

No. 2 Sept Sessions, 1917

COMMONWEALTH

VERSUS

Public Road
in Woodward &
Begler Tracts

P. S. #5 - Page 381

CHARGE

Walter Welch,
District Attorney.

Turned down by Court

KNOW ALL MEN BY THESE PRESENTS, that we W. A. Gould
and Thomas V. Gould, of the Township of Woodward,
Clearfield County and State of Pennsylvania, are held and firmly
bound unto the Commonwealth of Pennsylvania, in the sum of One
Hundred (\$100.00) Dollars, lawful money of the United States of
America, to be paid to the said Commonwealth, her certain Attorneys
or assigns, to which payment well and truly to be made, we do bind
ourselves, our heirs, executors and administrators, firmly by these
presents.

Sealed with our seals and dated the 27th day of April,
A. D. 1917.

Whereas the said W. A. Gould has petitioned the Court
of Quarter Sessions of Clearfield County for the appointment of
Viewers to lay out a Public Road in Woodward and Bigler Townships:

Now the condition of this obligation is such that if the said
W. A. Gould shall pay all costs that may be imposed
upon him by the Court in case he should fail to obtain a Public
Road as petitioned for; then this obligation to be void, or else
to be and remain in full force and virtue.

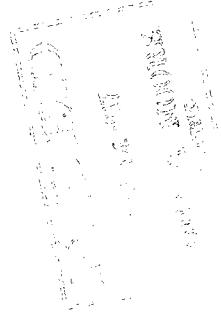
W. A. Gould (Seal)

Thomas V. Gould (Seal)

No-
In re Pullie Imp-
Road in Woodmont
Regis Township.

Bond-

Now this 14th day of Nov^r 1917
I have appeared
By the Court
Inglis Bell
at



William E. Egan

In the Court of Quarter Sessions of Clearfield County.

To Honorable Singleton Bell, President Judge of said Court:

The Petition of the undersigned citizens of Woodward and Bigler Townships, of the County of Clearfield, respectfully represent:

That they labor under great inconvenience for the want of a Public Road to lead from a point on the Township Road near the Township Tool-House of Woodward Township, near the residence of the late Thomas Henderson, to a point on the Public Township Road, leading from Madera to Colliery No. 18, at a point to intersect with said Township Road, at or near the Jacoba Mines. That there are living along the route of the proposed new road at least forty-one children of school age, who are compelled to use the railroad tracks as a highway in going to and from school. That there is in the neighborhood of thirty or more families, living in close proximity to the location of this new road, that have no outlet to a public road. That many of these buildings have been erected of recent date. That there are along the line of this proposed road the following coal operations; all doing a fair amount of business and employing a large number of miners and other employees; which would be benefited by a public road; to wit; Walker Brother's Company; The Jaffa Coal Mining Company, the Mascot Coal Mining Company and the Henry B. Swoope Coal operation.

Your Petitioners would therefore pray your Honorable Court to appoint Viewers to view and lay out the proposed road and make report to your Honorable court.

Signed

Residence

W. A. Gould
Jaffa Coal Mining Co.
E. J. Walker & Co.
Stanley C. M. Co.

Brislin
" "
" "
" "

Signed	Residence
John Lutz	Mader P.O.
Joe Materna	Mader P.O.
Piotr Materna	Mader P.O.
Garry Swistock	Boston P.O.
Harry Johnson	---
Steve Kuzna	Mader P.O.
Mike Lucas	---
John Ambrosch	---
George Piznick	---
Stanislaw J. Jankowski	---
Joseph Materna	Boston P.O.
Mr. Albert Johnson	Houtzdale R.F.D.
Mr. Gust Anderson	---
Wm Johnson	---
Fred Blid.	---
Frank Orwig	Mader
Wm. M. M.	Mader
Wm. Grunly m.	---
Joe Cooper	---
Joseph Shoff	---
A. C. Henkel	---
Amie Fitch	---
Adam Katch	---
Geo. L. L.	Houtzdale P.O. R.F.
Fred W. McKelka	Houtzdale R.F.D.

Signed

Residence

James Conner

Houtzdale RFD

James Lacey

Houtzdale RFD

John Lindsey

Houtzdale RFD

D. Geo. W. Wood

Houtzdale

Corn B. Wood

Houtzdale

40-

Filing for Good
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Woodward, and
Bigler Lowmeyer

From the 14th day of May 1917
A. R. Lowmeyer, Harry Rine
& Paul Strangle
are before the Court and
confess that the said
Carter O. Rine, O. Rine, is
not a citizen of the U.S.
By the Court
In witness whereof
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PATTERSON & PATTERSON,
ATTORNEYS AT LAW,
CLEARFIELD, PA.
KEYSTONE BLDG.

Baltimore Office Supply Co., Baltimore, Md.

Clearfield County, ss:

*At a Court of Quarter Sessions of the Peace, of the
County of Clearfield, held at Clearfield, Pa., in and
for said County, on the 14 day of
May in the year of our Lord
one thousand nine hundred seventeen.*

*Judge of the same Court: Upon the petition of
sundry inhabitants of the Township of
Woodward and Bigler
in said County, setting forth that*

they labor under great inconvenience for the want of a Public Road to lead from a point on the Township road near the Township Tool-house of Woodward Township, near the residence of the late Thomas Henderson to a point on the Public Township road leading from Madera to Colliery No. 18, at a point to intersect with said Township road, at or near the Jacoba Mines. That there are living along the route of the proposed new road at least forty one children of school age, who are compelled to use the railroad tracks as a highway in going to and from school. That there is in the neighborhood of thirty or more families, living in close proximity to the location of this new road, that have no outlet to a public road. That many of these buildings have been erected of recent date; that there are along the line of this proposed road the following coal operations; all doing a fair amount of business and employing a large number of miners and other employees; which would be benefited by a public road; to wit; Walker Brothers, Company; the Jaffa Coal Mining Company, the Mascot Coal Mining Company and the Henry B. Swoope Coal operation.

the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioner, as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit;) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft or plot aforesaid. In which said reports they shall state that they have been sworn or affirmed according to law, and that due and legal notice was given of the time when, and place where, they should meet, to view and lay out said road, and the time and place of hearing

By order of the Court.

John L. Moore, Clerk.

RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Townships of Woodward & Bigler and that 3 notices thereof were posted along the route of the proposed road, that the said view would be held on the 1st day of September, A. D. 1917, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 3rd day of September, 1917, at 10-30 o'clock A. M. That 3 viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view A. L. Edwards, Harry Reiss & James W. Spangh, viewers there was no one present in favor of the proposed road & those present opposed to the road were James Ruffner, Chas. Shoff, Suprs of Bigler Township, Chas. Anderson, Pat. H. Hunsinger & Ashland, Martin's Suprs of Woodward & Bigler Twp. R. M. Shoff & James W. Spangh, Suprs of Bigler Township, Cecil Shaver, Supr of Clearfield Township, and C. parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 3rd day of September A. D. 1917, when the following appearances were noted: the three viewers above named, James Ruffner, Chas. Shoff, Supr. of Bigler Twp., Chas. Anderson, Pat. H. Hunsinger & Ashland, Martin's Suprs of Woodward & Bigler Twp., R. M. Shoff of Bigler Twp., all opposed to the view, W. H. Patterson Esq. opposed for the petitioner & Jas. B. M. Gath Esq. for those opposed to the view

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not necessary for a Public road; And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for _____ use the following described road, to-wit: Beginning _____

No. 2 SEPT Sessions, 1917

ORDER

To view a
road for public use in the
township of Woodward & Bigler
Clearfield County

Session, 19
read and confirmed N. 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.

Report a quiet Road
Confirmed

By the Court
Wardlaw Bell

Patter on & Patterson
Filed 19

Fees \$1.25 paid by *Atty*
Dec 14 Confirmed absolutely
By the Court
Wardlaw Bell

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 the 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.

	DAYS	MILES	AM'T.
<i>Harry Rice</i>	2	116	1580
<i>Geo. W. Sample</i>	2	124	16.20
<i>J. D. Chas. S.</i>	3	68	18.40

Notes represent round trips

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

_____ at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed, and do hereby re-mise, 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. 191_____.



and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees, excepting _____



when it was not practicable to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from _____

the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows: _____

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 3rd day of September
A. D. 1917.

A. L. Edwards. 
H. A. Reese 
Geo W. Spangle 