

No. 7

Sessions, 1901

COMMONWEALTH

VERSUS

*Vacate Public Road*  
*in*  
*Woodward Twp.*

*Boulton*

Charge

WILLIAM I. SWOOPE,  
District Attorney

IN THE COURT OF QUARTER SESSION OF CLEARFIELD COUNTY.

In re vacation of public road in Woodward township, No. 7, September Session 1903.

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

First :- Because neither the petition nor the report of viewers show in what way the road is useless, inconvenient and burdensome.

Second :- Because no facts or circumstances have been stated by the petition or report which would warrant the Court in confirming the report of the viewers.

Third :- Because the petition does not state facts as to the road proposed to be vacated in giving its termini.

Fourth :- Because there is no record of any notice having been given the owners of the lands of the proposed vacation.

Fifth :- Because the statement of the petition, "There being another and more convenient public road between the two points named as the termini of the road proposed to be vacated" is untrue as a matter of fact.

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

B. F. Chase  
Att'y for H.H. Baughman, et al.

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

Clearfield County SS.

B.F. Chase being duly sworn says that the facts set forth 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 1<sup>st</sup> day of December 1903.

Grant S. Thompson  
Clerk

No 7 Suppl. Sec 1903

Deception?  
In the Public's  
Road in  
Woodward Supp.

See Thomas D. Nelson  
by Deception

FILED  
DEC 1 1903  
GREAT H. THOMPSON

BENJAMIN F. CHASE,  
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 near Sanborn School House on public road leading from Jeffries P.O. to Faunce and ending at a point near Sanborn Bridge on 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 frequently traveled and there being another and more convenient public road between the two points named as the termini of the road proposed to be vacated.

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

*A. J. Ross*      *E. A. Merifield*  
*J. M. Ross*      *J. B. Anderson*  
*A. L. Laird*      *D. Anderson*  
*J. W. Townsend*  
*J. H. Cornell*  
*Ed. Haines*  
*L. A. Mease*

No 7 Sept. 20 1903

In re. Petition to  
recreate public  
road in Shoshone  
tribe.

W. H. H. H. H.  
J. H. H. H. H.

Attest: May 6, 1903  
W. H. H. H. H. H. H.  
and John Quinn  
are appointed  
pro and contra  
report to the Court  
see. 100.

By the Court  
W. H. H. H. H. H. H.

HARRY BOULTON, 1903  
Attorney and Counsel at Law,  
Thompsondale, Pa.  
Prothonotary.

KURTZ BROS. PRS., CLEARFIELD, PA.

To the Honorable Cyrus Gordon, President Judge of the *Court of*  
Quarter Session, Clearfield County.

The undersigned citizens of Woodward township would respectfully remonstrate against the confirmation of the report of ~~faunce~~ *Viener* in  
Number 7, September Session, 1903, which report is for the vacation  
of a road in said township beginning "at a point near Sanborn School  
House on Public Road leading from Jeffries Post Office to Faunce and  
ending at a point near Sanborn Bridge on public road leading from Jef-  
fries Post Office to Faunce," because said road is a great convenience  
to the residents of the township and the general public and has but  
recently been opened and is a great saving of distance to people of  
that section of Woodward <sup>by</sup> when traveling to Clearfield and is always  
suitable for travel while the roads which are left by this proceeding  
are much farther and are frequently blockaded in the winter time by  
snow. That the vacation of said road would work great inconvenience  
and would necessitate many people in reaching the County Seat to travel  
~~from~~ one to two miles farther over a ~~more~~ <sup>much</sup> steeper and rougher road.

We would therefore pray the Court to refuse the confirmation  
of said ~~report~~ *report*

H. H. Baughman  
E. H. Baughman  
S. E. Baughman  
S. E. Baughman  
Samuel J. Jager  
John Jager  
L. O. Phillips  
J. S. Phillips

John H. Baughman  
John Baughman  
S. E. Baughman

Jos. Bangman.  
Jeffrey Bangman.

117. Sept. 8, 1903

St. Re Machine 3.  
Public Road in  
Westerns Corp -

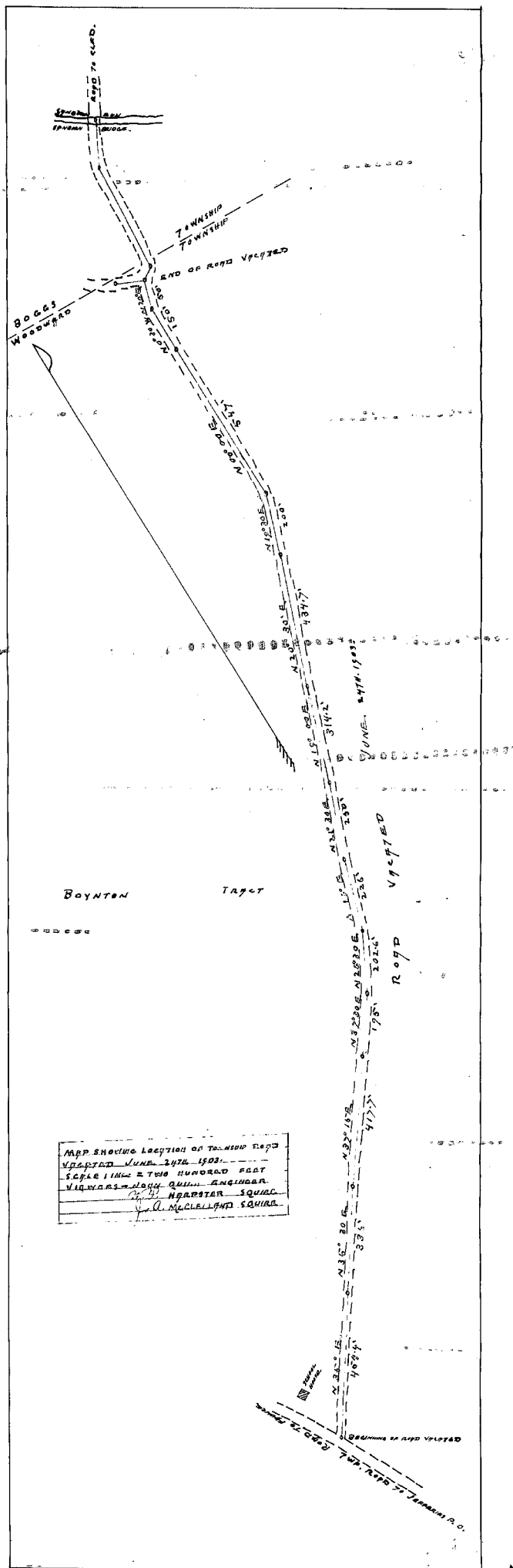
Reconstruction  
Report 3 Westerns

FILED

DEC 7 1903

Grant H. Thompson  
BENJAMIN F. CHASE,  
ATTORNEY AT LAW,  
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 near Sanborn School House on public road leading from Jeffries P.O. to Fannce

and ending at a point near Sanborn Bridge on public road in Township, to leading from Jeffries P.O. to Fannce

in Woodward Township, in the county aforesaid, will meet at the ~~house of~~ Sanborn School House, in Woodward Township, on Wednesday the 24<sup>th</sup> day of June, A. D. 1903, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

John Quinn  
G. P. Carpenter

J. A. McMillan

Viewers.

June 13, 1903.

#7

Service accepted  
June 13, 1903.

~~Arthur~~ <sup>all</sup>  
Service accepted  
June 13, 1903. for  
Superior Grip.  
C. H. Henderson  
Superior.

*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  
*and upon notice to all parties as appears by copy of notice annexed*  
been first severally sworn, 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*  
*G. P. Harpster*  
*J. A. McCulland*

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 26, 1904*

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 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 near Sanborn School House on public road leading from Jeffries P.O. to Faunce and ending at a point near Sanborn Bridge on 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 frequently traveled and there being another and more convenient public road between the two points named as the termini of the road proposed to be vacated.

and therefore praying the Court to appoint proper persons to view and vacate the same according to law, Report at Sept Term whereupon the Court, upon due consideration had of the premises, do order and appoint John Quinn Jt., McClelland and W. J. Huxley 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 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 H. 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.

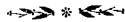
Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 190\_\_\_\_\_.

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:

*no damages to any one*  
To \_\_\_\_\_ the sum of \_\_\_\_\_  
To \_\_\_\_\_ the sum of \_\_\_\_\_  
To \_\_\_\_\_ the sum of \_\_\_\_\_

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

*John Larkin*  
*J. A. Carpenter*  
*J. A. McCalland*

No. 7 Sept. Sessions, 1903

ORDER

To view *the Vacate* a  
road for *Public* use in the  
township of *Northwood*  
Clearfield County

*Sept* Sessions, 1903,  
read and confirmed *Ni. 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  
*By the Court*

FILED  
FILED  
Fees \$5.25 paid by  
Grant H. Thompson.  
1903  
Chg. to *Wm. J. J. J. J.*