ROAD

DOCKET No. 6

Number	Term	Year
2	May SS	1935

Matter of Road view in

Morris & Decatur Townships

Versus

28

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* March *in the year of our Lord one thousand nine hundred* thirty five

Judge of the same Court: Upon the petition of sundry citizens *inhabitants of the Township of* Morris and Decatur *in said County, setting forth that* the need of a public road leading from near Graham Station northward toward Guion Mine crosses the railroad tracks known as the Guion Mine Branch, and leading northward from this intersection a distance of about three-fourths of one mile, said proposed new road to follow in general the course of a private road lying where the said townships join and through the territory inhabited by the petitioners, and inquire into the propriety of ordaining it as a public road

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 John Scollins, Atty. Harry F. Reese and H. A. Giles *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 whereever practicable, the viewers shall lay out the said road at an elevation not exceeding five degreess, 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.

N. 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 Morris and ~~Decatur~~ and that ~~three~~ notices thereof were posted along the route of the proposed road, that the said view would be held on the 2nd day of April A. D. 1935, and the hearing to be held in the ~~Arbitration~~ Grand Jury Room, at the Court House, in Clearfield, Pa., on the 5th day of April, 1935, at 10 o'clock A. M. That ~~three~~ viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view W.B.Davis, Iver Edwards and James Hill, Supervisors of Morris Twp.; Herbert Wiggield and Ira Winters, Supervisors of Decatur Twp; Mrs. Anna Holzworth, Mrs. Annie Shoestrick, Mrs. Anna Travis, Jos. Witchitz, John Disston and Benjamin Travis parties in interest. That the hearing was held in the ~~Arbitration~~ Grand Jury Room, in the Court House, at Clearfield, Pa., on the 5th day of April A. D. 1935, when the following appearances were noted: T.C.Jackson, Esq. for petitioners; F.Cortez Bell, Esq., Solicitor for Decatur Twp. W.C.Chase, Esq., Solicitor for Morris Twp. Benjamin Travis, Barber Rice, W.B.Davis, Lester McDonald, James Hill, Iver Edwards, Herbert Wigfield, Ira Davis, Thomas Kerfoot, Anna Travis, Anna Shoestrick, witnesses, sworn, examined and cross-examined by Counsel and your Board.

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 intersection of the common division line between the Townships of Morris and Decatur, with the public road leading from Graham Station in a northeasterly direction to Morrisdale, via Guion Mine: thence North 56½ degrees West 731 feet, along line of lands of H. Flegal and Stott, et al; thence North 60 degrees West 1261 feet, along lands of Mull Estate, Disston, Travis, Sushrisky, Rice, Shutrik, and ending at the northwest corner of land of John Sushrisky.

At the hearing, Counsel for the Respondents objected to the petition, inter alia, for the reason that the terminal ending was indefinitely stated, and Counsel for the Petitioners moved to amend the petition, to conform with the terminii viewed by your Board: whereupon, all parties being present, no different route or road being substituted, in the absence of the Court, the amendment was allowed and the hearing proceeded with.

After the view and hearing, your Board finds as follows:

1. That at present there exists a private road or way along the proposed-surveyed road, and the only inlet and outlet for two families on the Morris Township side; three on the Decatur Township side, and four other families (on the Decatur) side in the vicinity of the Mrs. Holzworth homestead; that 5 children attend the Morris Hill school, and 6 children the Jefferson school, on Mauk's hill, traveling to the latter via the railroad tracks.

2. That the present road is impassable, in places; that Doctors and deliverymen refuse to call and deliver necessaries to their homes; and that the children are deprived of the convenience of ready access to school busses.

3. Respondents admit the necessity and inconvenience of the petitioners; but maintain that the cost of building such a road would be burdensome to the Respondents: one witness estimating the cost thereof at $2289.24, which amount includes truck-hire of $1000 for hauling "burnt shale" and the cost of labor of $560.00; the bal-

ance being for scraping, dragging, &c. Another witness for Respondents was opposed to "red dog" surfacing, but was willing to keep up the dirt road in the old location, drain it and maintain it as it now exists, an earth-dirt road, at a cost not to exceed $500.00.

In view of the foregoing findings, your Board concludes that as a joint enterprise or undertaking for the two Townships, the proposed road is necessary, convenient and not burdensome to the Respondents, and therefore recommend that it be opened and laid out as a public road;

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 a necessary culvert over an unnamed small Run.

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

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: H. Flegal, $1.00; Stott, et al. $1.00; H. Diston, $1.00; Ben. Travis, $1.00; John Sushrisky, $1.00; Mike Shustrik, $1.00; Barber Rise, $1.00; and Mull Estate, $1.00

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

WITNESS our hands and seals this 3rd day of May A. D. 1935.

John Sellers Seal
H. A. Reese Seal
H. A. Giles Seal
Seal

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

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	AM'T.
~~H. A. Reese~~	~~3~~	~~90~~	~~$34.50~~
H. A. Giles	2	42	22.10
~~John Scollins~~	~~3~~	~~90~~	~~34.50~~

FILED
MAY 6 1935
W. R. GALLAGHER
CLERK

No. 2 May *Sessions, 19* 35

ORDER

To view _____ *a road for* public *use in the township of* Morris and Decatur, *Clearfield County* _____

May *Sessions, 1935, 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.*

W. Wallace Smith
P. J.

Filed _____ *19*____.

Fees $1.25 paid by _____

Theodore C. Jackson, Atty.

TO: The County Commissioners of Clearfield, County:-

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 2, May Sessions, 1935, to view and lay out a public road in Morris and Decatur Townships, to wit: leading from near Graham Station northward toward Union Mine crosses the railroad tracks, known as the Union Mine Branch, and leading northward from this intersection a distance of about three-fourths of a mile, in Clearfield County aforesaid, will meet at the Graham Station in said Township of Decatur on Tuesday the second day of April, A. D. 1935 at two (2:00) o'clock P. M., toattend to the duties assigned them: all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the Viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Grand Jury Room in the Court House in Clearfield on Friday the 5th day of April, A. D. 1935 at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Collins
Harry T. Reese
N. A. Giles
Viewers

Dated, March 19, 1935.

CLEARFIELD COUNTY, SS:-

Now, this 20 day of March, A. D. 1935, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Norris
Clerk

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In the matter of	:	No. 2
a road view in Morris	:	May Sessions, 1935.
and Decatur Townships	:	

AMENDMENT

To John Scollins, Esquire

Theodore C. Jackson, Attorney for the petitioners, moves to amend the original petition to establish the northern terminii of the proposed new road at a point on the boundary line between Morris Township and Decatur Township at the north west corner of lot of John Sushrisky, a distance of approximately nineteen hundred and ninety two feet (1992) from the south terminii, which is the Township road leading from Graham Station in Decatur Township in a north easterly direction toward Morrisdale in Morris Township.

Theo. C. Jackson

Attorney for the petitioners

TO: Mike Francisco, James Hill and ~~Isaac~~ Smeal, Supervisors of Morris Township, Clearfield County:-

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 2, May Sessions, 1935, to view and lay out a public road in Morris and Decatur Townships, to wit: leading from near Graham Station northward toward Guion Mine crosses the railroad tracks, known as the Guion Mine Branch, and leading northward from this intersection a distance of about three-fourths of a mile, in Clearfield County aforesaid, will meet at the Graham Station in said Township of Decatur on Tuesday the second day of April, A. D. 1935 at two (2:00) o'clock P. M., to attend to the duties assigned them: all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the Viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Grand Jury Room in the Court House in Clearfield on Friday the 5th day of April, A. D. 1935 at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Collins
Harry T. Reese
H. A. Giles
Viewers

Dated, March 19, 1935.

CLEARFIELD COUNTY, SS:

Now, this 26 day of March, A. D. 1935, service of the above Notice is accepted for the Supervisors of Morris Township.

[illegible]
[illegible]
Ivor Edwards
Supervisors

TO: Thomas Kerfoot, Herbert Wigfield and Ira Winters, Supervisors of Decatur Township, Clearfield County:-

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 2, May Sessions, 1935, to view and lay out a public road in Morris and Decatur Townships, to wit: leading from near Graham Station northward toward Guion Mine crosses the railroad tracks, known as the Guion Mine Branch, and leading northward, from this intersection a distance of about three-fourths of a mile, in Clearfield County aforesaid, will meet at the Graham Station in said Township of Decatur on Tuesday the second day of April, A. D. 1935 at two (2:00) o'clock P. M., to attend to the duties assigned them: all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Grand Jury Room in the Court House in Clearfield on Friday the 5th day of April, A. D. 1935 at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Scollins
Harry J. Reese
H. A. Giles
Viewers

Dated, March 19, 1935.

CLEARFIELD COUNTY, SS:

Now, this 26 day of March, A. D. 1935, service of the above Notice is accepted for the Supervisors of Decatur Township.

Thomas Kerfoot
Herbert Wigfield
Ira Winter
Supervisors

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

In re: Order to Supply Road in the Townships of Morris and Decatur	:	No. 2 May Sessions, 1935.

OPINION

From examination of the exceptions to the Viewers' Report filed by the Supervisors of both Morris and Decatur Townships and of the Report, it appears that some of the exceptions would probably have to be sustained upon the present state of the record. The statement filed by the petitioners indicates that, while the Viewers laid out the road so as to be in a straight line, which would be in accordance with general public policy, nevertheless difficulties appeared with reference to the probable expense thereof, particularly railroad crossings. As all of the parties to the proceeding are agreed that the road would not justify the expense of such location, they have suggested to the Court that it be referred back to the Viewers for location in approximately the location of the present private road in the vicinity, which would involve less expense and serve the purpose of the petitioners.

O R D E R

AND NOW October 24, 1935, the Viewers' Report is hereby referred back to the Board of Viewers, to wit John Scollins, Esq., Harry Reese and H. A. Giles, for revision in accordance with the request of the parties, and for such further proceedings in the way of by View and Hearing as to the Viewers may seem proper.

By the Court,

W. Wallace Smith

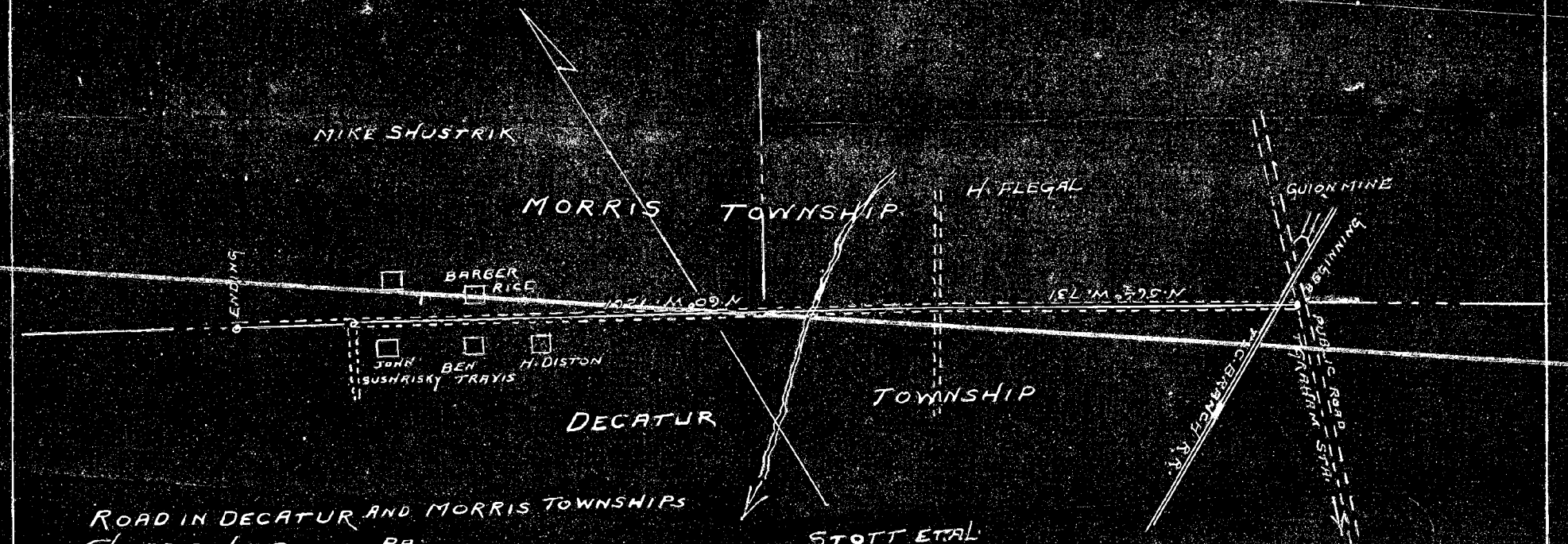
President Judge.

No. 2 May Sessions, 1935

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY PENNSYLVANIA.

In re: Order to Supply Road in the Townships of Morris and Decatur

OPINION AND ORDER



ROAD IN DECATUR AND MORRIS TOWNSHIPS
CLEARFIELD COUNTY PA
VIEWED AND LAID OUT
APRIL 2-1935 BY JOHN SCOLLINS ESQ
H.A. REESE
H.A. GILES
SCALE 1" = 300'

We, the undersigned, being petitioners for a road in Decatur and Morris Townships, leading to near the Guion Mine, herewith aver that if the road as now located were taken over by the Townships of Morris and Decatur and maintained, we would be entirely satisfied; as we do not desire to put any unnecessary expense on either of said Townships but desire to have a road maintained the year around for us to get in and out of our homes.

Bennie Travis
Mrs Henrietta Distin
Mike Strutrik
John Dubansky
Barber Rice
Dan Myers
William Harris
Thomas Johnson
John Distin
Richard Holdsworth
Hannah Holdsworth X
Paul F. Clay

Lap-over Margin

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

Re: Order to supply road in the Townships of Morris and Decatur	No. 2 May Sessions 1935

EXCEPTIONS TO REPORT OF VIEWERS.

To the Hon. W. Wallace Smith, President Judge of said Court:

The Supervisors of the Township of Decatur herewith file exceptions to the report of the Viewers filed to the above Number and Term, for the following reasons:

(1). That the petition to supply the road was defective in that only one termini was stated.

(2). That the Viewers are mistaken in law to permit the amendment of said petition after view and hearing.

(3). That the road as laid out by the Viewers would require the construction of two large culverts and a crossing across two tracks of The Pennsylvania Railroad.

(4). That the report as filed is not in conformity with the wishes of the petitioners themselves nor the Supervisors of either Township.

(5). That the road as laid out by said Viewers would be expensive to construct and the Township of Decatur is without sufficient funds to bear the cost of erecting the one bridge or culvert or the crossing across the two tracks and switch of the Pennsylvania Railroad.

(6). That proper steps have not been taken before the Public Service Commission to provide for a public crossing over the tracks of the Pennsylvania Railroad.

(7). That there exists at the present time a private road which serves the petitioners; which private road does not cross any railroad track; and the culvert now on said road could be made use of.

(8). That the petitioners being present at the hearing, testified that they would be entirely satisfied if the Townships would maintain a road in the same location as the private road now located on the ground.

(9); That the Supervisors of the Township of Decatur publicly stated at the time of said hearing, that they would be willing to assume as a road of the Township of Decatur, the portion of said private road which was located in Decatur Township, and keep and maintain the same; which offer is renewed as a part of these exceptions.

(10). That in connection with these exceptions, there is presented a paper signed by the petitioners, setting forth that they would be entirely satisfied with the road as now located, if maintained by said Townships.

Wherefore, your petitioners ask that absolute confirmation of the Viewers Report be withheld and the Court make such other order as may be just under the circumstances.

SUPERVISORS OF DECATUR TOWNSHIP

Herbert Wingfield

Thomas Kerfoot

Jos. Winter

[illegible]

No. 2 May Session 1888

In: Order to supply road in Township of Morris and Beaver.

[illegible] TO REPORT OF VIEWERS.

BELL & SILBERBLATT
ATTORNEYS AT LAW
KURTZ BUILDING
CLEARFIELD, PENNA.

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

IN RE: ORDER TO SUPPLY ROAD IN	:	
THE TOWNSHIPS OF MORRIS AND	:	No. 2. May Sessions.
DECATUR.	:	
	:	

Exceptions to Viewers Report.

To the Honorable W. Wallace Smith, President Judge of said Court:

The Supervisors of the Township of Morris herewith file exceptions to the report of the Viewers filed to the above Number and Term, for the following reasons.

1. That the original petition to supply the road was defective and did not comply with the law in that only one termini was stated.

2. That the Viewers errored in permitting the petition to be amended after the view and the hearing.

3. That the road as laid out would require the construction of one very large culvert or bridge and crossings across one track of the Pennsylvania Railroad in addition to extensive grading operations.

4. That the Viewers report does not conform with the wishes of the petitioners nor the Supervisors of either Township.

5. That the road as laid out by the Viewers would cost several thousand dollars to construct and the Township of Morris is without sufficient funds to bear the costs of constructing the proposed road.

6. That the petitioners have not taken proper steps before the Public Service Commission to provide for a public crossing over

the tracks of the Pennsylvania Railroad.

7. That there exists at the present time a private road which serves the needs of the petitioners residing in Morris Township.

8. That only two families reside in Morris Township along the proposed road and for that reason the Supervisors of Morris Township feel that the expenditure of the necessary amount to construct their share of the proposed roads is unwarranted and inequitable.

WHEREFORE your petitioners ask that absolute confirmation of the Viewer's Report be withheld and the Court make such other order as may be just under the circumstances.

SUPERVISORS OF MORRIS TOWNSHIP,

William B. Davis

James Hill

Ivor Edwards

STATE OF PENNSYLVANIA :
SS:
COUNTY OF CLEARFIELD :

Personally appeared before me the Subscriber, James Hill, William Davis and Clair Edwards of the Board of Supervisors of the Township of Morris, who being duly sworn according to law say that the facts set forth in the foregoing exceptions are true and correct.

Sworn and subscribed to before me this 27th, day of July, A. D. 1935.

William Davis
James Hill
Clair Edwards

William Slee J.P.

MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 1940

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY,
PENNSYLVANIA.

No. 2 May Sessions. 1935

IN RE: CAVEAT TO WILL
OF [illegible] TOMB, DEC'D
[illegible] ESTATE.

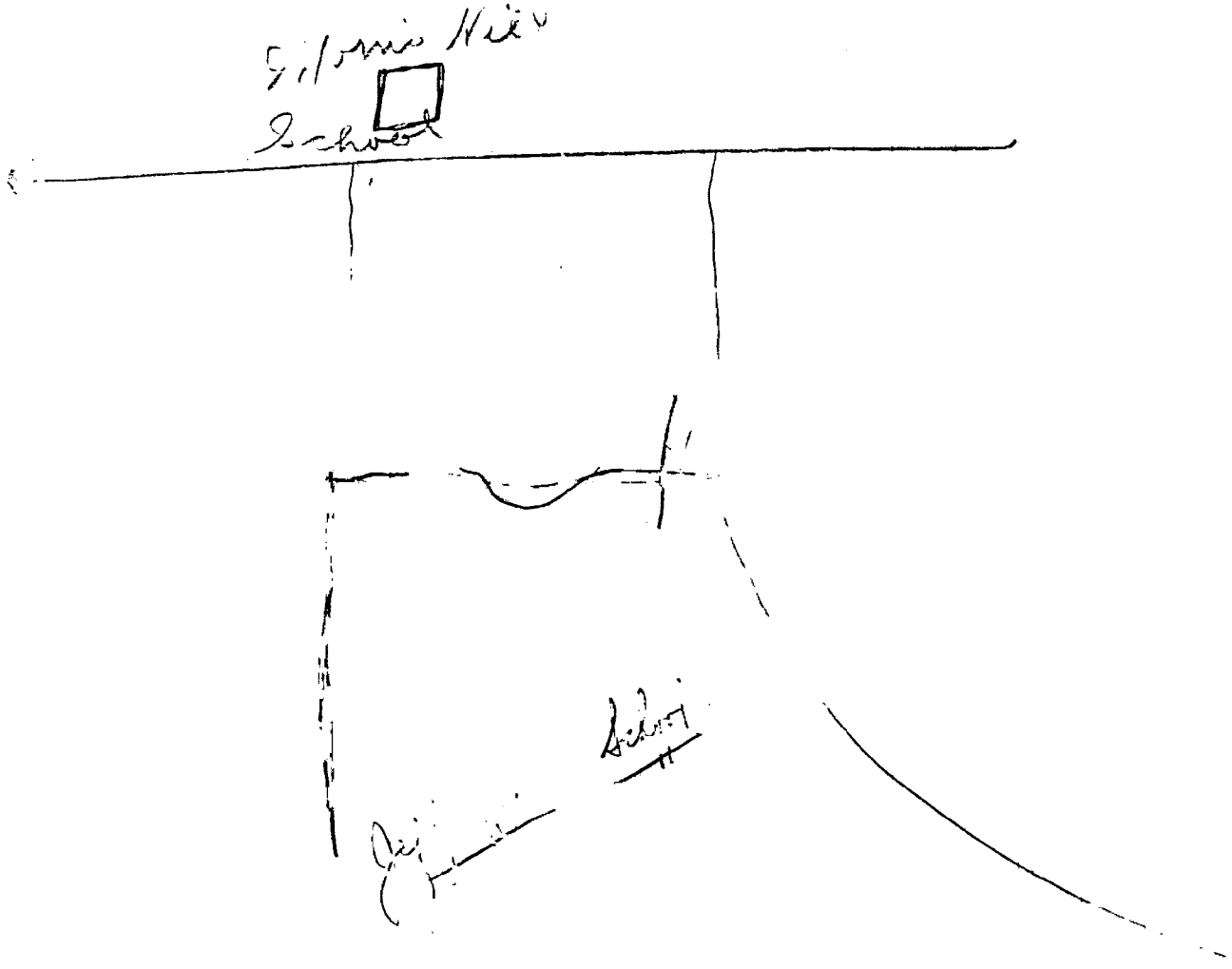
EXCEPTIONS TO
WILLIAM A. TOMB.

FILED
AUG [illegible] 1935
W. R. GALLAGHER
CLERK.

WILLIAM C. CHASE
ATTORNEY-AT-LAW
KEYSTONE BUILDING
CLEARFIELD, PENNA.

[illegible] 1/2 Mile Road [illegible]

36 - ft - 6 - ft	Pipe		307.12
24 ft	4 - ft	Pipe	158.40
48 - ft - 15"	-	Pipe	48.00
50 - 6-ft - 8" Locust	Post	Robert Hurley	12.00
200 ft	Cable 1"		
Brushing	Right of way	3 Men 24 Hrs	1.60
Grading			
2 Trams	24 Hrs	1.80 Per Hr	21.12
1 Tractor	16 Hrs	1.00 Per Hr	16.00
[illegible]	on Grade	[illegible] 3.20	57.00
[illegible]	25 Days	1.00 Per Hr	1,000.00
7 [illegible]	25 Days	.70 Per Hr	560.00
		total	1,675.72
Supervision	25 Days	.50 Per Hr	100.00
		total	1,775.72
Add 1/3 total Estimate to Cover under Estimate			
Hornings for [illegible] on Rd. [illegible]			40.00
			513.52
total Est. →			2,289.24


Gilmore Hill
School

Kylertown Pa.

Nov. 5 — 1905

John Scullins Esq.

Dear Sir. I enclose print of change of location on Morris Decatur road. I forgot to sign report in Morris road matter. If you will mail it to me I will sign and return

Very Truly

K. A. Reese

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

IN RE: ORDER TO SUPPLY ROAD IN THE TOWNSHIPS OF MORRIS AND DECATUR	: No. 2,	May Sessions, 1935.

RETURN OF VIEWERS.

To the Honorable W. WALLACE SMITH, PRESIDENT JUDGE OF SAID COURT:

We, the undersigned Viewers, in pursuance of an Order issued out of your Honorable Court bearing date October 24, 1935, filed to the above number and term and incorporated herein by reference thereto, beg leave to report as follows:

FIRST:- That it was stipulated and agreed by counsel of record that in accordance with the opinion of the Court that the proposed road should be located in approximately the location of the present private road in the vicinity; that the road as originally laid out by your Board would require an additional railroad crossing within a radius of approximately 33 feet of the present railroad crossing serving Guion Mine, and that the proposed road should eliminate any additional railroad crossing, and that the proposed road should begin at a point approximately 33 feet from the present intersection of the aforesaid railroad and the present public township road leading from Morrisdale to Graham Station; that the proposed road should be re-surveyed and re-drafted by H. A. Reese, Esq., of your Board, and that the final hearing required by Act of Assembly and the Rules of Court be held in the Grand Jury Room in the Court House at Clearfield on the 29th day of November, 1935 at ten o'clock A. M.

SECONDLY:- That the hearing was held at the time and place appointed, to wit: in the Grand Jury Room of the Court House at Clearfield on the 29th day of November, 1935, when the following appearances were noted: M. L. Silberblatt, Esq., Solicitor for the Township of Decatur, appearing with him Thomas Kerfoot, Ira Winters and Herbert Wigfield, Supervisors of Decatur Township; W. C. Chase, Esq., Solicitor for Morris Township, with him James Hill, W. B. Davis and Iver Edwards, Supervisors of Morris Township.

THIRD:- After the view and hearing above mentioned, the

undersigned and all parties in interest agree that there is occasion for a road as desired by the petitioners, 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, involving less expense and as far as practicable agreeably to the desire of the petitioners, and do return for public use the following described road to wit:

BEGINNING at a point on the West side of the Public Township Road leading from Morrisdale to Graham Station, approximately 33 feet from the intersection of said road with the Guion Branch Railroad; thence running due West 139 feet to a post on the line dividing Morris and Decatur Townships; thence North 56½ degrees West 590 feet along line of lands of H. Flegal, Stott et al.; thence North 60 degrees West 1261 feet along lands of Mull Estate, Disston, Travis, Sushrisky, Rice, Shutrik, and ending at the Northwest corner of land of John Sushrisky; and that a plan or draft of said road, showing courses and distances and the properties affected thereby, is hereto attached and made a part hereof, said road being at an elevation not exceeding 5 degrees, excepting a necessary culvert and unnamed small Run, when it was not practical to preserve it within that limit.

Your Board further reports that no damages were claimed by the owners of land over which the said road passes, and after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows: H. Flegal, $1.00; Stott, et al., $1.00; John Disston, $1.00; B. Travis, $1.00; John Sushrisky, $1.00; Mike Sushrisky, $1.00; Barber Rice $1.00; and Mull Estate, $1.00:

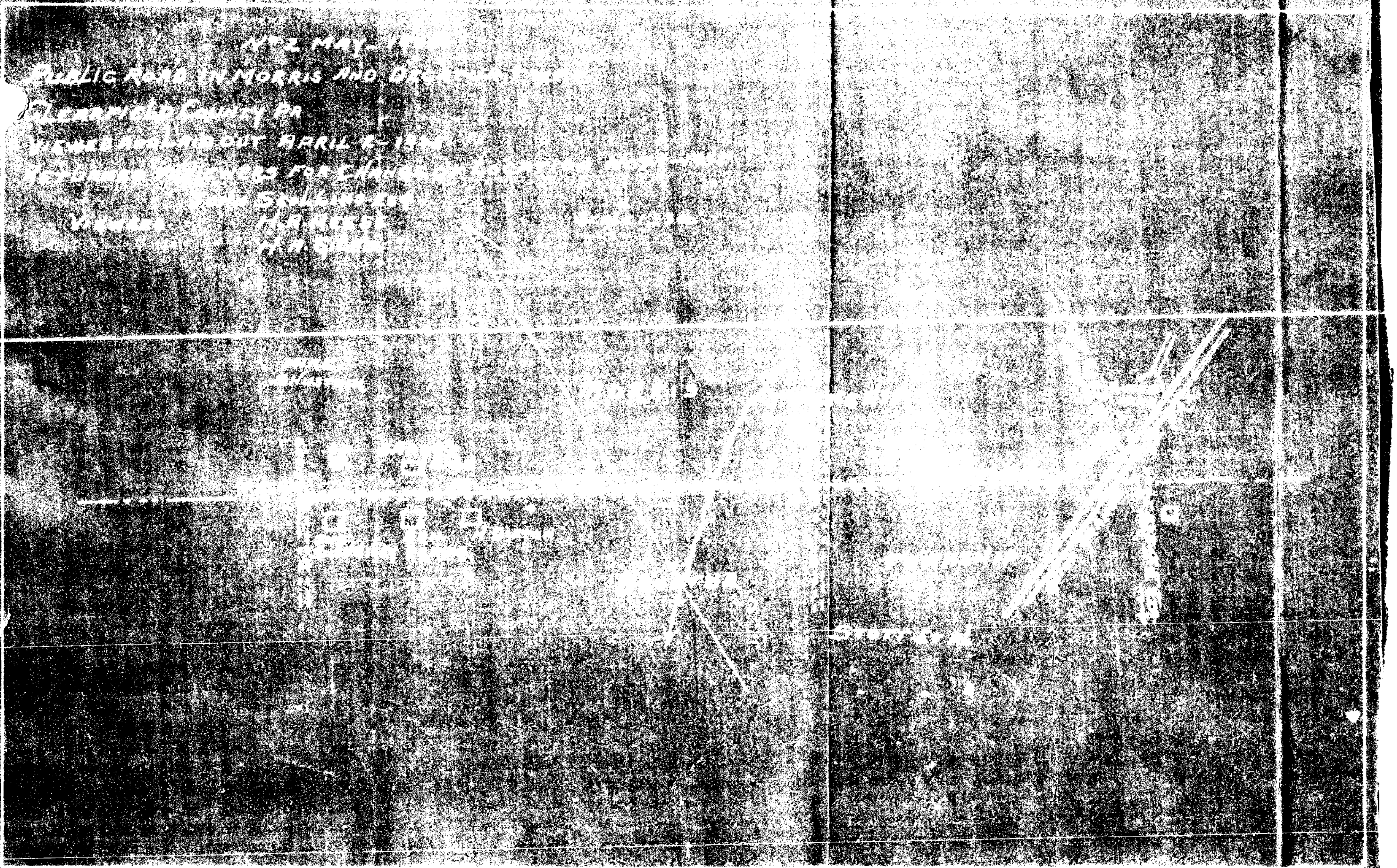
ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Witness our hands and seals this thirtieth day of November, A. D. 1935.

John Scallion SEAL.

Hill Reese SEAL.

H. A. Giles. SEAL.



No 2 MAY – 18[illegible]

PUBLIC ROAD IN MORRIS AND DE[illegible]

CLEARFIELD COUNTY PA

VIEWED AND LAID OUT APRIL [illegible] – 18[illegible]

RETURNED [illegible] VIEWERS FOR CHANGE [illegible]

[illegible] SHILLING [illegible]

VIEWERS H. A. ROSS [illegible]

H. H. [illegible]

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 2, May Sessions, 1935, to view and lay out a public road in Morris and Decatur Townships, to wit: leading from near Graham Station northward toward Guion Mine crosses the railroad tracks, known as the Guion Mine Branch, and leading northward from this intersection a distance of about three-fourths of a mile, in Clearfield County aforesaid, having by Order of said Court dated October 24, 1935, had their Viewers' Report referred back for revision in accordance with the request of the parties interested: having attended to the duties assigned them:

That the public hearing as required by Act of Assembly and Rules of Court to be held by the Viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Grand Jury Room in the Court House in Clearfield on Friday the 29th day of November, A. D. 1935, at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Collins
Harry Reese
H. A. Giles
Viewers

Dated, November 18, 1935.

To: A. M. Liveright, Esq., County Solicitor,
Bell & Silberblatt, Esqs., Solicitors for Decatur Township,
W. C. Chase, Esq., Solicitor for Morris Township,
Theodore C. Jackson, Esq., Counsel for the Petitioners.

	Days	Miles	Amt.
H. A. Reese	2	34	24.20
H. A. Giles	1		10.00
John Scollins	1	56	14.80

IN THE COURT OF QUARTER SESSIONS

OF CLEARFIELD COUNTY, PENN'A.,

No. 2 May Sessions, 1935.

C R D E R

To view a Road for public use in the Townships of Morris and Decatur, Clearfield County -

RETURN OF VIEWERS

December Sessions, 1935,

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.

FILED

DEC 7 1935

W. R. GALLAGHER

CLERK

H. Laker Smith

P. J.

JOHN SCOLLINS

ATTORNEY AT LAW

HOUTZDALE, PA.

The Tuttle Law Print, Publishers, Rutland, Vt.

May 4, 1936 Confirmed Nisi. H. Laker Smith P.J.

IN THE COURT OF QUARTER SESSIONS

OF CLEARFIELD COUNTY

In the matter of a road :
view in Morris and Decatur :
Townships, Clearfield County :

PETITION FOR A ROAD VIEW

Honorable W. Wallace Smith, President Judge of said Court.

The undersigned citizens of Morris Township and Decatur Township, Clearfield County respectfully represent:

1.

THAT they are all residents of said Townships and live in the vicinity of Union Mine, and are served by a private road leading from a point where the Township road leading northward from Graham Station crosses the railroad tracks, and leading from this intersection northward along the line where the two said Townships join for a distance of about three-fourths of a mile, said private road serving eleven families.

2.

THAT said private road has been maintained by the petitioners at their own expense for a number of years, and the up-keep has become burdensome, and the road bed has not been maintained in a passable condition because they have been unable to subscribe sufficient funds to furnish labor and materials.

3.

THAT there are long seasons of the year during which they are unable to drive from their homes to the main highway, and impossible for delivery trucks, doctors or other persons to reach their homes in their conveyances, and during these periods they are forced to walk because of the impassable condition of said private road; they are further in-convenienced by not being able to

have groceries and other necessities delivered to them when needed.

Your petitioners, therefore, pray your Honorable Court to appoint three viewers to view the herein described private road and inquire into the propriety of ordaining it as a public road, and make report to the Court, and that such further proceedings may be had in the premises as are directed by the Act of Assembly in such case made and provided.

AND THEY WILL EVER PRAY.

Petitioner.	Occupation.	Date.
[illegible]	Miner & farmer	March 5
[illegible]	Butcher	March 5
John D. [illegible]	Miner	March 5
[illegible]	Farmer	March 5
Richard [illegible]	Miner	March 5
Paul [illegible]	Miner	March 5
[illegible]	Miner	[illegible]
[illegible]	[illegible]	March 5
William Harris	Miner	March 5
Bunnie Harris	Miner	March 5

D E C R E E

Upon the attached petition of sundry inhabitants of the Townships of Morris and Decatur in Clearfield County, setting forth the need of a public road leading from a point where the public road leading from near Graham Station northward toward Guion Mine crosses the railroad tracks known as the Guion Mine Branch, and leading northward from this intersection a distance of about three-fourths of one mile, said proposed new road to follow in general the course of a private road lying where the said Townships join and through the territory inhabited by the petitioners, and praying the Court to appoint proper persons to view and lay out the same between points mentioned according to law; the Court, upon due consideration do order and appoint John Scollins, Esq., Harry E. Rusc and H. A. Gilka from and among the County Board of Viewers who are to view the ground proposed for the said road; and if a majority of the said viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioners as may be, having respect for the best ground for a road and the shortest distance, and in such manner as to do the least injury to private property; and shall make report thereof to the next Court of Quarter Sessions to be held for the said County, stating particularly whether they judge the same necessary for a public road, together with a plot or draft of said road, and the courses and distances and references to the improvements through which the same may pass, and further, stating that they gave due legal notice of the time and place of meeting and of hearings held under this order.

By the Court

W. Wallace Smith

President Judge

2 May ss 1935

FILED
MAR 12 1935
W. R. GALLACHER
CLERK

THEODORE C. JACKSON
ATTORNEY-AT-LAW
PHILIPSBURG PENNSYLVANIA