

ROAD
DOCKET No. 7

Number	Term	Year
3	Sept. SS	1944

WOODWARD TOWNSHIP--Petition to View
and Lay Out Public Road

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD
COUNTY, PENNSYLVANIA.

In re: Public Roads in the) No. 3 ^{Sept} May Sess., 1944.
Township of Woodward.)

To the Honorable F. Cortez Bell,

President Judge of said Court:

The petition of the undersigned, inhabitants of the
Township of Woodward, in said County of Clearfield, respectfully
represents:

1. That your petitioners labor under great inconveniences
for want of a public road or highway, leading from opposite the
residence of Margaret Gray situate along State Highway Route #53
in West Houtzdale, to the Primitive Methodist Church, and thence
via a dedicated but unrecorded public street in the village of
West Houtzdale, ending in a proposed public road leading from
the Woodward Township High School in the village of West Moshannon
aforesaid, in said Township, approximately 3/10ths of a mile in
length.

2. That the present existing street traveled in going
to and from the improved roads to the said P. M. Church and Sunday
School become muddy and impassable in wintry and inclement weather;
and distances to be traveled by the people congregating at said
Church are too great and impose too much of a burden on the Congre-
gation, and the children attending the Sunday school.

Wherefore, your petitioners pray your Honorable Court to
appoint a Board of Viewers, to view and lay out a public road to
said Church, according to law.

And they will ever pray.

George Dahlke
Mrs. Mary Jane Crags
Mrs. Clara Fowler.
Mrs. Adora Fowler.
Mrs. Oscar Mitchell
O.C. Mitchell
Mrs. G.W. Odell.

George Odell
Howard J. Crags
Esther Crags
Annie Calvert
Ruth Thomas.
Edward Thomas
Marie Thomas

Jacob Grove
Howard Hunt

Berlale Hunt

Mary Hunt

Rev. Richard Seymour

Mrs. Elizabeth Seymour

Mrs. H. B. Newling

E. D. Newling

Eleanor Long

Amelia Crags

Tillie Archibald

William Archibald

Frank Swidersky

Blanche Swidersky

Mildred Allsopp

Catherine Sinclair

Charles Allsopp

J. H. Tetzlaff

Charles E. Vogel
Geo. A. Kershaw
Alice Wagner.
William B. Vogel
Grace Samuels
Daniel Samuels
John J. Wagner
Bertha Wagner
Laura Lore
Wm. R. Lore
Mrs. Carl Broberg
R.W. Rounslay.

STATE OF PENNSYLVANIA)
: SS.
COUNTY OF CLEARFIELD)

J. Edward Tompkins, petitioner within
named, being duly sworn according to law, deposes and says
that the facts set forth in the foregoing petition are true
and correct.

And further saith not.

J. Edward Tompkins
Sworn and subscribed to before me this 10th day of
June, A.D. 1944.

February, A.D. 1944.

K. L. Scallion
NOTARY PUBLIC
My Commission Expires March 9, 1947

AND NOW, this 10th day of June 1944,
the undersigned, Supervisors of Woodward Township, acknowledge
receipt of notice of the within application to the Court of Quar-
ter Sessions of Clearfield County, for the proposed view, laying
out, opening and construction of a new road for public use in
said Township.

Leo J. Slogaskie
William J. Poole
Edward Tompkins

ORDER.

AND NOW, this 12 day of June 1944, upon
due consideration of the within petition, the Court appoints
R. B. Shaw, Edward Poole and Harry Ruer
as a Board of Viewers, to view the premises proposed for the said road,
and make report thereof at the next Court of Quarter Sessions, as pro-
vided by Act of Assembly, and the Rules of Court, in such case.

BY THE COURT

John Bell

P. J.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY PENNSYLVANIA. No. 3 <u>Sept</u> <u>1944</u> .	In re: Public Roads in the Township of Woodward. (P.M. Church Rd.)	PETITION.		JOHN SCOLLINS ATTORNEY AT LAW HOUTZDALE, PA. <small>The Tuttle Law Print. Publishers. Rutland, Vt.</small>
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2. 50

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 12th day of June in the year of our Lord one thousand nine hundred and Forty-four

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Woodward

in said County, setting forth that they labor under great inconveniences for want of a public road or highway, leading from opposite the residence of Margaret Gray situate along State Highway Route #53 in West Houtzdale, to the Primitive Methodist Church, and thence via a dedicated but unrecorded public street in the village of West Houtzdale, ending in a proposed public road leading from the Woodward Township High School in the village of West Moshannon aforesaid, in said Township, approximately 3/10ths of a mile in length.

The present existing street traveled in going to and from the improved roads to the said P. M. Church and Sunday School become muddy and impassable in wintry and inclement weather; and distances to be traveled by the people congregating at said Church are too great and impose too much of a burden on the Congregation. 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. B. Shaw,

Edward Pooler and Harry Reese

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. F. Cortez Bell, P. J.

J. Harold McGadden, 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 Grand Jury 5th day of July A. D. 1924, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 7th day of July 1924, at 10:30 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 William Pooler and J. Edward Tompkins, supervisors of the Road District of the Township of Woodward, also R. W. Roundsley one of the Petitioners.

Grand Jury
parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 7th day of July A. D. 1924, when the following appearances were noted: John Scollins, Esquire, Attorney for the Petitioners Percy Shugar, Edward Lloyd, Fritz Dahlin, R. W. Roundsley and William Pooler one of the Supervisors of Woodward Township.

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 point on State highway Route # 53 at or near the residence of Margaret Gray in the Village of West Houtzdale, Clearfield County, Pennsylvania; thence extending over a dedicated but unrecorded public Street, part of the premises of the Primitive Methodist Church, South 7 degrees West Eleven hundred Seventy-one (1171) feet to an post where said street, a newly proposed Road intersects with a newly proposed Road extending from the John Higgins residence in the village of West Houtzdale then via the Woodward Township High School and ending on Township Road Route # 652 leading from the village of West Moshahhon to "X" Keys in said Township of Woodward, Clearfield County, Pennsylvania.

The newly proposed Road is laid out over a dedicated public Street in the village or West Houtzdale, said street having a width of approximately forty (40) feet, parts of which are fenced in by the abutting property owners and for many number of years the individual property owners and church served by said Road or Street, only a part of which is now opened, have maintained and kept the same in repair to the best of their ability,

That during the greater part of the year said Street or newly proposed Road is impassable due to lack of grading and proper drainage and as the same serves 87 families attending the Primitive Methodist Church and Sunday School, alone, and is necessary for the convenience of the traveling public, it should be taken over and maintained at public expense.

That taking over said Street as part of the Road System of the Road District of the Township of Woodward is agreeable to the Supervisors of Woodward Township, and according to the great number of petitioners requesting the same, the newly proposed Road appears to be necessary for the accommodation of the traveling pub-

lic, as well as, for the convenience of those families living along the same, and in view of these facts your Board recommends that the same be taken over by the Supervisors of the Township of Woodward and maintained as a Public Road. ! ! !

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 hereby report that they have worked the property for the benefit of the land which they hold in common and release the owner of all claims to damages that may arise from any such damages.

The following persons having refused to release the damages to which they are entitled have been excluded by reason of the location and a paring of the said road, the under-signed have, after having considered the advantages to be derived to them by assessing the damages and by the reasons that follow:

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

WITNESS our hands and seals this 25th day of July
A. D. 1924.

~~H. P. Ham~~ Seal
K. A. Reese Seal
E. T. Cooley Seal
Seal

ORDER

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

May 29 1944

Sessions, 1944

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.

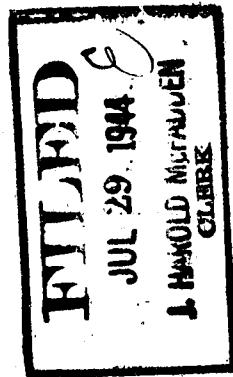
	DAY	MILES	AM'T.
A. B. Shaw	1	10.00	
H. A. Reese	1	10.00	

read and confirmed Ni. Si. Road to be opened 33 feet wide, except where there

is side hill cutting or embankment and bridging, there to be 16 feet wide.

John Shaw
One hundred dollars
confirmed above
for the road to go

19
Fees \$1.25 paid by
John Scollins, Attorney



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
A. D. 192

Seal

Seal

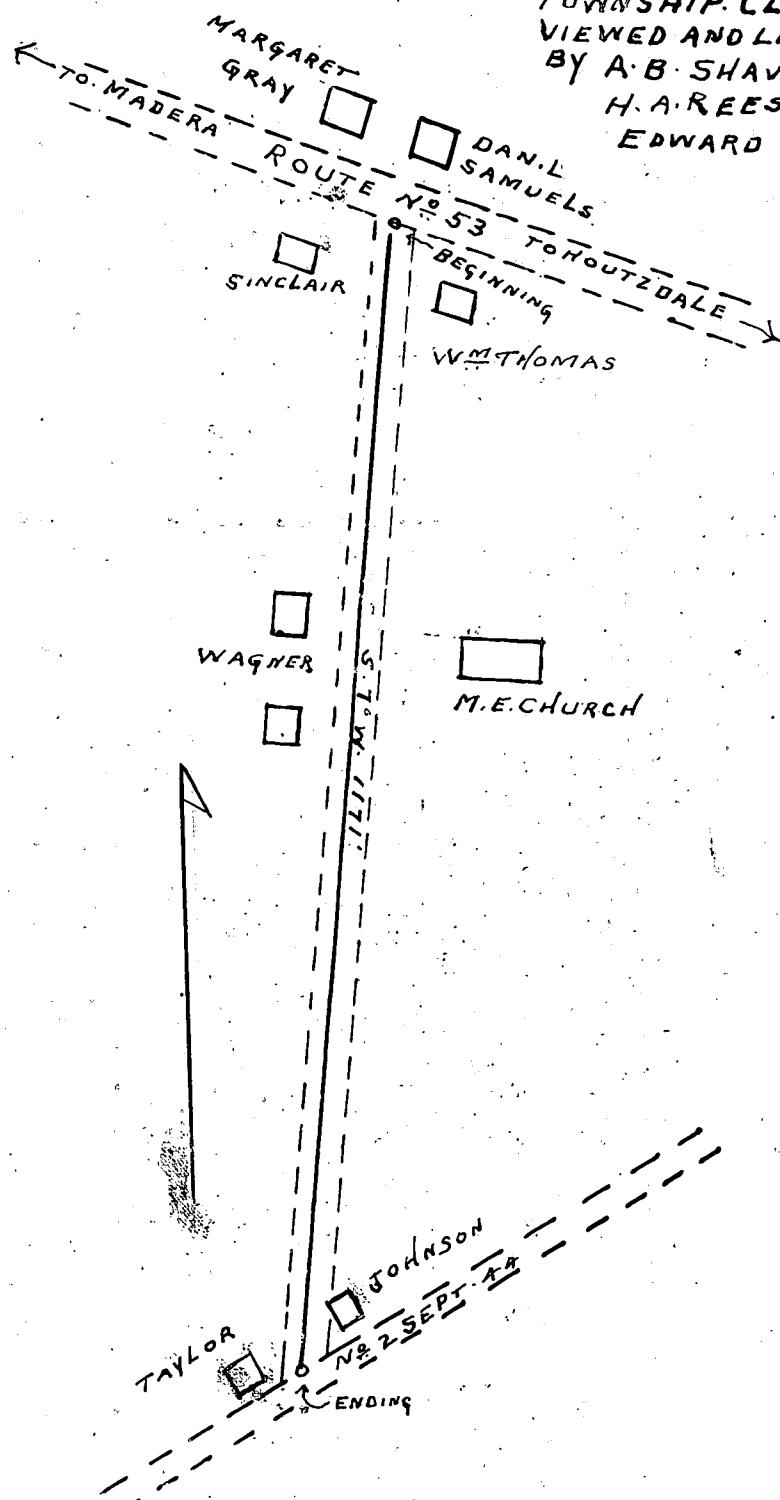
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Seal

No. 3 SEPT 1944

PUBLIC ROAD IN WOODWARD
TOWNSHIP, CLEARFIELD CO., PA
VIEWED AND LAID OUT JULY 5-1944
BY A.B. SHAW ESQ.

H. A. REESE SCALE 1"=200'
EDWARD POOLER



TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

NOTICE OF VIEWS

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County on the 12th day of June A. D. 1944 to lay out and establish a road, in Woodward Township, Clearfield County, Pennsylvania, beginning at a point on State Highway Route # 53 at the residence of Margaret Gray in West Houtzdale, thence to the Primitive Methodist Church, and thence via a dedicated but unrecorded public street in the village of West Houtzdale, and ending at a proposed public road leading from the High School Woodward Township in the village of West Moshannon aforesaid in said township of Woodward, the same being approximately three tenths of a mile in length, will meet on the premises on Wednesday the 5th day of July A. D., 1944 at 11:00 o'clock A. M. to attend the duties assigned them and that the public hearing required by act of Assembly and Rules of Court to be held by the Viewer's before the filing of their report in Court, in order to give all parties interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, on Friday the 7th day of July, A. D. 1944 at 10:30 o'clock A. M. at which time and place all persons interested in said road may attend and be heard, if they so desire.

A. B. Shaw

M. A. Reese

Edward Pooler

Now, June 26 1944, service of the above notice is hereby acknowledged by copy.

J. A. Lubehart
Clerk

TO THE SUPERVISORS OF THE WOODWARD TOWNSHIP ROAD DISTRICT.

NOTICE OF VIEWS

You are hereby notified that the undersigned Viewer's appointed by the Court of Quarter Sessions of Clearfield County on the 12th day of June A. D. 1944 to lay out and establish a road, in Woodward Township, Clearfield County, Pennsylvania, beginning at a point on State Highway Route # 53 at the residence of Margaret Gray in West Moutzdale, thence to the Primitive Methodist Church, and thence via a dedicated but unrecorded public street in the village of West Moutzdale, and ending at a proposed public road leading from the High School Woodward Township in the village of West Moshannon aforesaid in said township of Woodward, the same being approximately three tenths of a mile in length, will meet on the premises on Wednesday the 5th day of July A. D., 1944 at 11:00 o'clock A. M. to attend the duties assigned them and that the public hearing required by act of Assembly and Rules of Court to be held by the Viewer's before the filing of their report in Court, in order to give all parties interested in said road an opportunity to be heard, will be held in the Grand Jury Room in the Court house at Clearfield, on Friday the 7th day of July, A. D. 1944 at 10:30 o'clock A. M. at which time and place all persons interested in said road may attend and be heard, if they so desire.

A. B. Shaw

H. A. Reese

Edward Pooler

Now June 24 1944, service of the above notice is hereby acknowledged by copy.

J. Edward Tompkins
Secretary

Road Viewers' Notice

xx ship in tax
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A. B. Shaw

.....
H. A. Reese

Edward Pooler

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VIEWERS

June 20, 1944.