

DOCKET No. 5

Number	Term	Year
12	Sept ss	1922

Petition to supply a road for  
public use in Woodward Twp

Versus

*R. S. #5 - Page 27*

*Part R. 670*

COURT OF QUARTER SESSIONS CLEARFIELD COUNTY, PENNSYLVANIA.

In re petition ~~to supply~~<sup>for</sup> a public road in  
Woodward Township.

To the Honorable Singleton Bell, President Judge of said Court:

Petition of the undersigned respectfully represents:

That your petitioners are residents of the Township of Woodward, County of Clearfield, State of Pennsylvania, and that the present Township road, passing near the village of Morann in said Township from railroad crossing at #5 to another crossing known as Mountz' Crossing, is of great inconvenience and little value to the residents of the village of Morann and the immediate vicinity, and

That there is a shorter and more convenient route now used by said citizens going on the north side of the railroad and parallel to the same from #5 crossing to Mountz' Crossing.

That it is the belief of the undersigned petitioners that it would be of great benefit if said road would be made a Township road, and that at the present time said road is kept and maintained by the residents of the village of Morann, but is used by the majority of the people traveling through said vicinity, and that if said road, were made a Township road it would not require the taking of any property.

That said proposed Township road should begin at a point on the Township road on the north side of the Moshannon Branch of the Tyrone and Clearfield Railroad at the crossing of said railroad known as Mountz' Crossing and proceed in an easterly direction parallel to said railroad to a point on the Township road opposite a crossing known as #5 Crossing.

A rough sketch of said neighborhood showing the Township road and the road referred to in the petition as the proposed new road is attached and made a part of this petition.

WHEREFORE your petitioners pray the Court to appoint qualified persons to view the premises and inquire into the expediency of making said road a public road and otherwise proceed as directed by Acts of Assembly in such cases made and provided.

*Rev. A. Houst* .....

County of Clearfield :  
: SS:  
State of Pennsylvania:

Before me came Rev. A. Houst who being duly sworn according to law deposes and says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

x *Rev. A. Houst* .....

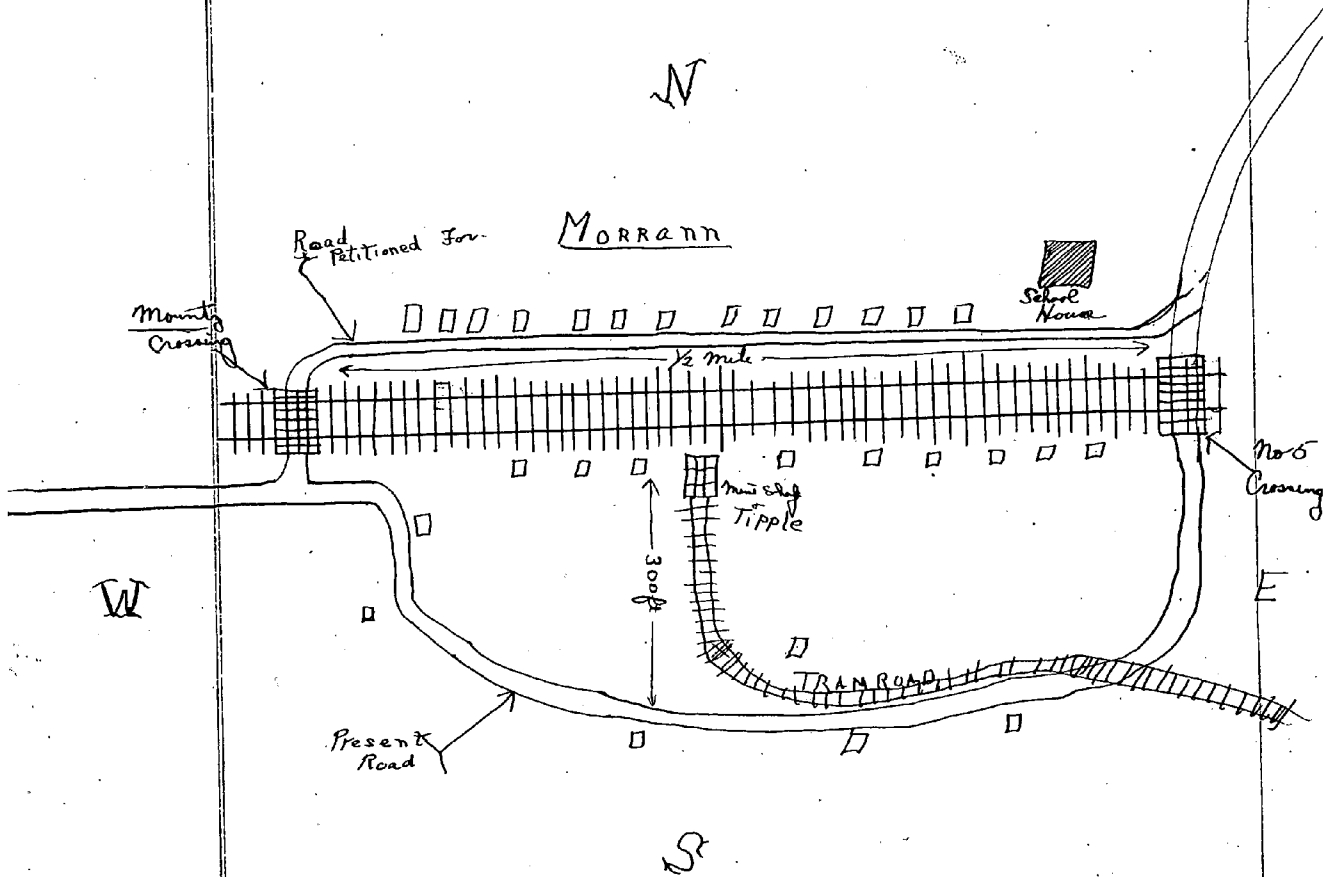
Sworn to and subscribed before me  
this 17<sup>th</sup> day of June A. D. 1922

*John P. ...*

NOTARY PUBLIC  
CLEARFIELD COUNTY, PA.  
JUN 17 1922

Joseph Switala  
Bab Sprung  
John Solensky  
John Bar Jar

name.
Chao Mura
Joseph Withorsky
ana Solinski
Robert Mura
Ed J Zelinsky
Stef J Sklar
Stene Sklar Jr
Michael Polasko
Georg Dwyda
John Kudrach
John Dziakon
Michael Stan Ko
Michael Bartosh
John Brillak
Edward J Barak
John Mura
Andrew Kosik
Frank Switala
Valentine Bartosh
M. J. Bartosh
Joe Solensky
John Switala



Being notice accepted 11th Nov. 1922 and to be made a  
 No. 30 on June 30, 1922. *James M. Wood*  
 for Woodward & Wood  
 Service accepted for County Commissioner  
 X. E. Thomas Clerk

COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNA. <u>12 Sept 10 1922</u>	In re petition to supply a public road in Woodward Township.	Road June 30, 1922 A. E. Edwards, Harry Reese E. and S. M. Spangle are opposed to proceed as directed by land order not to make road land in field. <i>James M. Wood</i> <i>Grigdon Beal</i> <i>1922</i>	FILED JUL 5 1922 CLERK REED BOUTON & FORSYTH ATTORNEYS AT LAW CLEARFIELD, PA. RUTH BROS., CLEARFIELD, PA.
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PUBLIC ROAD IN WOODWARD TOWNSHIP  
 CLEARFIELD COUNTY PA.  
 VIEWED AND LAID OUT AUG 31-1923  
 BY AL EDWARDS ESQ.  
 H. V. REESE  
 JAS. SPANGLE

SCALE 1"=200'

*Kindly accept service on back of each of these  
notices & return to me. A.L.E.*

# 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 supply a Public  
**Road leading from** a point on the Township road on the North side of  
the Moshannon Branch of the Tyrone and Clearfield Railroad at the crossing  
of said railroad known as Mountz's Crossing

**in** Woodward **Township to** a point on the Township road  
opposite a crossing known as #5 Crossing

**in** Woodward **Township, in the county aforesaid, will**  
**meet at the house of** At Mountz's Crossing,  
**in** Woodward **Township, on** Friday,  
**the** 31st **day of** August **A. D. 191** 23, **at** 10.30  
**o'clock** A. **M., to attend to the duty assigned them, of**  
**which time and place aforesaid all parties interested**

**will take notice.** And a hearing on said view will be held in the Arbitration  
Room of the Court House at Clearfield, Saturday September  
1st, 1923 at 11.00 o'clock A. M.

A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

**VIEWERS**

August 18th, **191** 23.



Now August 20th 1923 Service of the within  
notice is accepted for the Commissioners of Cheshire  
County

L. C. Harris  
Clerk.

## 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 5th day of July  
in the year of our Lord one thousand nine hundred  
twenty-two

Judge of the same Court: Upon the petition of sundry in-  
habitants of the Township of Woodward

in said County, setting forth that the present Twp. road  
passing near the village of Morann in said Twp, from RR crossing at #5 to  
another crossing known as Mountz' Crossing, is of great inconvenience and  
little value to the residents of the village of Morann and the immediate  
vicinity and that there is a shorter and more convenient route now used by  
said citizens going on the north side of the railroad and parallel to the  
same from #5 crossing to Mountz' Crossing. That said proposed Twp road should  
(begin at a point on the Twp road on the north side of the Moshannon Branch of  
the Tyrone and Clearfield Railroad at the crossing of said railroad known as  
Mountz' Crossing and proceed in an easterly direction parallel to said  
railroad to a point on the Twp road opposite a crossing known as #5 Crossing)

and therefore, praying the Court to appoint proper persons to view and lay out the road  
between the points mentioned, whereupon the Court upon due consideration had of the premises,  
do order and appoint from and among the County Board of Viewers: A. L. Edwards, Esq  
Harry Reese and J. W. Spangle

who have been duly appointed by the Court and filed their oaths of office and are duly quali-  
fied to perform the duties of their appointment with impartiality and according to the best of  
their judgement, are to view the ground proposed for the said road, and if they view  
the same, and a majority of 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.

Geo W Ralston, 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, be 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 Township of Woodward and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 31st day of August A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the first day of September, 1923, at 11 o'clock A. M. That three 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 Reese + James Spangle, viewers. Rev. Horst,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 1st day of September A. D. 1923, when the following appearances were noted: Cortey Bell Co. representing petitioners, A. L. Edwards, Harry Reese and James Spangle viewers and Rev. Horst,

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is \_\_\_\_\_ occasion for a road as desired by the petitioner, and that the same is \_\_\_\_\_ 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 Public use the following described road, to wit Beginning at a point on the Township Road on the North side of the Washington Branch of the Tyrone + Clearfield Railroad at the crossing of said railroad known as Mount's Crossing, thence N. 52° W. 109 feet, thence N. 36° 30' E. 894 feet, thence N. 48° E. 2047 to place of ending, on the Township Road leading from Hubert to Houtydale (see map herewith)

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 (none)

when it was not practical 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 all residents along proposed road (see signatures on back of this report)

the following persons having refused to release the damages to which they respectfully may be entitled by 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: none

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

WITNESS our hands and seals this first day of September  
A. D. 1923.

A. L. Edwards Seal

H. A. Reese Seal

James W. Shangle Seal

James W. Shangle Seal

No. 12 Sept Sessions, 1922

## ORDER

To view and supply a  
road for public use in the  
township of Woodward,  
Clearfield County

Sept Sessions, 1923,

read and confirmed Ni. Si. Road to be  
opened 33 feet wide, except where there  
is side hill cutting or embankment  
bridging, there to be 16 feet wide  
by Michigan Township

from August 11th 1923  
Covers of Viewers will be  
to September 1st 1923  
by the Court

Englewood

Dec. 23 1923 - Confirmed

absolutely by the Court

Englewood

Filed 19

Fees \$1.25 paid by

Boulton & Forsyth, Atty's.

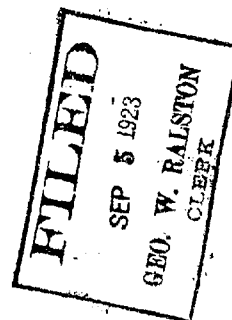
NOTE—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.



## 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 Supervisors of Woodward Twp.

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 Woodward Township, & Clearfield County

all damages that may arise to us respectfully 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 31st day of August  
A. D. 192 3

John Bonar John Dickerson Seal  
Joe Palinski Michael Bartosh Seal  
M. J. Bartosh John Blackrock Seal  
Anthony Wosinski Seal  
Andrew Kosik Michael Polaski  
John Mura 2 property Michael Polaski  
Joe Withorsky Mike Staphed  
Mike Bonar

IN THE COURT OF QUARTER SESSIONS, CLEARFIELD COUNTY, PENNSYLVANIA

KNOW ALL MEN BY THESE PRESENTS, that we, Rev. A. Houst,  
of Houtzdale Borough, principal, and *Michael Bartosh*  
and *John Dziekan* of the Borough of  
*Woodward Twp.* Clearfield County, Pennsylvania, are firmly  
bound by the Commonwealth of Pennsylvania in the penal sum of one  
hundred (\$100) dollars lawful money of the UNITED STATES for the  
payment well and true to be made. We do bind ourselves, our  
heirs, executors and administrators, jointly and severally, firm-  
ly by these presents. Sealed with our seals this *3<sup>rd</sup>* day of  
July A. D. 1922.

WHEREAS in the Court of Quarter Sessions of Clearfield  
County, Pennsylvania, a petition was presented for a public road  
in Woodward Township and an order awarding viewers for said road  
was made on Saturday, July 1st, 1922.

THE CONDITION OF THIS OBLIGATION IS SUCH that if said  
viewers appointed by the Court should deem the prayer for the  
petition for the road in Woodward Township should not be granted,  
then the above bounden Rev. A. Houst shall pay all costs legally  
incurred in said procedure, but if said viewers shall recommend  
granting of said prayer, then this obligation is to be null and  
void.

Signed and sealed in the  
presence of

*Michael Polasko*  
*John Kuchroch*  
.....

*Rev. A. Houst*  
*John Dziekan*  
*Michael Bartosh*

IN THE COURT OF QUARTER SESSIONS, CLEARFIELD CO., PA. <i>12 Sept 18 1943</i>	
In re Public Road in Moran, Woodward Township.	
B O N D	
<div><div>FILED</div><div>JUL 5 1943</div><div>W. R. RAISTON</div><div>CLERK</div></div> <div>REED, BOULTON &amp; FORSYTH ATTORNEYS AT LAW CLEARFIELD, PA.</div>	