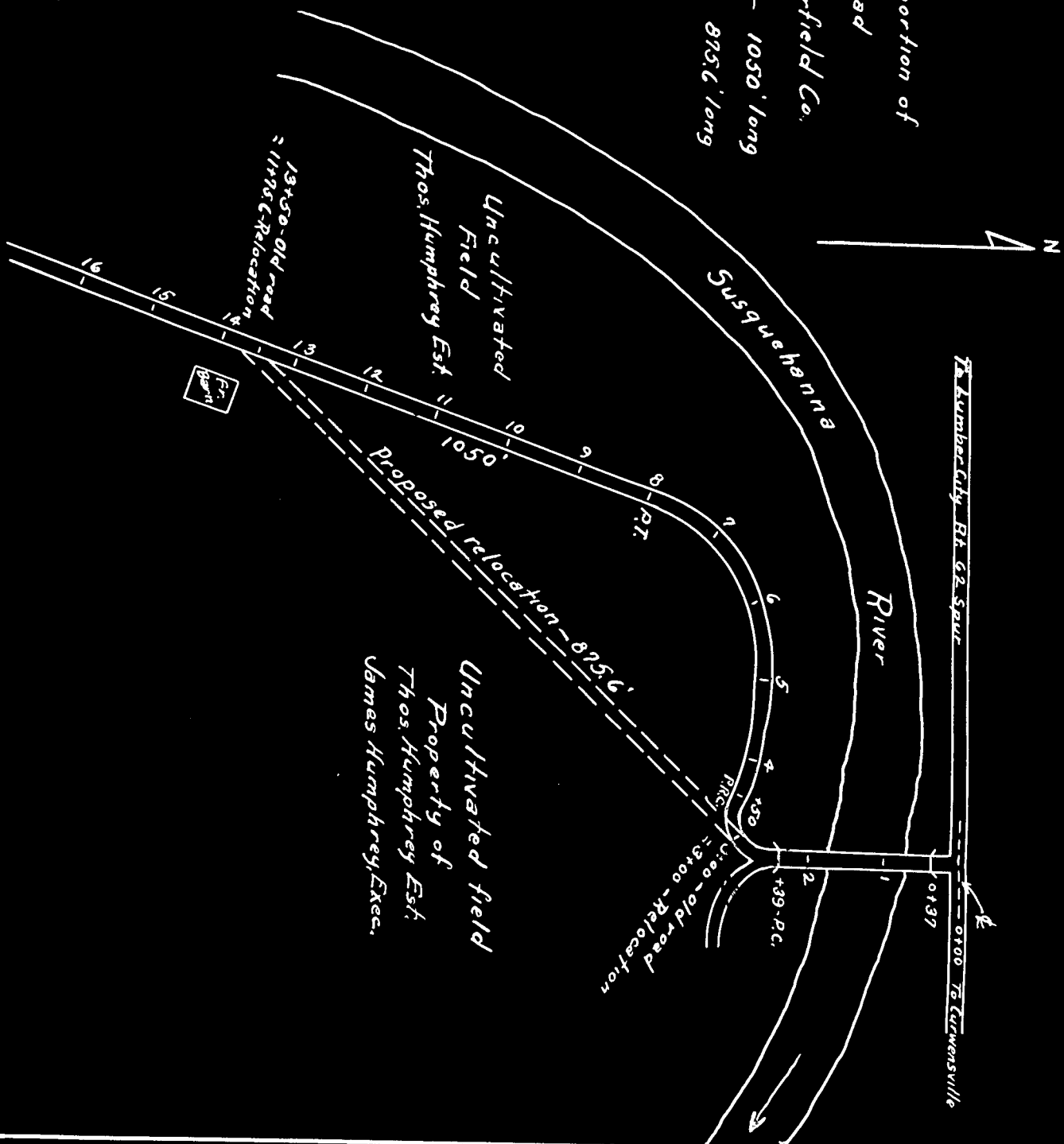
Sept. 20, 1933.

Curry Buse  
Harry Buse  
Jack Michaels  
Viewers.

Now, the 20 day of September, 1933, notice of the view  
and hearing in the above matter received and copy of this notice  
delivered and service thereof is accepted.

Frank Bloom  
Supervisor of Pike Township.  
L. C. Morris  
Clerk of County Commissioners.

Sketch showing  
Proposed relocation of a portion of  
the Humphreys Road  
in  
Pike Township - Clearfield Co.  
Old road to be vacated - - - 1050' long  
Relocation - - - - - 875.6' long



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 none of the parties in interest

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 the heirs of Thomas Humphrey, deceased, the sum of Thirty Dollars.

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

WITNESS our hands and seals this 29th day of Sept.,  
A. D. 192 1933.

Carl Ross   
L. A. Reese   
J. S. Michael   


No. 1 Dec Sessions, 19 33

# ORDER

To view open up a  
road for public use in the  
township of Pike  
Clearfield County

Dec Sessions, 19 33,

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. R. Chase

Feb. 6, 1934. Confirmed  
Shelby  
Gil. E. Miller, Jr.

Bell O'Leary & Silberblatt, Attys.

Filed 19 34

Fees \$1.25 paid by

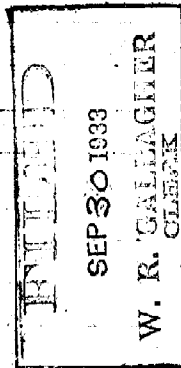
NOTE.—In case of a private road, the release  
must be executed in favor of the petitioner for  
said road.

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.
Earl Boose	4	154	37.70
Harry Reese	3	128	28.90
Jack Michaels	2	114	20.70



## 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 enrolling 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