

February Sessions, 1904

COMMONWEALTH

VERSUS

Review of Public Road
in Woodward Twp.

See Report to Viewers to
No. 6 Sept. 22, 1903

Charge

X
B. D. Chase

WILLIAM L. SWOOPP,
DISTRICT ATTORNEY.

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

The petition of the undersigned, inhabitants of the Township of Woodward and vicinity in said County of Clearfield, would respectfully represent:

That by a proceeding had in said court to No. 6 September ss., 1903 the viewers have made report in vacating a certain public road wholly within Woodward Township, said county, leading from a point known as the cross roads near the John M. Chase ~~John~~ Homestead to a point near the Milton Hampton homestead on public road leading from Jeffries post office to Faunce; that if said report is confirmed it will be very injurious to your petitioners and the public as there are many residents along the route of said road who will have no public road by which they can travel to and from their properties.

Your petitioners therefore pray your Honor to appoint suitable persons to review the said road and parts adjacent, and make report to the court, according to law; and they will ever pray. &c.

NAMES.

J M Chase

J W. Faunce

J A Chase

John Smith

Wesford Bratton

Alfred le Ratt

Thomas Bowman

J W. McMillan

NAMES.

John Hampton

W. H. Phillips

Geo. Eckels

D. J. Oline

John Kline

W. C. Boarder

Milton Hampton

James Kline

NO. 1 Feb. 33., 1904.

Rec'd Feb 12 1904

Petition for Review of
of Public road in Wood-
ward Township.

See report of Viewers to
No. 6 Sept. 25., 1903.

Now December 7th 1903
The petitioners
and contestants
thereupon C B Clark
and S J Thompson
are appointed to review
the road proposed to be
located and made
so far as necessary
and to return at next
Session.

Very truly yours
John H. Clark
Attorney at Law
Clearfield, Pa.

In Re-Vacation of Public Road : _____
in Woodward Township : No. _____

-- T E S T I M O N Y

H. H. Baughman being duly sworn says--

"I am a resident of Woodward Township and a tax payer in said Township.

That the road leading from Sanborn School House to the road near the bridge over Sanborn Run, is very necessary for numerous citizens living in my community.

That said road is protected from drifting in winter and is much shorter and with less grade than any other road which can be taken to reach the County Seat.

That the distance around on way to Clearfield is about two miles farther by taking course to West, and is steep and hilly, and in winter season is blocked with snow.

That the distance around on way to Clearfield is at least as far by taking course to East and is as bad in every way as the road to West.

That the road proposed to be vacated has a good grade and is inexpensive to maintain and keep in travelling condition.

That if this road is vacated, the families residing towards Clearfield will have no means of reaching the Sunday School and Church except by a long roundabout bad road, which is frequently drifted and impassible.

I consider the road proposed to be vacated is as necessary as any road in that region and can be maintained at very little expense.

The community is being developed and is now and will likely be in the near future in need of the present roads, and this one should be kept as it is not only for present convenience to citizens there, but for future benefit."

H. H. Baughman

Sworn and subscribed before me
this 25th day of July, A.D. 1904.

John H. Baughman
Notary Public
Pottawatomie

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 7 day of Dec., 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

by a proceeding had in said Court to the 6 Sept. 1903, the viewers have made report in vacating a certain public road wholly within Woodward Twp. said County, 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 post office to France, that if said report is confirmed it will be very injurious to your petitioners and the public as there are many residents along the route of said road who will have no public road by which they can travel to and from their premises

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 C. B. Alexander, J. D. Burgess and James Savage 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 ~~Find 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.

Frank A. 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

Road Viewers' Notice!

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to review to vacate Public Road leading from a point known as the Chase Cross Roads

in Woodward Township, to a point near the Milton Hampton Homestead on Public Road leading from Jeffries Post Office to Franklin

in Woodward Township, in the county aforesaid, will meet at the ~~house of Chase~~ Homestead, in Woodward Township, on Friday, the 22 day of ~~Jan.~~, A. D 1904, at 2 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

C. B. Alexander

S. L. Burge

James Savage

Viewers.

Jan. 15th.

, 1904.

^{1st} Postponed to Jan. 27th, 1904. - Same hour and place of meeting.

service accepted
Jan 15. 1902
Co Commission
By Notary
Ch

TO THE HONORABLE ALLISON O. SMITH, PRESIDENT JUDGE OF THE
COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

We the undersigned viewers appointed to review to vacate the public road herein mentioned, respectfully report that we gave good and lawful notice of said re-view to the County commissioners of Clearfield county, the Supervisors of Woodward Township and notices were posted all according to law. The date for said review being first set for Jan. 22nd 1904, and on account of the weather and the impassable condition of the public roads, not permitting travel, said review was postponed to Jan. 27th. 1904, due notice of said postponement being given to all parties concerned, a copy of notice for said review being herewith attached.

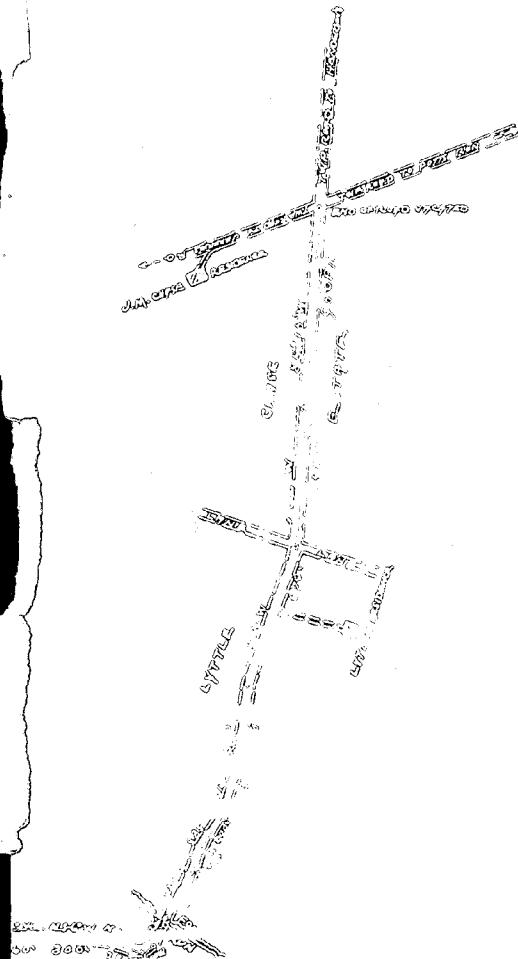
On the said 27th. day of Jan. 1904, your viewers met as appointed and being severally sworn or affirmed proceeded to review said road, same being shown on map herewith attached. And we would further respectfully report : That we find said road if vacated would wholly shut in from a public highway a number of property owners residing along said road, much to their detriment and inconvenience. We therefore recommend that this road be not vacated.

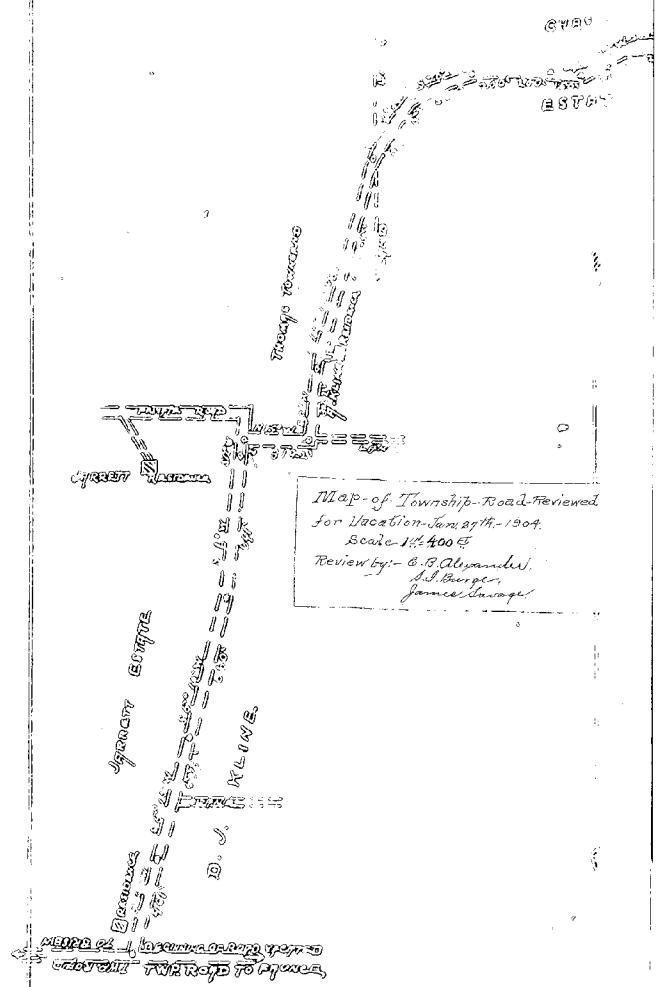
However your viewers have noted that parts of said road are in poor condition, and there are also on this road several hills of excessive grade. Your viewers would therefore respectfully suggest that said road might to the advantage of the travelling public be vacated and supplied in part at least with a better roadway, while still being a convenience to the present residents contiguous to said road.

WITNESS our hands this 29th day of January 1904.

VIEWERS.

{ C. B. Alexander
J. Viburg
James Savage





Now during 10. 1903 this being a Review of same
 road docketed to No 6. Sept. 1903 & no exceptions
 having been filed hereto or the Review as far
 as we purport to confirm absolutely the written
 report of a road of vacation - and at same
 time an report to No 6 Sept. 1903
 have sustained exceptions to said report
 & refused confirmation of the same in favor
 of vacation. So that the road which
 into the subject of controversy shall be
 and remain a public road as
 hereto form.

By the Clerk
 Allison D. Smith
 P. J.

No. 166 by Sessions, 1904

ORDER

To view & re-examine & affirm
 road for public use in the
 township of Woodward,
 Clearfield County.

Falls Sessions, 1904,
 read and confirmed No. 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.

Witnessed by

Falls Sessions, 1904

JAN 29 1904

Grant H. Thompson,
 10 Grant St. 1903
 "I do hereby
 absolutely, On the part
 of Michael Smith,
 Filed 1903

Fees \$1.25 paid by

B. H. to have a

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 dam-
 ages, taking into consideration the advantages as well as the
 disadvantages of the road, they will report to that effect.

AMOUNT.
 G. B. Alexander } Days 2 1/2 Miles 15 \$11.50
 S. C. Bangs } Days 1 1/2 Miles 15 3.50
 James Savage } Days 1 1/2 Miles 15 3.50
 } Days Miles
 } Miles