

No. 3 January Term, 1881

Public Road

versus

Houtzdale Iron and
Woodward Pup

Contents :

Not confirmed

X

To the Honorable the Judges of the
Court of Quarter Sessions of the Peace in
and for the County of Clearfield,
The petition of the undersigned, inhabit-
ants of the Township of Woodward, in
said County respectfully sheweth; That
your petitioners labor under great incon-
-veniences for want of a public road
or highway, to lead from the line of
the Borough of Houtzdale, at the northern
terminus of Good Street, to the residence
of Michael Leach on public road lead-
ing from the Borough of Houtzdale to
Ocean Colliery.

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 &c,

P J Bradley	John Porter
W C Donnelly	
George Schwentz	
Edward Sweeney	
Isaac M. Livingood	
J. Hartman	
R H Roach	
R M Hunt	
A H Windy	

No 3 Jan'y 9/88

Thee Laurence
Hend St. Geo. Town
Lee H. Herbie

Petition for a
Road to back from the
line of the Borough of
Hortfield, at the
junction terminus of
Good Street

To

Residence of Michael
Leach, on road leading
from Hortfield Borough
to Ocean Cellery in
Hordward Stk.

Filed 14th Jan'y 1880

Now 21 Jan'y 1880 The Hon
Borough of St. Geo. Town
and the Aldermen are appointed
to view the same and to report to the
Court by the 14th Feb'y 1880.
McAuliffe

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June 9. 1880
Confession taken before
By the Court
J. H. O

No. 3 June Session, 1880

ORDER

To view and lay out a Road

For public Use in the township
of *Warren* Clearfield county.

Report Confirmed in Di
Road to be opened 33 feet
wide except where there is
cutting or bridging then to
be 16 feet wide to March 1880
By the Court

cc
1794/13

Filed 16 Mar 1880

FEES \$1, Paid by

J. H. O

REPUBLICAN PRINT.

Clearfield County, Pa.

At a Court of Quarter Sessions of the Peace of the county
of Clearfield, held at Clearfield, in and for said county,
on the 14th day of January A. D.

1880, before Judges of said Court, upon a petition of
sundry inhabitants of the ~~Township~~ ^{Townships} of ~~Heubach~~ ^{Heubach}

in said county, setting forth that ^{the} ~~lay out~~ ^{public}

to lead from the line of the Borough of Heubach
at the northern terminus of Good street to residence
of Michael Leech on Road leading from Heubach
Cem to Ocean Colliery in Woodbury Pk

and therefore praying the Court to appoint proper persons to view and lay out
the same according to law, and Report same

whereupon the Court, upon due consideration had of the premises, do order and
appoint Theo Vandusen Ron St Leo Frager & Geo H Wooden

who, after being respectively sworn or affirmed to perform the duties of their ap-
pointment with impartiality and fidelity, are to view the grounds proposed for
said road, and if they view the same and any two of the actual viewers agree that
there is occasion for such road, they shall proceed to lay out the same agreeable
to the desire of the petitioners, as may be, having respect to the best ground for
a road and the shortest distance, and in such manner as to do least injury to pri-
vate property, and state particularly whether they judge the same necessary
for a public or private road, together with a plot or draft of the same, with the
courses and distances and reference to the improvements through which it
passes, and shall also procure releases of damages from persons through whose
lands said road may pass, or failing to procure such releases, shall assess the
same, if any sustained, and shall make report thereof to the next Court of
Quarter Sessions to be held for the said county, in which report they shall state
that they have been sworn and affirmed according to law. Notice is directed to
be given to the owners or occupants of seated lands through which the within
road is intended to pass, of the time of the view, according to the 147th rule of
Court.

BY THE COURT,

Eli. Plomer
Clerk.

RELEASE OF DAMAGES.

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, owners of the 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 at and before the ensembling and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease 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. 188



ASSESSMENT OF DAMAGES.

The following named persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned, viewers, under oath in pursuance of our duty, under the Act of Assembly do assess their damages and make report thereof, as follows:

To the sum of

To the sum of

To the sum of

Witness our hands this day of A. D. 188

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 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.

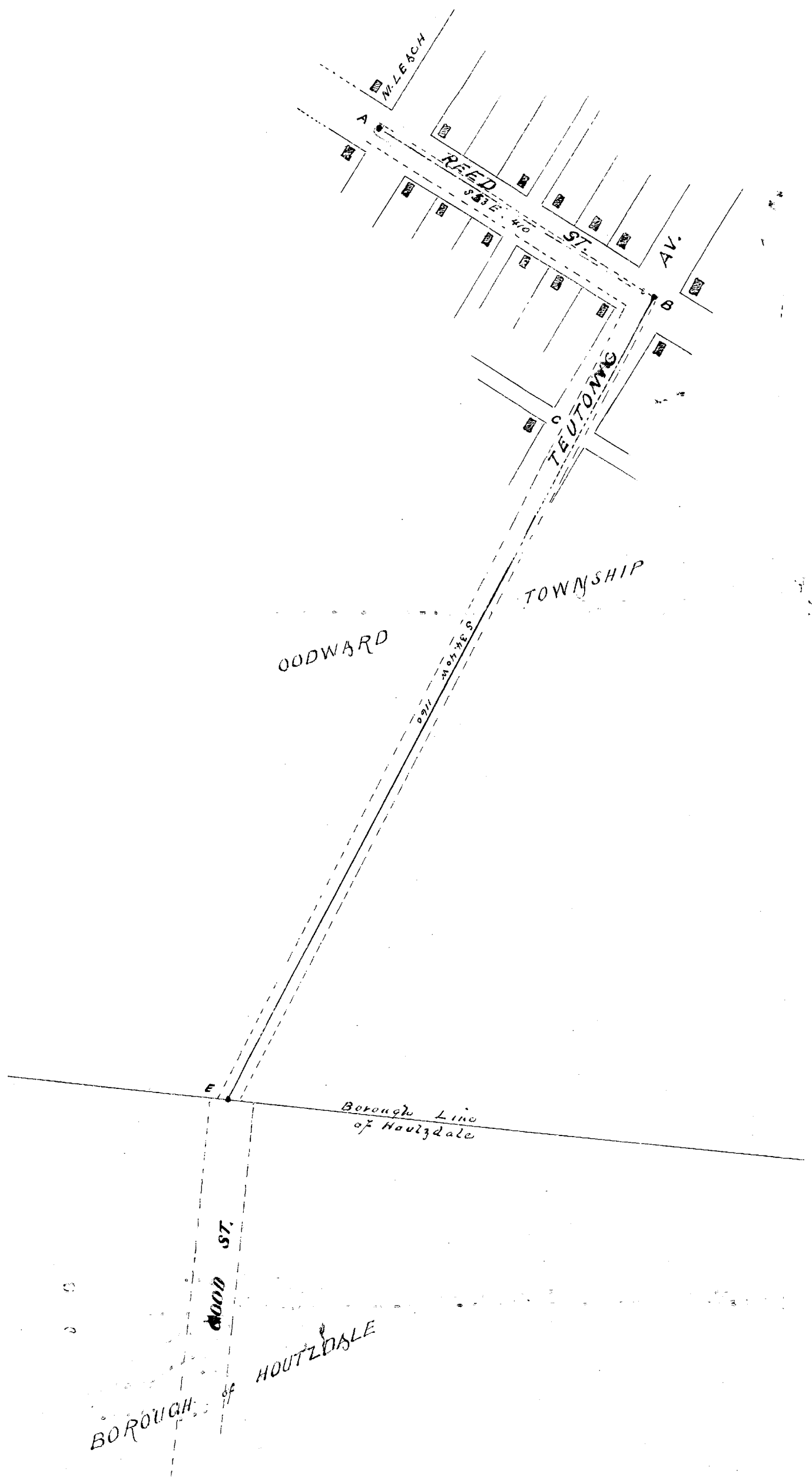
To the Hon. the Court of Quarter Sessions
of Hartford Co. C.S. — .

We the undersigned Theo. Sanderson, Esq. & Geo. Tracy
and Geo. H. Woodin appointed by the annexed order of Court,
do report, that having been all first severally sworn
or affirmed, we see present at the said view, of the
ground designated in said order of Court, and believing
the said road to be necessary and of advantage to
the general travelling public, we proceeded to lay out
the same according to the terms of the petition and
the annexed order, in view of its being laid out and
opened as a public road. The annexed draft will
show that the view takes almost entirely on the line
of the streets already laid out between Hartzdale Borough
and the village of North Hartzdale, which when extended
will meet at the point designated on draft at E. We
are therefore of opinion that no damages should be
assessed in favor of the parties owning said land.
Description of view as follows; Beginning at a point opposite
the corner of Michael Leach lot in the village of
North Hartzdale, Woodward Township, thence along Reed
St. South, ~~south~~ ~~at~~ Fifty Three degrees East (S. 53° E) 410 ft
to Centre of Reed St. & Tontonic Avenue in said village
of North Hartzdale, thence South, thirty four degrees and
forty minutes West (S. 34° 40' W) 1160 ft to point, the eastern
terminus of Gov. Street in the aforesaid Borough of Hartzdale.
We also beg to state that that portion of the above view on
Reed St. from A to B is already authorized as a Township
road, & that from B to C on Tontonic Avenue is opened for
travel, so that all the work required to be done would be
from the point C. to E at junction of Borough line, though
it would at the same time be necessary for the grant

From Court In a township road to start from the
point "B" at the intersection of Reed St and Tenth Avenue,
as at the said point "B", there is a break in the ~~present~~ present,
Township road now leading to Loughdale & consequently no
public work is done thereon. Which road as described
above, and as designated on accompanying draft, in the
underigned views are all of opinion is necessary for
a public road.

Returned our hands this 15th day of
March A.D. 1860

~~Thos. Van Dusen~~
Wm. H. Fraser } viewers
Geo. H. Wallace }



Draft of Road view in Woodward Township
from terminus of Good St. to residence of Michael
Leeds, on road leading from Houtzdale Borough to
Ocean Colliery in said Township. By order of Court
dated Jan. 3, 1890.

Scale 100 ft. to 1 in.

Drawers:
Thos. Van Dusen
Geo. A. Van Dusen
Geo. H. Woodin

N.B. Dotted line represents stone wall and
is not upon the same side of view.

RULE TO TAKE DEPOSITIONS.

CLEARFIELD COUNTY, SS:

In matter of Public Road
in Woodward Twp Commencing
at terminus of Grade
Street in Borough of
VERSUS
outgoing and ending
at Michael Seepers in
Woodward Twp.

Quarter Session
In the Court of ~~Common Pleas~~ of Clearfield County, Pennsylvania:

NO *June Sess.* TERM, 18 *80*

AND NOW, to wit, the *25* day of *May*, in the year of our Lord one thousand
eight hundred and eighty, the *Petitioners* enter a rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evidence on the *Argument*
of this case.

Ex parte Rule of *Petitioners* on *10* days' notice.

El. Bloom
Notary.

To *W. H. Patterson*, Esq.:

You will please take notice that in pursuance of the foregoing rule, Depositions will be taken before
R. McNamara J.P. or some other person authorized to admin-
ister oath or affirmation in Pennsylvania, in and for the county of *Clearfield*, at the
office of *R. McNamara*, in the *Borough* of *Montgomery*, in
the county of *Clearfield*, and State of Pennsylvania, on the *22nd* day
of *June*, A. D. 18 *80*, between the hours of *1* o'clock, *P.M.* and
o'clock, *9 A.M.*, when and where you may attend and cross-examine.

Clearfield, Pa., *25 May*, 18 *80*

J. D. McKinnick
W. A. Chase
Attys for Petitioners

In the Matter of Public
Road Leading from the
terminus of Good Street
to Michael Leach in
Woodward Township
Clearfield County
Penn^a

In the Court of Quarter
Sessions of Clearfield Co
of June Term

Deposition of Witnesses
taken before Robt McNamara
Justice of the Peace of said
County at his office in the
Borough of Houtzdale on
the 2^d day of June A.D. 1880
by virtue of the annexed rule
and in accordance with the
annexed notice

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Joseph Higgins witness produced by
petitioners being duly sworn deposes as
follows viz I am thirty years of age
miner by occupation I live in Woodward
Township Clearfield Co Pa

I have examined the ground and been over
it the road as is laid out by the viewers
beginning at Good Street and terminating

Michael Leachus I think it would make a better road than the old road as it now is my reason for it is I believe you can get up the hill from Leachus 1' on a much easier grade on a straighter line drive from Houtzdale side down with more ease without any danger of upsetting which the old road has always been noted for upsets on account of the short curves on this road The condition of the old road is very good at this time In the Spring of the year this road is almost impassible and also in wet weather I think it is necessary to have two road across the hill my reason is this outside of the Borough line Careka Colliery left no Pillars in and the consequence is it will fall in and the new road is further over to the left the coal is thinner and will cause less breaks in the ground I am a tax payer in Woodward Township I believe the Location of the road will make a better road than the old one

Cross Examined

I own no real estate horses or vehicles I use these roads for driving purposes I use them perhaps once a month I am not a practical Teamster I usually use a buggy The upsets I

Speak of occurred where the road runs around
the Lots The road originally run through these
Lots it now runs around them I had no conversat-
tion with any body concerning my evidence con-
-cerning my evidence, when ~~else~~ ^{I was} subpoena-
~~ed~~ ^{ed} I wanted ~~to~~ to put it off to another day

Witness sworn deposition
read over to him and
subscribed before

P. McNamee J.P.

Joe Higgins

Peter J Bradley witness produced by
petitioners being duly affirmed deposes
as follows, viz. I am thirty two years of
age I live in Woodward Township by
occupation Supervisor of Woodward Township
Clearfield Co

I have examined the ground as layed out
by the viewers I was with them and assisted
in laying out the road and also assisted
in taking the levels, of the old and new
road I mean the road commencing at
the terminus of Good Street and running to
the residence of Michael Leach in Woodward
Township I have had experience in making
roads I think the road layed out by
the viewers would make a better road
than the old road The new road is
necessary for the use of the public

The cost of making the road as layed out could be made for Two Hundred Dollars. I will give security to build the road for that price. I am a taxpayer of Woodward Township. I have occasion to use the roads almost daily with my team

Cross Examined I would build the road for Two Hundred Dollars I do not ~~exactly~~^{know} know the distance from the terminus of Good Street to McLeaches I think the distance is about five Hundred Yds I have put no estimate for rod on this road (It makes forty cents per Yd) We have paid contractors Two ⁴⁵/₁₀₀ Dollars per rod for building road in the Township

I am no Engineer and dont know any thing about the Grade or Level I dont know what the degrees would be There is only one direct road from Houtzdale to Houtzville There is a road leading from Houtzdale around the ^{base of the} hill to Houtzville.

Re Ex Part of the road from Michael Leaches to the Terminus of Good Street is already made There is about Three Hundred feet of the road made The road refered to costing Two ⁴⁵/₁₀₀ Dollars per rod was through a swamp and was necessary to be raised or piked up

I do not think this road would be so expensive to make

I have been building roads the greater part of my life that is my business
I believe the new road would be beneficial to the inhabitants of Woodward Township and would make a straighter road and better road than the old road provided it was built properly. I have no interest directly or indirectly in getting this road across the hill

Cross Examined I have been over the road with one of the viewers Mr Vandusen I was on my way to my work on ^{branch of} Goss run R.R. I had no conversation with Mr Vandusen about building the road I stepped it once or twice and I think it was less than thirteen hundred feet My object in doing this was I expected to put in a bid for the making of it This road runs through woods that the timber has been cut off of I don't know how many Trees or Stumps on the road There would be some grading and filling cutting off the hill and filling in the hollow I do not own any real estate in Woodward Township nor pay any Taxes in Woodward Township

J. W. Dours

Witness sworn deposition
read over to him and
subscribed before
R. McNamara J.P.

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Witness sworn, deposition
read over to him and
Subscribed before

Re Cross Ex In order to get the best ground
it was necessary to lay out this new road
~~it was~~ a portion of the old road about three

hundred feet

Witness sworn, deposition
read over to him and
Subscribed before

R McNamara J.P.

P. J. Bradley

Tim Downs witness produced by
petitioners being duly sworn deposes
as follows viz I am thirty five years
of age by occupation a contractor
I live in Houtzdale Borough Clearfield
County Pa I have been over ^{the} ground layd
out by viewers for the road to lead from
the northern terminus of Good Street leading
to Michael Leachus in Woodward Township
It would cost Sixty dollars to build
said road I can build it for that
price and give security to build it
for that price I have had considerable
experience in building both Township roads
and rail Roads I built Goss Run Road
and the Branch road to Beowind White & Co
Fishers & Millers Coal Bank also the Township
road from Samuel Hendersons Planing Mill
to Ramey a distance of about three miles

Clearfield County S.S.

I R McNamara above named
a Justice of the Peace of said County of
Clearfield do certify that Joseph Higgins
P J Bradley and Jim Downs above named
witnesses produced by Petitioners in the above
case were sworn and there foregoing depositions
taken and subscribed before me at my office
in the Borough of Houtzdale and County
of Clearfield on the 2^d day of June
A D 1880 between the hours of 9 A. M.
and Eight O. C. P. M. of said day
in the presence of W A Chase of Council
with the Petitioners and W A Patterson
~~with the~~ Council with the Remonstrators
Witness my hand and seal the second
day of June A D 1880

R McNamara 

Costs

Dep of Witness	16	16¢
Jos Higgins		
Sub	20	
Oath	10	
Dep	<u>66</u>	96¢
P J Bradley		
Sub	5	
Oath	10	
Dep	<u>76</u>	91¢

Tim Downs

Sub	15
Oath	10
Dep	<u>68</u>

Costs

Rule + Dep

83¢
 \$28.65
45
 \$3.31¢

As June 11 1880

Public Room in

Museum of Art

Department

Wm J. Linn 1880

Commodore
Genl 1880

To the Honorable the Judges of
the Court of Quarter Sessions of
Pleasfield County

The petition of the undersigned
inhabitants of the Township of
Woodward in said County respectfully
represents that a road
has been lately laid out by an
Order of Court from the terminus
of Good Street in the Borough of
Houtzdale to Michael Leacher in
Woodward Township which road
if confirmed by the Court will
be very injurious to your petition-
ers and furthermore to the Town-
ship inhabitants of the Township through
which the same will pass

Your petitioners further rep-
resent that the above road is wholly
unnecessary for the accommoda-
tion of the public being only some
seventy feet from and running almost
parallel with the old Township road
which is in good condition and
repair said old road having
been laid out and used by
the public some six or eight years
past at a cost of some \$1000
to the said Township

That the viewers who
viewed and laid out the
aforesaid ^{new} road are personally
interested in said road and
that the building of said
new road would entail an
unnecessary expense of
some Eight Hundred Dollars
on the Township
and the only persons to
be benefited thereby would
be a few persons living
in the Borough of Strat-
ford among them directly
by the viewers aforesaid
your petitioners therefore for
the reasons above stated
remonstrate against the confir-
mation of the report of the aforesaid
viewers and pray the Court
that the same may be set aside
and the road refused
And they will ever pray

Patrick Burns

Hugh Carson

Michael Gleason

James Roberts

David McMonigal

James Hill

James Wilkins

Seamus Leshmire

James Brolley

Timothy Gafney

Thomas Jones

William Daugherty

D. J. Kline

Daniel Burns

Wm. H. Philips

C. McGuire

Daniel McCarthy

Jeremiah Keane

S. C. Snyder

W. P. Barron

John K. Cameron

Dennis White

John Gould

Patrick P. Fitzgerald

B. Erdridge

Wm. Bowles

John W. Albrandin

G. A. Baldwin

James Stitt

Alfred Lord

David Stull

Joe Alexander

Geo. Gould

James Tigarty

Hugh Donahol

John Donahol

John Toohy

John Mara

Nicholas J. Walsh

Thomas Torigan

J. B. Dwyer

Reginald Sheehan

J. K. Williams

Y. Eddy

John Kailcliff

Wm. Kailcliff

James Hutchinson

Ugo M. Bard

Georg. A. Dorsing

John E. Coyne

John A. Malbrun

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Precedence
against
spending of public
good clothing
from turning of
good cloth in the
Borough of Haverstree
to Michael Beasley
in Broadwood Street

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Attest
Attest

September 1884

Respectfully

of Public Road and
way from the town
of Good Street in
the Township of Houtz-
dale to Michael Leach in
Woodward Township.

Page 1

To the Honorable the Judges
of the Court of Quarter Sessions
of Clearfield County.

The petition of the undersigned
inhabitants of the Township of
Woodward in the said County
respectfully sheweth that a road
has lately been laid out by order
of Court from the terminus of
Good Street in the Township of Houtz-
dale to Michael Leach in Woodward
Township which road if confirmed
by the Court will be very injurious
to your petitioners and burdensome
to the inhabitants of the town-
ship through which the same will
pass.

Your petitioners further rep-
resent that the above road is wholly
unnecessary for the accommo-
dation of the public being only
some 300 feet distant from and
running almost parallel with
the old Public Township Road which
is in good condition and repair
said road having been laid out
and used by the public some
nine years past at a cost of
some 1000 dollars to the Twp.

That the owners who viewed and laid out the aforesaid new township road are personally interested in said road, and that the building of the said new road would entail an unnecessary expense of some eight hundred dollars on the Township and the only persons benefited would be a few persons in the Township of Monticello among which directly the aforesaid owners.

~~For petitioners the above~~
 The Court that the aforesaid report be set aside and the road be refused for the reasons above stated and your petitioners will ever remain

Geo. W. Stutter

Mr. John

J. J. Blume

John Diggins

Geo. W. Orr

John Gault

John. Low.

Geo. Pearce

Mr. A. H. Hays

Henry J. Bowden

D. Westover

Wm. J. F. Hart

W. J. Lyons

William Kennedy

Thomas Muthers

Seth. Mairies

Ed. Lowe

J. C. Leabhart

James Keaton

J. H. Lehman

B. F. Deftaugh

S. T. Henderson

O. E. Linn

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Remonstrance
Against
Public Land Specu-
lators at Springfield
of Wood Street in the
borough of Stur-
bridge first published
at Michael Masses
no Woodward Street.

Feb 27 1880

Peckham