

ROAD

DOCKET No. 7

Number	Term	Year
3	May SS	1941

Petition to Lay Out Public Road

in LAWRENCE TOWNSHIP, Glen Richey

Versus

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 10th day of April in the year of our Lord one thousand nine hundred and Forty-one.

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Lawrence in said County, setting forth that they labor under great inconveniences for the want of a public road or a highway leading from Route No. 17038 at the residence of Mrs. Lucy Batcheler and the Presbyterian Church in the village of Glen Richey and ending at a dwelling house owned by Charles Cunningham in said township.

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 A. B. Shaw, Esq., H. E. Reese and H. W. Bonsall

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. W. Wallace Smith, P. J.

J. Harold McGadden, 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 29th day of April A. D. 1921, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 1st day of May, 1921, at 10:30 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 Lucy Batchelor and others.

Grand Jury

parties in interest. That the hearing was held in the ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the 1st day of May A. D. 1924, when the following appearances were noted:

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 point of intersection of State Highway Route # 17038 and a dedicated street in the village of Glen Richey, Clearfield County, Pennsylvania, known on the plan or plot of said village as Fifth Avenue; thence in a westerly direction along said Avenue a distance of 602 feet where said Fifth Avenue intersects with the property line of Lucy Batchelor.

The proposed road hereinabove described has long since been in use and is laid out over a dedicated street in the village of Glen Richey, known in the plan or plot of said village as Fifth Avenue, said street having a width of approximately 50 feet which is fenced on either side by the abutting property owners. That for many years the individual property owners served by said road or street, have kept the same in repair at their individual cost and expense, and in the opinion of your undersigned viewer's said road or street is necessary for the convenience of the traveling public and should be maintained at public expense.

That said street is in a bad state of repair due to lack of grading and proper drainage. That there are two churches, and approximately nine families who will be especially benefited by said proposed road in addition to the convenience and advantage of the traveling public.

There appear to be no objections to said proposed road, and according to the vast number of petitioners requesting the same, the construction of said road seems necessary for the accomodation and conveniencce of the traveling public as well as for the convenience and accomodation of the families and others whose properties abutt along said proposed road.

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

NOTICE OF VIEW

You are hereby notified that the undersigned Viewer's, appointed by the Court of Quarter Sessions of Clearfield County, on the 10th day of April, A.D., 1941 to lay out and establish a road leading from State Highway Route # 17038 at the residence of Mrs Lucy Bachelor and the Presbyterian Church in the village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania, and ending at the dwelling house of Charles Cunningham in said Township, will meet on the premises on Tuesday the 29th day of April, A.D., 1941 at 10:30 o'clock A.M. to attend the duties assigned them and that the public hearing required by Act of Assembly and Rules of Court to be held by the Viewer's before the filing of their report in Court, in order to give all parties interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Thursday the 1st day of May, A.D., 1941 at 10:30 o'clock A.M., at which time and place all parties interested may attend and be heard, if they so desire.

A.B. Shaw

H.A. Reese

Harry W. Bonsall  
Viewer's

And now, April 15, 1941, service of the above notice is hereby accepted by copy on behalf of the County Commissioners of Clearfield County.

T. B. R.

Clerk

TO THE SUPERVISORS OF LAWRENCE TOWNSHIP, CLEARFIELD COUNTY, PENNA.

NOTICE OF VIEW

You are hereby notified that the undersigned Viewer's, appointed by the Court of Quarter Sessions of Clearfield County, on the 10th day of April, A.D., 1941 to lay out and establish a road leading from State Highway Route # 17038 at the residence of Mrs Lucy Bachelor and the Presbyterian Church in the village of Glen Richey, Lawrence Township, Clearfield County, Pennsylvania, and ending at the dwelling house of Charles Cunningham in said Township, will meet on the premises on Tuesday the 29th day of April, A.D., 1941 at 10:30 o'clock A.M. to attend the duties assigned them and that the public hearing required by Act of Assembly and Rules of Court to be held by the Viewer's before the filing of their report in Court, in order to give all parties interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, Pennsylvania, on Thursday the 1st day of May, A.D., 1941 at 10:30 o'clock A.M., at which time and place all parties interested may attend and be heard, if they so desire.

A. B. Shaw

H. A. Reese

Harry W. Bonsall  
Viewer's

And now, April 16, 1941, service of the above notice is hereby accepted by copy on behalf of the Supervisors of Lawrence Township.



R. O. Gable  
Secretary

# 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 Road~~ <sup>and lay out</sup> damages, leading from State Highway Route 42000, at the residence of Mr. Harry Bachelor and the Presbyterian Church in the village of New Salem, New Salem Township, Clearfield County, Pennsylvania, and end at the dwelling house of Charles Cunningham

in ..... <sup>Shipshewna</sup> ..... Township, in the County aforesaid, will

meet ~~at the house of~~ on the ~~preceding~~ .....  
in ..... <sup>19000</sup> ..... Township, on ~~Wednesday~~ .....  
the ..... ~~1900~~ ..... day of ..... ~~April~~ ..... A. D. 19~~00~~ .. at 10:00 ..

o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice. THAT THE PUBLIC INJURIES INCURRED BY ACC OF ~~ACC~~ <sup>ACC</sup> THE TOWNSHIP OF COULD BE REPAID BY THE VICTIM WITHIN THE TERM OF TWELVE MONTHS FROM THE DATE OF THIS NOTICE, IN ORDER TO CURE ALL PARTIES INJURED IN SAID ROAD IN ORIGINALLY TO BE REPAID, WITH THE ROAD TO THE CURE MADE IN THE COURT HOUSE AT CLEARFIELD, ON THURSDAY THE 10<sup>th</sup> DAY OF MAY A.D. 1900 AT 10:00 O'CLOCK A.M., AT WHICH TIME AND PLACE ALL PARTIES INJURED IN SAID ROAD MAY ASSEMBLE AND BE HARNED, OR IN ANY OTHER

A. D. 1900

R. A. MILLER

H. H. COBBLE

VIEWERS.

April 19, 1900

PUBLIC ROAD IN LAWRENCE TOWNSHIP.  
CLEARFIELD COUNTY, PA  
VIEWED AND LAID OUT APRIL 29, 1941  
BY A. B. SHAW, Esq.  
H. A. REESE  
H. W. BONSAUL

SCALE 1:1000

DEAL PEACOCK & KERR

3 HOUSES

PERCY FRALIEY

M. CONNOR

CUNNINGHAM Esq.

THOMAS

END

LUCY BACHELOR

5.7607 W 602

MECHURCH

LUCY

BACHELOR

MARGARET WARD

PARSITTIRIAN

CHURCH

BBGHN

HIGHWAY ROUTE N. 17038 - TO CLEARFIELD

TO OSHANTER

VILLAGE OF GLEN RICHIEY

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~~

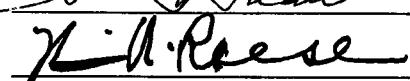
~~when it was not practical to preserve it within that limit.~~

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

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:

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

WITNESS our hands and seals this 1st day of May  
A. D. 1921.

  
D. D. Han   
  
H. A. Reese   
  
A. W. Boushee 

No. 3 May Sessions, 1941

## ORDER

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.

To view and lay out a road for public use in the township of Lawrence, Clearfield County

May Sessions, 1941,  
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.

	Days	Miles	AMT.
A. B. Shaw	3	14	30.70
H. A. Reese	3	102	35.10
H. W. Bonsall	2	102	25.10

Sept. 2, 1941. Confirmed  
absolutely. Sealed by

19  
Filed  
Fees \$1.25 paid by

Clarence R. Kramer, Attorney

## 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

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE PETITION TO LAY OUT :  
PUBLIC ROAD IN THE VILLAGE :  
OF GLEN RICHEY, LAWRENCE TOWNSHIP : No. May Sessions, 1941  
CLEARFIELD COUNTY :  
:

PETITION FOR  
APPOINTMENT OF VIEWERS

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

The petition of the undersigned inhabitants of the Township of Lawrence in the County of Clearfield respectfully state that they labor under great inconveniences for the want of a public road or a highway leading from Route No. 17038 at the residence of Mrs. Lucy Batcheler and the Presbyterian Church in the village of Glen Richey and ending at a dwelling house owned by Charles Cunningham in said Township.

Your petitioners therefore pray the Court to appoint proper persons to view and lay out the same according to law.

And they will ever pray.

George Brewer 4/8/41 Glen Richey Pa  
Spencer Hawkins 4/8/41 Glen Richey Pa  
Alison Rawler 4/8/41, Glen Richey

Berg R Grailey	April 7th	Glen Richey
James D Duncan	April 7	Glen Richey
Maurice Hancy	April 7	Glen Richey
Lyle Linton	April 7	Glen Richey
Leon Dafford	April 7	Glen Richey
Brian Peoples	April 7	Glen Richey & Pa
Dennis Nolan	April 7	Glen Richey
C. H. Hamilton	4/7/41	Glen Richey
Milton P Connor	4/7/41	Glen Richey
Mrs. Flossie Ward	4-1-41	Glen Richey Pa
P. T. Morgan	4-7-41	Glen Richey Pa
John A Evans	4/7	Glen Richey Pa
John E Nolan	4-7-41	Glen Richey Pa
John H. Johnson	4-7-41	Glen Richey Pa
Ed Fisher	4/7/41	Glen Richey Pa
August H Dufour	4/7/41	Glen Richey Pa
Orville Evans	4/7/41	Glen Richey
Albert B. Johnson	4/7/41	Glen Richey Pa
Joseph Rennick	4/7/41	Glen Richey Pa
James Hill	4/7/41	Glen Richey Pa
Charles Sampson	4/7/41	Glen Richey Pa
4/7/41	Mr. S. Schenck	Glen Richey Pa
4/7/41	David Jones	Glen Richey Pa
4/7/41	Edward S. Hill	Glen Richey Pa
4/7/41	Ardell A. Jacobson	Glen Richey Pa

John Jacobson Glen Rickey Pa  
26 and Bennett St. Glenshaw Pa  
Mrs Viola Burnett Glen Rickey Pa  
Mrs. Olive Harvey Glen Rickey Pa  
George Batcheler Glen Rickey Pa  
Mrs Agnes Batcheler Glen Rickey Pa  
W. Slack Glen Rickey Pa

COMMONWEALTH OF PENNSYLVANIA

:ss

COUNTY OF CLEARFIELD

Before me the Clerk of the Court of Quarter Sessions personally appeared C. K. Thompson, who being duly sworn according to law deposes and says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

C. K. Thompson.

Sworn to and subscribed before  
me this 8 day of April, 1941

J. Harold McFadden  
Clerk of the Court of Quarter Sessions

CLERK OF COURT OF QUARTER SESSIONS  
CLEARFIELD COUNTY, PENNSYLVANIA

To the Supervisors of Lawrence Township:

To the County Commissioners of Clearfield County:

You are hereby notified that a petition praying for the appointment of viewers to lay out a public road in Glen Richey leading from Route No. 17038 at the residence of Mrs. Lucy Batcheler and the Presbyterian Church in the Village of Glen Richey & ending at a dwelling house owned by Charles Cunningham in said Township will be presented to the Court of Quarter Sessions of Clearfield County on Thursday the 10th day of April, 1941, at 10:00 o'clock A. M., at which time you may appear and object or be otherwise heard, if you so desire.

C. T. Thompson.  
One of the petitioners

Now, April 8, 1941, We hereby acknowledge service of the foregoing notice upon us by copy.

LAWRENCE TOWNSHIP SUPERVISORS

BY R. D. Den Scy.

Now, April 8, 1941, We hereby acknowledge service of the foregoing notice upon us by copy.

CLEARFIELD COUNTY COMMISSIONERS

BY P. J. Barr Pres of Board

IN THE COURT OF QUARTER SESSIONS  
OF CLEARFIELD COUNTY, PENNA.  
No. 3 MAY Sessions, 1941

IN RE PETITION TO LAY OUT  
PUBLIC ROAD IN THE VILLAGE  
OF GLEN RACHEL, LAWRENCE  
TOWNSHIP, CLEARFIELD COUNTY

PETITION TO OPEN A PUBLIC ROAD

And now, April 10, 1941,  
A. B. Shaw, Ex. J. H. C. Rus.  
and H. H. Bonsell  
are appointed viewers, as  
prayed for.

By the court

*L. Shaffer*  
L. J.

FILED	6
	APR 10 1941
	WILFRED MADDEN
	CLERK