

No. 6

Sept

Sessions, 190

5

COMMONWEALTH

*versus*

*Vacate Public  
Road*

*in*

*Woodward Twp.*

*Charge*

X

WILLIAM I. SWOOPÉ,  
District Attorney.

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

The undersigned remonstrators would respectfully represent  
that by a proceeding had in said court to No. 6 September SS.,  
1903 the viewers made a report in favor of vacating a public  
road in Woodward township, said county, leading from a point  
known as the cross roads near the John M. <sup>Chase</sup> ~~Hampton~~ Homestead  
to a point near the Milton Hampton homestead on public road  
leading from Jeffries post office to Faunce for the reason  
that said road has become useless, inconvenient and burden-  
some:

That said road proposed to be vacated is not useless, in-  
convenient and burdensome; that it is the only public road  
which a number of property owners living along its route have  
of getting into and from their properties, and they would be  
wholly shut in from a public road if said road is vacated.  
The undersigned therefore remonstrate against the vacation  
of said road.

NAMES.

J M Chase  
J W Lytle  
H A Chase  
John Smoot  
Hilford Bratton  
Thomas Bowman  
J H McKellom  
S W Hampton  
H W Higgins

NAMES.

Geo Eckels  
D B Deline  
John Kline  
W E Cloutier  
Milton Hampton  
James Kline

NO. 6 SEPT. 55, 1903.

demonstration against vacant  
ing public road in Wood-  
ward Township.

[illegible]

Attorney at Law,  
Clearfield, Pa.

To the Honorable Cyrus Gordon,

President Judge of the Court of Quarter Sessions of Clearfield  
County.

The petition of the undersigned citizens and residents of Woodward Township respectfully represents:

That a certain public road in the Township of Woodward aforesaid, to wit: Beginning at a point known as the Cross Roads near the John M. Chase Homestead and leading from thence to a point near the ~~Hilton~~ Hampton Homestead on a public road leading from Jeffries P.O. to Faunce, said road being wholly within Woodward Township, has become useless, inconvenient and burdensome and your petitioners represent that the said road is but infrequently traveled and there being another and more convenient public road between the two points named as the termin~~ing~~ of the road proposed to be vacated.

Wherefore your petitioners pray the court to appoint viewers to view and vacate the road above described ~~to wit~~ and make return to the Court.

A J Goss      E d Sherfield  
J M Goss      J E Anderson  
A L Laird      A H Anderson  
J W Townsend  
H L Russell  
E B Lamprey  
E d Haines  
S. L. Banghman  
J A Meier

No. 6 Sept. 21, 1903

In re. Petition to  
create Public Road  
in Woodward Twp.

2. Q. No. 100  
J. C. H. H. H. H. H.  
J. C. H. H. H. H. H.

Shore May 8, 1903.  
At present, the road  
and the land are of  
poor quality, and  
make up to the  
Court see. 1903.

By the Court  
Cyrus S. S. S. S.

HARRY BOULTON,  
ATTORNEY and Counsel at Law,  
Grant H. Thompson,  
HOUTSDALE, PA.

KURTZ BROS., PRS., CLEARFIELD, PA.

# 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 vacate a public Road leading from a point known as the Cross Roads near the John M. Chase homestead to a point near the Milton Hampton homestead on public road leading from Jeffries P.O. to Faunce in \_\_\_\_\_ Township, to

in Howard Township, in the county aforesaid, will meet at the house of Milton Hampton in Howard Township, on Wednesday, the 24<sup>th</sup> day of June, A. D. 1903, at 12 o'clock — M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

H. P. Carpenter

J. A. McEllland

John Quinn

Viewers.

June 13, 1903

Service accepted  
June 13. 1903.

~~Adm. St. St. St.~~  
Adm.

Service accepted  
for Supervisors of  
Goodward Township  
June 13. 1903.

Adm. St. St. St.  
Adm.

June 13. 1903. as  
owners and occupants  
of land through which  
proposed to be related  
road passes we  
accept service

Adm. St. St. St.

Adm. St. St. St.

Adm. St. St. St.

Adm. St. St. St.

Adm. St. St. St.

Adm. St. St. St.



State of Pennsylvania  
County of Clearfield ss.

Before me, the subscriber, a Notary Public, in and for the said County, personally appeared W. P. Harpster, J. A. McClelland and John Quinn, who being duly sworn according to law do depose and say that as viewers appointed by the Court of Quarter Sessions to view as appears by the next order, that they will perform their duty impartially and according to their best judgment, and further saith not.

*John Quinn*  
*W. P. Harpster*  
*J. A. McClelland*

Sworn and subscribed before me this 24<sup>th</sup> day of June  
A. D. 1903.

*Barry Boulton*  
*Notary Public*

*Commission Expires Jan'y 26, 1904*



*John Quinn,*  
*Civil and Mining Engineer.*

MINE AND LAND SURVEYING A SPECIALTY.

*Houtzdale, Pa., 7/8/03 190*

To The Honorable The Judge within named:

We, the undersigned, persons appointed by the within order of the court to view the road therein mentioned, respectfully report:

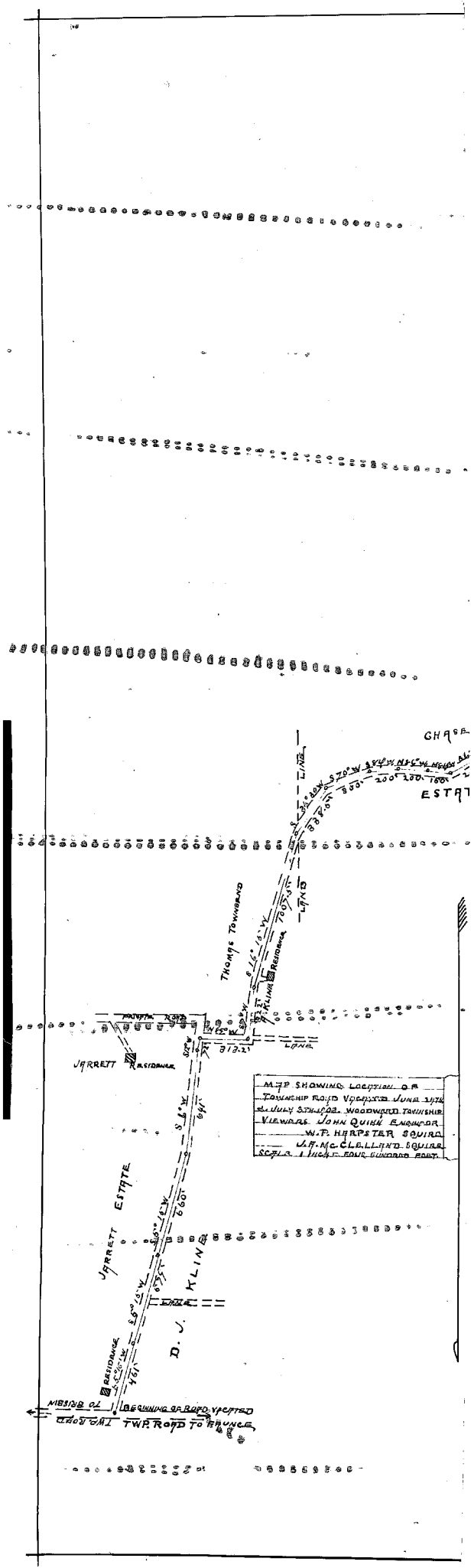
That having been present at the view of the said road, and having all <sup>and upon notice to all parties as appears by copy of same</sup> been first severally sworn or affirmed, in pursuance of said order, we have viewed the said road, and that we are of the opinion that the same has become useless, inconvenient and burdensome, and ought therefore to be vacated.

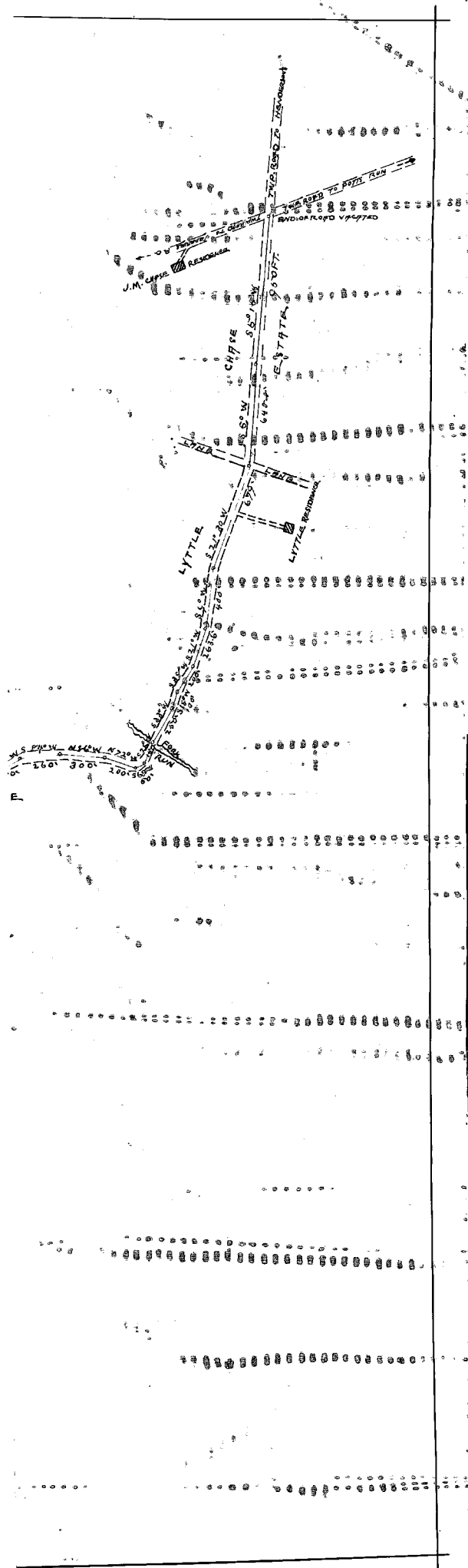
We also enclose a map of the said road giving the courses and distances.

Witness our hands this *Tenth* day of *July* 1903.

(Signed by the Viewers)

*John Quinn*  
*W. B. Harpster*  
*J. A. McClelland*





Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the  
county of Clearfield, Pennsylvania, held at Clear-  
field, in and for said county, on the 8  
day of May, A. D. 1903, before the  
Judge of said Court, upon a petition of sundry  
inhabitants of the township of Woodward  
\_\_\_\_\_, in said county, setting forth that

a certain Public Road in the Township of Woodward  
aforesaid, to wit: Beginning at a point known as the  
Cross Roads near the John M. Chase Homestead and leading  
from thence to a point near the Milton Hampton Homestead  
on a public road leading from Jeffries P. O. to  
Tannase, said road being wholly within Woodward  
Township, has become useless, inconvenient and  
burdensome and your petitioners represent that the  
said road is but infrequently traveled and  
there being another and more convenient public  
road between the two points named ~~on~~

and therefore praying the Court to appoint proper persons to view and ~~Vacate~~  
\_\_\_\_\_ the same according to law, Report to next term  
whereupon the Court, upon due consideration had of the premises, do order and  
appoint John Quinn, W. T. Harpster and J. M. Clelland  
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 View and  
Vacate 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 the least injury to private property, and state particu-  
larly, 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 pro-  
cure 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 S. 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 ensembling 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..... *No damages to any one* ..... the sum of.....  
To..... the sum of.....  
To..... the sum of.....

Witness our hands this..... day of..... A. D. 190.....

*John L. Larkin*  
*M. P. Carpenter*  
*J. A. McElland*



IN THE COURT OF QUARTER SESSION OF CLEARFIELD COUNTY.

In re vacation of public road in Woodward township, No. 6, September Session, 1903.

Now, December 1<sup>st</sup> 1903, the following exceptions are filed to the confirmation of the report of ~~viewers~~ in above proceeding.

First : - Because neither the petition nor the report of viewers shows in what particular ~~case~~ the road is useless, inconvenient and burdensome.

Second :- Because neither the petition nor the report state any facts or circumstances which would warrant the court in confirming the report of the viewers.

Third :- Because the statement in the petition that there is another and more convenient public road between the two points named as the termini of the road proposed to be vacated, is not true as a matter of fact.

Fourth:- Because the supervisor of Woodward township is a petitioner for the appointment of viewers, has accepted service of notice for the township and appears on the list of workmen as having gone with the viewers at the time of their examination of the road.

Fifth:- Because the vacation of the road will seriously damage property of owners along which it extends to whom no notice of the proposed vacation was given.

Sixth:- Because by the vacation of the road, there is taken away the only public road leading to and from several farm properties and no new road is supplied them.

Seventh:- Because by the vacation of the road, all means of ingress and egress to certain farms is taken, except over private properties of other owners.

Eight:- Because no road is reported for the use of the people whose road is taken by this proceeding, if confirmed.

For these and other reasons apparent upon the face of the record, report of widows cannot be sustained.

B. F. Chase  
Att'y for Estate of John M. Chase  
Albert Kline, et al.

I certify that certain of the above exceptions are legal objections of confirmation of the road and that others are founded on fact.

B. F. Chase

CLEARFIELD COUNTY, SS.

B. F. Chase, being duly sworn says that the facts in the above exceptions are true and correct to the best of his knowledge and belief.

B. F. Chase

Sworn and subscribed before me this  
12<sup>th</sup> day of December, 1903.

Gant H. Thompson  
Prothy.



