

No. 3, Dec. Sessions, 1901

COMMONWEALTH

versus

Vacated Supply
Public Road
in
Woodward Township
P. S. #4 - Page 3rd

Charge

Certificate

WILLIAM I. SWOOPES,
District Attorney.

Woodward

Conf Feb 14 1902

33-16

Start
Stop
Begin at S.W.
corner of land of
Louisa Vogel to
corner of land of
Hedlund & Lindenborg

Do Small

-:IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY:-

To the Honorable Cyrus Gordon, President Judge of the said Court:

The petition of the undersigned citizens and residents of the Township of Woodward, Clearfield County, Pa. respectfully represents:-

That a portion of a public road heretofore laid out and opened according to law, towit, beginning at a south west corner of land of Louisa Vogel and ending at corner of Lindenburg and ~~of~~ ^{in said Township} ~~of~~ ^{of} Hedlund, has become useless, dangerous, inconvenient and burdensome, and should be supplied by another road beginning at corner of land of Louisa Vogel, being the South west corner, and ending at corner of land of Lindenburg and ~~of~~ ^{of} Hedlund;

Wherefore your petitioners pray that your Honorable Court will appoint viewers to vacate and supply a road as aforesaid, and make report according to law, and they will ever pray.

O. J. Drain J. R. Graffin
Foy Pendleton C. E. Clegg
J. Boulton
R. Jones J. D. Heist
John G. Carter J. W. Morgan
D. W. Smith Robert Bonner
f. E. ~~Electors~~ George Mayer
Wm. J. Martin D. J. ~~Wright~~
J. C. Shope Neil ~~Wright~~
Lawrence Shope Wm. Daugherty
Fred Shunk Wm. Burns

Edward Gaster
William Gaster
Harry Gaster

3 Dec 1901

On re, Vacate and
stripply a road
in Woodward Mif.

Att'tee

Nov. 28th 1901.
Within petition pre-
sented and Charles
Marshall - N/Seamus and
Samuel Horne
appointed Commissioners
to report to next term.

By John Cook
Atty for the People

HARRY BOULTON,
Atty for the People,
HOUTZDALE PA.

GRANT H. COOPER,
Atty for the People,
HOUTZDALE PA.

HORN BROS. & CO., CLEARFIELD, PA.

6.00
3.72
1.27

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 4th day of Sept., A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Woodward

, in said county, setting forth that that a portion of a public road heretofore laid out and opened according to law, to wit, beginning at a South West corner of land of Louis Togal and ending at corner of Lindenberq and Olaf Hedlund in said Township has become useless dangerous, inconvenient and burdensome, and should be supplied by another road beginning at corner of land of Louis Togal being the South West corner, and ending at corner of land of Lindenberq and Olaf Hedlund. Wherefore your petitioners pray that your Honorable Court will appoint viewers to locate and supply a road as aforesaid.

and therefore praying the Court to appoint proper persons to view Locate and Supply the same according to law, and report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint Charles Maxwell, W. Langford, Ed. Saml. Morris who, after being respectively sworn or affirmed to perform the duties of their appointment 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 Locate and Supply

Supply 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 the least injury to private 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 land 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 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 land 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,

Grant N. Thompson
Clerk.

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 the 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 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. 190.....

Seal

Seal

Seal

Seal

ASSESSMENT OF DAMAGES.

The following 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. 190

No. 3 Dec. Sessions, 1901

ORDER

To view that & supply
road for public use in the
township of Notwood,
Clearfield County.....

St. L. O. Sessions, 1901,
(read and confirmed) Vi. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

Butter Creek
James Henry
14 July, 1901
Convinced W. H. Thompson
By the Court
Attest James H. Thompson,
Jno.

Filed

190

Fee \$1.25 paid by

Grant H. Thompson,
Prothonotary.

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.

St. L. O. Sessions } Days 2 \$1.00
} Miles 6

A. J. Morris } Days 1 2.00
} Miles 2 6

Days
} Miles
Days
} Miles
Days
} Miles

To the Honorable Cyrus Gordon, Resident Judge of the Court of Quarter Sessions of Clearfield County-

We the undersigned persons appointed by the within order of Court to vacate and supply a road therein mentioned, to wit - Th. G. Langford, Samuel J. Morris and Charles B. Maxwell, being present and first severally sworn, according to law - do report that in pursuance of ~~law~~ said order we have viewed the ^{public} road proposed to be vacated, and do find it, in our opinion, useless, inconvenient and burdensome and recommend that same be vacated - Beginning at the South West corner of land of Louise a Vogel in Woodward Township said County - thence $(S 85^{\circ} 45' E)$ South Eighty-five degrees and forty-five minutes east Eight hundred and eighty-five feet to a post thence South Five degrees (5°) west Three hundred and Eighty-five feet (385^{\prime}) to post at corner of land of Olaf Heddland and Lindenborg.

And we do further return that we have viewed and do lay out and return for public use, supplying the vacated portion of public road aforesaid, ~~with~~ a public road - beginning at South West corner of land of Louise Vogel in Woodward Township, said County. thence South Five degrees west (5°) Three hundred and (385^{\prime}) Eighty-five feet to post thence along public road South Eighty-five degrees and Forty-five minutes $(S 85^{\circ} 45' E)$ east Eight hundred and eighty-five feet (885^{\prime}) to a post at corner of land of Olaf Heddland and Lindenborg.

We further return that no damages are sustained by any person or corporation by reason of the vacating of the road aforesaid, or by reason of the laying out and opening of the supply public road - Said new road being laid over a public street dedicated to public use by original owner of the land through which it passes - We further return we gave due notice to the public by printed handbills as annexed put up at the ends of the vacated road and supplied road at least ten days before ween, and notice of same being accepted by County Commissioners and Supervisors of Woodward Township { Chas. B. Maxwell } ^{W. Langford} S. J. Morris ^{W. Langford}