

Road

DOCKET No. 6

Number Term Year

1 Sept ss 1929

Petition for public road in

Woodward Twp

Versus

R. J. S. - Page 222

P317 Twp. B1. 17577

TO THE HONORABLE A. R. CHASE,

PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS

IN AND FOR THE COUNTY OF CLEARFIELD:-

The petition of the undersigned inhabitants of the Township of Woodward and of the County of Clearfield respectfully represents:-

That your petitioners labor under inconveniences for want of a public road or highway to lead from a point in the Township Road leading to the Sanborn Church, cemetery and school-house, at the corner of the property of John Cornell, and thence running North 88 degrees 40 minutes West 1731 and 3/10 feet to a post; thence running North 5 degrees 45 minutes East 275 feet more or less and ending in the Township Road leading from Faunce to the lane of David Hallman.

Your petitioners therefore pray your Honorable Court to appoint a Board of Viewers to view and lay out the same in accordance with the Act of Assembly in such case made and provided:

And they will ever pray.

Geo Eckels
Clark Baughman

Ira. Davis.	Hantzdale R.D.
Carl Kline	Hantzdale R. D.
Curtis Wright	Hantzdale R. D.
Walter Garrett	Hantzdale R. D.
John Kline	Hantzdale R. D.
Wilber Merritt	Hantzdale R. D.
David Macdonor	Hantzdale R. D.
Floyd Garger	Hantzdale R. D.

KNOW ALL MEN BY THESE PRESENTS, that we, George Eckels,
and of Woodward Township, Clearfield County,
Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania
in the sum of Dollars, lawful money of the
United States, to be paid to the said Commonwealth of Pennsylvania or its
certain attorney or assigns; to which payment well and truly to be made we
do bind ourselves, our heirs, executors and administrators and every of them
firmly by these presents. Sealed with our seals and dated the
day of May, A. D. 1929.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas
the above bounden and others have petitioned the Court of Quarter Sessions
of Clearfield County for the opening and laying out of a public road in the
Village of Sanborn, Woodward Township, Clearfield County, Pennsylvania to
No. _____, May Sessions, 1929.

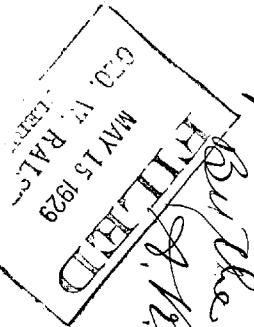
NOW THEREFORE, if the above bounden and other petitioners shall pay all costs incidental to said proceedings in the event of an adverse report on the part of the Board of Viewers, then this obligation to be void; otherwise to be and remain in full force and virtue.

✓ Gen. Sockels SEAL
X SEAL

1 Sept 22 1929

Dear May 13^{cc} = 1929,
John Collins Esq,
Harry Rose, Esq
Dense Vale and
affiliated members
to receive any
report.

But the Court
Mr T. J. McNamee
J. J.



TO: William Hagerty, P. J. Drain and John H. Rowles, Supervisors of
the Township of Woodward, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania,
to No. 1, September Sessions, 1929, to view and supply a public road or high-
way to lead from a point in the Township road leading to the Sanborn Church,
cemetery and School House, at the corner of the property of John Cornell,
and thence running North 88 degrees 40 minutes West 1731 and 3/10 feet to a
post; thence running North 5 degrees 45 minutes East 275 feet more or less
and ending in the Township road leading from Faunce to the lane of David
Hallman, in the Township of Woodward, in Clearfield County aforesaid, will
meet at the store of John Cornell in said Township of Woodward on Tuesday,
the 4th day of June, A. D. 1929 at 1:30 o'clock P. M., to attend to the
duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of
Assembly and Rules of Court to be held by the viewers before the filing of
their report in Court in order to give all parties interested in the said
road an opportunity to be heard will be held in the Arbitration Room in the
Court House in Clearfield on Friday, the 7th day of June, A. D. 1929 at ten
(10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at
which time and place all parties interested may attend and be heard.

John Hollins
Barry Reese
Jesse Dale
Viewers.

Dated, May 16th, 1929.

CLEARFIELD COUNTY, SS:-

Now, this 20th day of May, A. D. 1929, service of the
above Notice is hereby accepted for the Supervisors of Woodward Township.

W. H. Hagerty Pres.
P. J. Drain
John H. Rowles in Hospital
Supervisors

TO THE COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 1, September Sessions, 1929, to view and supply a public road or highway to lead from a point in the Township road leading to the Sanborn Church, cemetery and School House, at the corner of the property of John Cornell, and thence running North 88 degrees 40 minutes West 1731 and 3/10 feet to a post; thence running North 5 degrees 45 minutes East 275 feet more or less and ending in the Township road leading from Faunce to the lane of David Hallman, in the Township of Woodward, in Clearfield County, aforesaid, will meet at the store of John Cornell in said Township of Woodward on Tuesday, the 4th day of June, A. D. 1929 at 1:30 o'clock P. M., to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 7th day of June, A. D. 1929 at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Sellins
Harry Reese
Jesse Dale
Viewers.

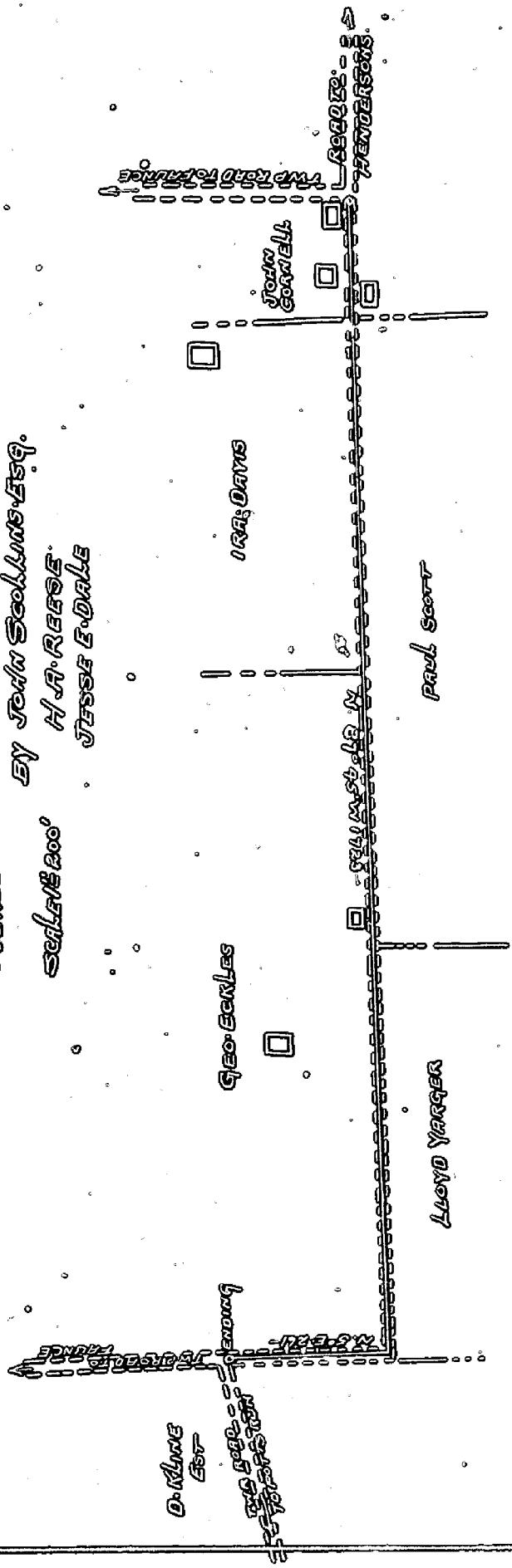
Dated, May 16th, 1929.

CLEARFIELD COUNTY, SS:-

Now, this 17th day of May, A. D. 1929, service of the above Notice is hereby accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk.

Public Roads in Woodburn Township
CLEARFIELD COUNTY PA
VIEWED AND Laid Out June 4-1839
BY John Scollins Esq.
scale 200'
A. A. REED
Jesse E. Drake



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 15th day of May in the year of our Lord one thousand nine hundred twenty nine

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Woodward in said County, setting forth that your petitioners labor under inconvenience for want of a public road or highway to lead from a point in the Township road leading to the Sanborn Church, cemetery and School house, at the corner of the property of John Cornell, and thence running North 88 degrees 40 minutes West 1731 and 3/10 feet to a post; thence running North 5 degrees 45 minutes East 275 feet more or less and ending in the Township road leading from Faunce to the lane of David Hallman.

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 John Scollins, Esq.

Harry Reese and Jesse Dale

who have been duly appointed by the Court and filed their oaths of office and are duly qualified 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 4th day of June A. D. 1929, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 7th day of June, 1929, at 10 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: George Eckels, David Hallman and Daniel Barto

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 7th day of June A. D. 1929, when the following appearances were noted: George Eckels and John M. Chase, both of whom were sworn, examined and cross-examined by your Board.

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 public use the following described road, to wit Beginning at a post at intersection of proposed road with public Township roads leading to Henderson's and to Faunce opposite corner of property of John Cornell, thence North 87 degrees 45 minutes West along properties of John Cornell, Ira Davis, Paul Stott, George Eckels and Lloyd Yarger 1723 feet to a post; thence North 5 degrees East along the aforesaid properties of George Eckels and Lloyd Yarger 261 feet to post and ending at intersection of public roads leading to Potts Run and to Faunce.

We further find that the aforesaid road has been in use for upwards of 60 years; as at present located is 21 feet in width and of sufficient width to accomodate public travel thereon; and that it is of uniform grade, easy of upkeep and constitutes the present Rural Mail Delivery Route accomodating eight or nine families living along and at the extremities thereof.

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 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 _____

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: No damages assessed, none being claimed unless further widened than 21 feet and abutting land taken,

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

WITNESS our hands and seals this 15th day of July
A. D. 1929.

 John Scudder Seal
 L. A. Reece Seal
 Jessie Odale Seal
 Jessie Odale Seal

No. 1 Sept Sessions, 19 29

ORDER

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

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

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

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	AMT.
H. A. Reese		3	108	\$22.90
Jesse Dale		2	72	\$18.60
John Scollins		3	72	\$26.10
Geo. Eckels		2	38	\$10.56
John M. Chase		1	1	\$3.12

now depth 88.1/525

By the Court
H. H. Holt

Black like SS-1829
Conformed closely
to the count
William
10/1

Filed -

Fees \$1.25 paid by -

No. attorney of record

FILED
JUL 29 1929
GEO. W. RALSTON
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 _____

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 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 _____ *day of* _____

Seal

IN THE COURT OF Common Pleas OF CLEARFIELD COUNTY,

In Re: View Public Road
in Howard Township

Of September Term, 1929

No. 1

—Versus—

Bill of Costs

At Term, 19

			Dollars	Cents
<u>George Eckels</u>	<u>2</u>	Days in attendance	<u>38</u>	<u>56</u>
<u>John M. Chase</u>	<u>1</u>	Days in attendance	<u>1</u>	<u>3</u>
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Days in attendance		
		Serving subpoenas		
		Miles distance		
Whole amount of bill			<u>13</u>	<u>68</u>

CLEARFIELD COUNTY, SS:

Personally appeared before me Geo Eckels, who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material and in attendance as above stated, and that the mileage is correct as he believes.

Sworn to and subscribed before me this

7th day of June, A. D. 1929

Geo W. Palley, Prothonotary

Geo Eckels

No. 1 - Sept. Term, 19⁰⁹

In re: New Public Road
in Howard County

Versus.

Witnesses Bill of Costs

For _____ Term, 19 _____

Date _____ 19 _____

Amount — — — \$ 13.68