

ROAD
DOCKET No. 7

Number	Term	Year
2	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. *Sept*
Township of Woodward.) *May* Sess., 1944.

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 the residence of John Higgins situate along State Highway Route #53, in West Houtzdale, to the Woodward Township High School, and thence via a dedicated public street in the village of West Moshannon, ending in the public road leading from the village of West Moshannon aforesaid to "X-Keys, in said Township, approximately 5/10ths of a mile in length.

2. That the present existing roads and paths traversed in going to and from the improved roads to the said High School are unkept, muddy and impassable in winter and inclement weather; and dangerous for public travel by the children on foot, and motor vehicle travel.

Wherefore, your petitioners pray your Honorable Court to appoint a board of Viewers to view and lay out the same, according to law.

AND THEY WILL EVER PRAY.

G. Herman Thrush	Houtzdale
Paul A. Pella	"
Charles W. Alsopp	"
Charles E. Vogle	"
Alice Wagner	"
Margaret Petrusky	"
Grace M. Kenzie	"
Anne Hutchinson	"
Eue Hutchinson	"
Mary Tompkins	"
Robert L. L. L.	"
Mary Louise Stolz	"
Gen. A. Henshaw	
Allen R. Steele	
Rodger E. Longan	
Mrs. James Caskel	
James Mulson	
Francis Mulson	
Charles Mahrtz	
Clayton Broberg	
R. W. Roundly	
Mrs. Carl Broberg	
Mrs. William Sinclair	
William Sinclair Sr.	
William Sinclair Jr.	
Dorothy Anderson	
Mrs. Robert H. Sinclair	
John Taylor	
Robert H. Sinclair	

John R. Graffius	Houtzdale
Mrs. Graffius	Houtzdale
Carl Wagner	Houtzdale
Harold Taylor	Houtzdale
James McDermott	"
Mrs. Diana Taylor	"
Mrs. Mary Grace	"
Mrs. James McDermott	"
Mrs. Thorval Johnson	"
Mr. Thorval Johnson	"
Carl W. Broberg	"

STATE OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) : SS.

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.

June
February, A.D. 1944.

Sworn and subscribed to before me this 10th day of

K. L. Collins

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 Magasbie
William D. Cooler
J. Edward Tompkins

ORDER.

AND NOW, this 12 day of June 1944, upon
due consideration of the within petition, the Court appoints
A. B. Shan, Edward Cooler and Harry Rees
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 provided by Act of Assembly, and the Rules of Court, in such
case made.

BY THE COURT P. J. Sullivan

B.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY PENNSYLVANIA. No. 2 Sept. Sess., 1944.	In re: Public Road in the Township of Woodward. (High School Rd.)	PETITION	<div>FILED JUN 12 1944 HAROLD McFAUDEN CLERK</div>	JOHN SCOLLINS ATTORNEY AT LAW HOUTZDALE, PA.	The Tuttle Law Print. Publishers, Rutland, Vt.
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250

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 petitioners labor under great inconveniences for want of a public road or highway, leading from the residence of John Higgins situate along State Highway Route #53, in West Houtzdale, to the Woodward Township High School, and thence via a dedicated public street in the village of West Moshannon, ending in the public road leading from the village of West Moshannon aforesaid to "X-Keys, in said Township, approximately 5/10th of a mile in length.

That the present existing roads and paths traversed in going to and from the improved roads to the said High School are unkept, muddy and impassable in winter and inclement weather; and dangerous for public travel by the children on foot, and motor vehicle travel, 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 McFadden, 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 5th day of July

A. D. 1924, and the hearing to be held in the ^{Grand Jury} ~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the 7th day of July, 1924, at 10:30 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.

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,
Percey Shuger, 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 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 State Highway Route # 53 at or near the residence of John

Higgins in the village of West Houtzdale, Clearfield County, Pennsylvania; thence

along a Road leading to the Woodward Township High School, South 8 degrees West

Three Hundred Sixty Nine Feet (369) to a stake; thence around the Woodward Township

High School, over a hard surfaced road South 23 degrees East Two Hundred (200) feet

to a stake; thence South 33 degrees West, One Hundred Forty One (141) feet to a stake

thence North 86 degrees West One Hundred Fifty-Seven (157) feet to a stake; thence

along a dedicated Road ~~South of~~ the Village of West Moshannon South 62 degrees 30

minutes West, One Thousand feet (1000) to a point where said street or newly proposed

Road intersects with Township Road Route # 652 in said Township of Woodward Clearfield

County, Pennsylvania.

The proposed Road is laid out over a ~~Road~~ undicated Street now serving as excess to and from the Woodward Township High and Grade School

Buildings, and not heretofore accepted as a part of the general road system of the

Road District of the Township of Woodward, which said dedicated Street and Road

leading to the Woodward Township High and Grade School grounds are in the opinion

of your undersigned Board of Viewers, necessary for the convenience of the traveling

public and should be taken over and maintained at public expense.

That approximately 700 pupils attend the Woodward Township

High and Grade Schools both of which are located on the same sight and the present

Street and/or Roads leading to said School sight become impassible by School Buses

and Cars during parts of the School Term, due to lack of grading and improper drainage

and as said Street and/or Road leading to the Woodward Township Schools, aforesaid

are necessary for the convenience of the Pupils attending said schools as well as

for the traveling public, the same should be taken over and maintained at Public expense.

That the taking over of said dedicated Street and/or Road now leading to the Woodward Township High and Grade Schools Grounds, as a part of the general Road system of the Road District of the Township of Woodward, is agree^{able} 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 convenience of the pupils attending said schools, as well as, for the accommodations and convenience of the traveling public, and your undersigned Board of Viewers recommend that said Street and/or Roads now leading to the Woodward Township High and Graded Schools, be taken over by the Supervisors of the Woodward Township Road District 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.

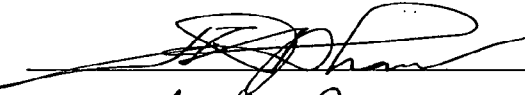
~~That your undersigned further report that they have agreed to procure from all the owners of the land on which the said road crosses releases in writing of all claims to damages that may arise from opening the same, and that they have procured such releases from~~

~~the following persons having refused to release the damages to which they are entitled by reason of the location and opening of the said road, the undersigned view-ers, 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 attached and~~ copy of the notices.

WITNESS our hands and seals this 25th day of July

A. D. 1924

 Seal
J. H. Reece Seal
E. T. Pooler Seal
Seal

No. 2 Sept. Sessions, 19 44

ORDER

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

Mar 19 1945 1944

1944 Sessions, 1944

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.

Dec 8, 1944
Confirmed absolutely
Thyself

Filed 19

Fees \$1.25 paid by

John Scollins, Attorney

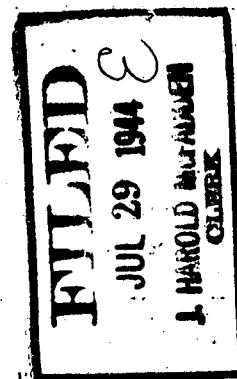
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.
A. B. Shaw	1		10.00
H. A. Reese	1		10.00



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.

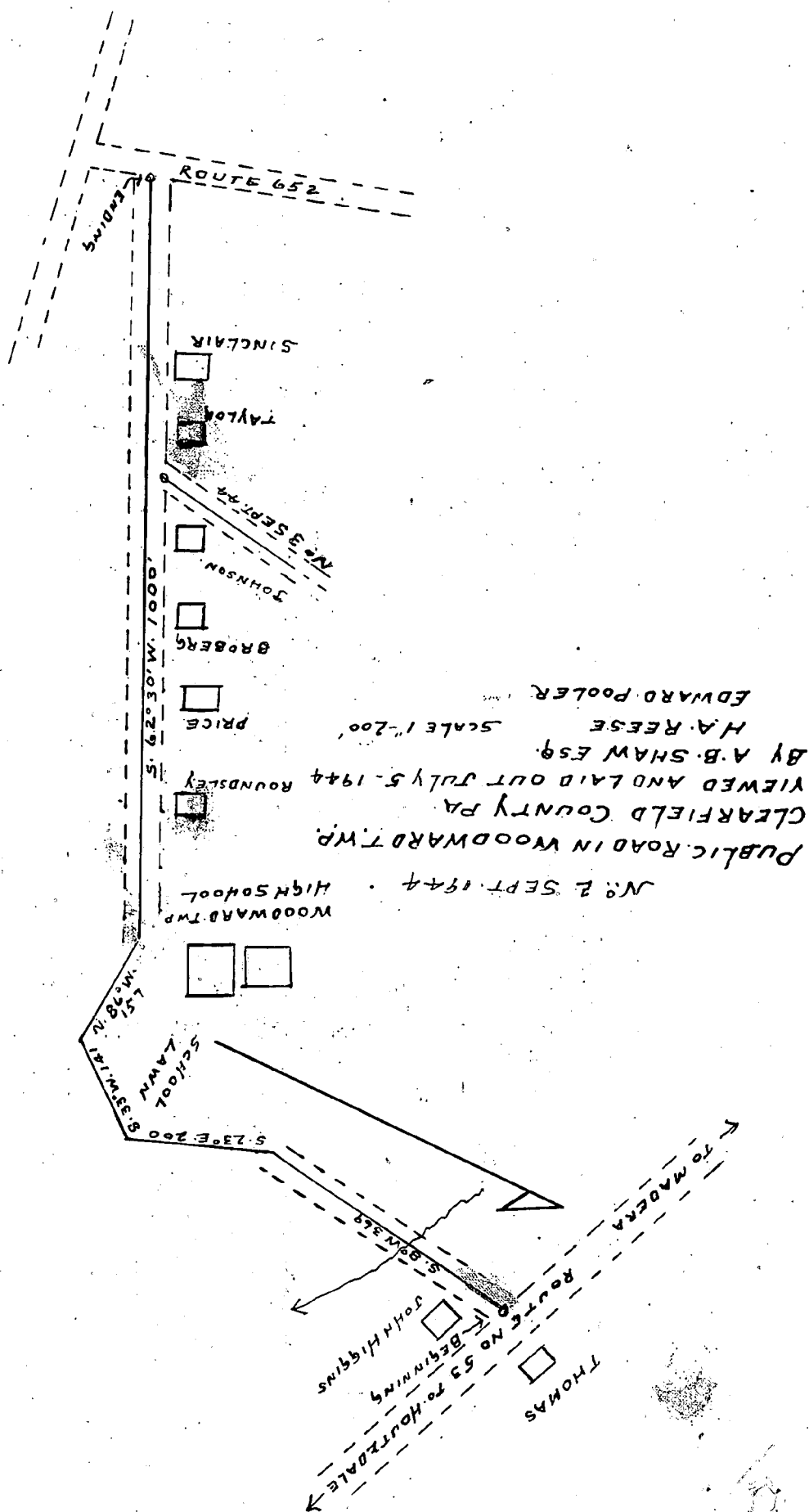
Witness our hands and seals this _____ day of _____
A. D. 192 _____

Seal

Seal

Seal

Seal



TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

NOTICE OF VIEWS

You are hereby notified that the undersigned Viewers 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 residence of John Higgins in West Houtzdale, thence to the Woodward Township High School and thence via a dedicated public street of West Moshannon, and ending at the public road leading from the village of West Moshannon to "X-Keys in said Township of Woodward, the same being approximately five tenths of a mile in length, will meet on the premises on Wednesday the 5th day of July A. D. 1944, at 10:30 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 of 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 26 1944, service of the above notice is hereby acknowledged by copy.

G. A. Schubert
Clerk

TO THE SUPERVISORS OF THE WOODWARD TOWNSHIP ROAD DISTRICT

NOTICE OF VIEWS

You are hereby notified that the undersigned Viewer³⁴ 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 residence of John Higgins in West Moutzdale, thence to the Woodward Township High School and thence via a dedicated public street of West Moshannon, and ending at the public road leading from the village of West Moshannon to "X-Keys in said Township of Woodward, the same being approximately five tenths of a mile in length, will meet on the premises on Wednesday the 5th day of July A. D. 1944, at 10:30 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 of 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

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ^{and lay out} ~~a Road on~~ ~~assess~~ ~~damages~~ ~~leading from~~ beginning at a point on State Highway Route #53 at residence of John Higgins in West Houtzdale, thence to the Woodward Township High School and thence via a dedicated public street in West Moshannon, and ending at the public road leading from the village of West Moshannon to "X"-Keys in said Township of Woodward, the same being approximately five tenths of a mile in length;

~~in~~ ~~shipship to~~

~~in~~ ~~Township~~ in the County aforesaid, will

~~meet at the house of~~ ~~xxx on the premises~~

in Woodward Township Township, on Wednesday.

the 5th day of July, A. D. 1944, 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.That the Public Hearing as required by...

Act of Assembly and Rules of Court in order that all parties interested in said road might have 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 parties interested may attend and be heard, if they so desire.

A. B. Shaw,

M. A. Reese

Edward Pooler

VIEWERS.

June 20, 1944.