

No. 21 Sept Term, 188⁷⁹

Public Road

VERSUS
in

Woodward Corp

Contents:

R.D.

Belmont

as per original witness
report dated 10/1/80 stand.

Too Short to Locate

Nov 21 Sept 28 1879

Return to the old mill
and begin the work of
the mill -

Oct. 9. 1879. Return road
to the old mill, from the
road, & the old mill.
approach to the mill -

By the road
to the mill,

Filed 9 Oct 1879

Under the name of the mill, 13 days

1879

To the Hon. Judges of the Court of Common
Pleas of the County of Hancock, Comprising a Court
of Quarter Sessions of the Peace for said County.

The petition of the subscribers respectfully
sheweth; That they labour under great inconvenience
for the want of a public road or highway to lead from
the mouth of Alexander's run to Spadara Grist
Mill and from thence to intersect public road
at or near the Ash corner of the James Alexander
survey all in Woodward township, County aforesaid.
They therefore pray the court to appoint persons duly
qualified to view the ground proposed for said road and to
lay out the same according to law. And they will ever pray.

Wm. Luther
Robert Waring
W. T. Wright
H. H. Hill
James Corneley
Samuel Shoff
Samuel Whiteside
J. W. Smith

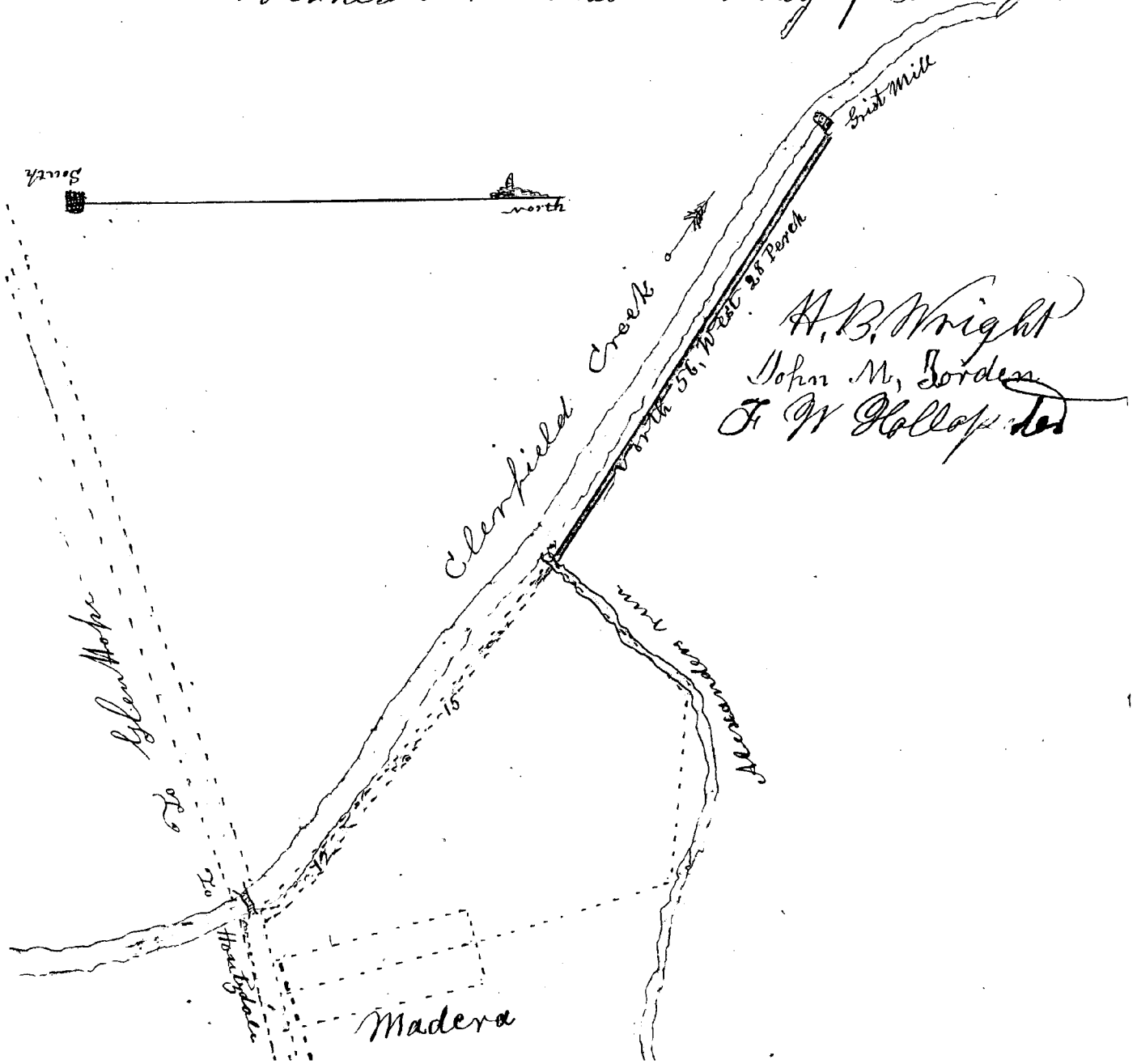
David Hegarty
John Kough
Reuben Straus
Austin & Kilian
Thomas Mathers
Thomas Henderson
S. W. Beck

H. H. Williams
J. W. Gill
James Hegarty
A. K. Shoff
B. Boworth
S. B. Dunlop
J. S. Wilson
Reuben Hegarty
John Beyer
W. B. Whiteside

agreeably to the desire of the petitioners as may be, having respect for the best ground for a road, and the shortest distance, in such 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, with reference to the improvements through which it may pass, to the next Court of Quarter Sessions to be held for said county. In which report they shall state that they have been sworn or affirmed according to law. By the Court.

Ol. Bloom
Clerk Quarter Sessions.

To the Honourable, The Judges Within Named
We the persons appointed by the Order of Court, to
view and lay out the Road therein Mentioned, having
first been duly sworn according to law, do report, that,
in pursuance of the Said Order, we have viewed,
laid out, and returned for public use the
following Road, to wit, Beginning at the Mouth
of Alexanders run, thence North fifty six degrees
west twenty eight perch, to the Grist Mill of
or at Madera; a draft whereof is herewith
annexed. - Notice having first been given according to law.
Witness our hands this 3 day of January 1880



~~James H. [unclear]~~
No 21 Sept 5 1879

March 21. 1880 Review
approved by the Court
p. 14. b

Conver to Louisiana Bay
and Justice Road in [unclear]
ward ship to [unclear] the
mouth of Mississippi River
to the [unclear] [unclear]

\$1.33 paid by [unclear] [unclear]
13th Dec 1879
Al. [unclear]
[unclear]

Filed 12th Jan 1880
Continued in 21 Road to be
opened 33 feet wide except
where there is cutting or [unclear]
then to be 16 feet wide
the 24th Jan 1880 [unclear]
[unclear]

Oct. 4. 1880 Continued at
Lulu City by the Court
p. 14. b
[unclear]

ROAD VIEWERS' REPORT.

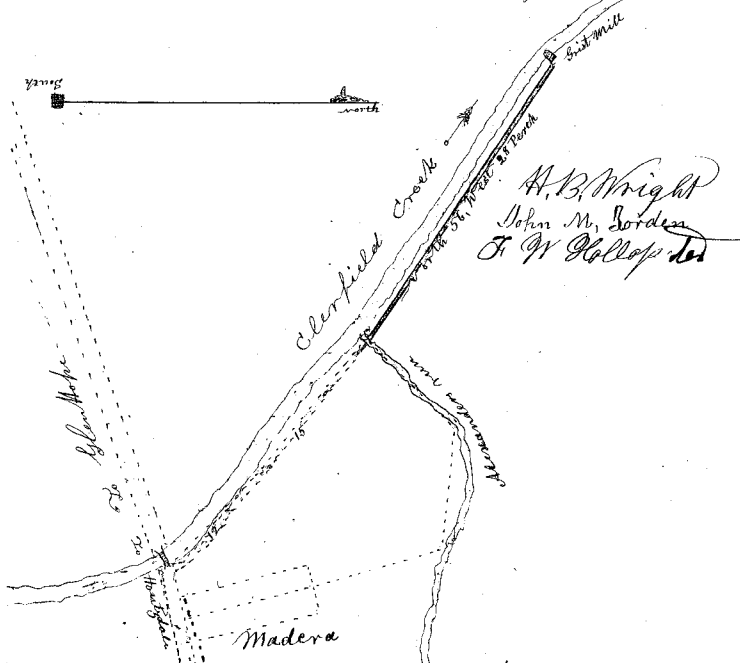
Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county Clearfield, held at Clearfield, in and for said county, on the 9th day of Oct. A. D. 1877, before the Judges of the said Court, upon the petition of sundry inhabitants of the township of Woodward, in said county, setting forth that they labor under great inconvenience for the want of a road or highway leading from the mouth of Alexander Run to the Madera Grist Mill.

And therefore praying the Court to appoint proper persons to view and lay out the same, according to law. Whereupon the Court, upon due consideration had of the premises, do order and appoint H. B. Wright, John M. Jordan and F. W. Hollop, who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the ground proposed for said road; and if any two of them agree that there is occasion for such road, they shall proceed to lay out the same, as agreeably to the desire of the petitioners as may be, having respect for the best ground for a road, and the shortest distance, in such 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 plan or draft thereof, and the courses and distances, with reference to the improvements through which it may pass, to the next Court of Quarter Sessions to be held for said county. In which report they shall state that they have been sworn or affirmed according to law. By the Court.

Cl. Bloom
Clerk Quarter Sessions.

To the Honourable, the Judges Within Named
We the persons appointed by the Order of Court, to view and lay out the Road therein mentioned, having first been duly sworn according to law, do report, that, in pursuance of the said Order, we have viewed, laid out, and returned for public use the following Road, to wit, Beginning at the Mouth of Alexander run, thence North fifty six degrees West twenty eight perches, to the Grist Mill of or at Madera; a draft whereof is herewith annexed. - Notes having first been given according to law.
Witness our hands this 3 day of January 1880



Clearfield County, Pa.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, ~~26~~ on the 26th day of March A. D. 1880, before Judges of said Court, upon a petition of sundry inhabitants of the Township of Woodward in said county, setting forth that a road hath lately been laid out by order of Court from the mouth of Alexander run to S Hagestys Flouring Mill parallel with and only some twenty feet ~~and~~ distant from the present Township road constructed about two years ago which said Road if confirmed by the Court) will be very injurious to your Petitioners and burthensome to the inhabitants of the Township aforesaid

and therefore praying the Court to appoint proper persons to ^{review} ~~view and lay out~~ the same according to law, And make report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint Peter Cameron Jas A Moore & John Lytle who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to ^{review} ~~view~~ the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do least injury to private property, and state particularly whether they judge the same necessary for a public or private road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose lands said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for the said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated lands through which the within road is intended to pass, of the time of the view, according to the 147th rule of Court.

BY THE COURT,

Eli. Blosser
Clerk.
Peraun

RELEASE OF DAMAGES.

KNOW ALL MEN BY THESE PRESENTS : That we, the undersigned, owners of the 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 the _____ at and before the en sealing and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease 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. 188 .



ASSESSMENT OF DAMAGES.

The following named persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned, viewers, under oath in pursuance of our duty, under the Act of Assembly do assess their damages and make report thereof, as follows :

To _____ the sum of _____

To _____ the sum of _____

To _____ the sum of _____

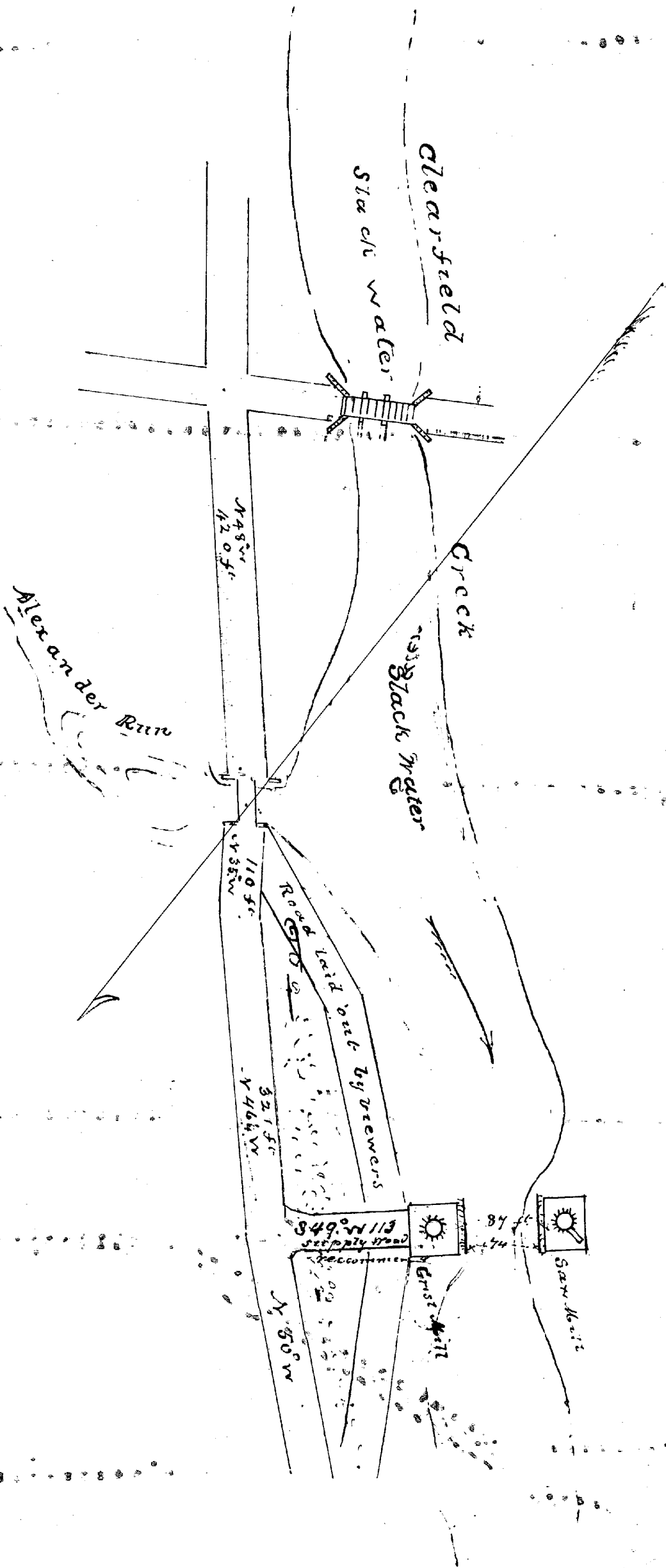
Witness our hands this _____ day of _____ A. D. 188 .

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 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.



Oct. 4, 1880 Excep-
tion sustained and
Report set aside.
By the Court
J. No. 5

No. 7 Mar Session, 1880

ORDER

To review and lay out a Road

For Public Use in the township

Of Woodward Clearfield county.

Report Confirmed by the Court
June 1880 Road to be
opened 33 feet wide except
where there is cutting or
bridging then to be 66 feet
By the Court

Filed June 1880

FEE \$1²⁵ Paid by J. A. B. 30.2

REPUBLICAN PRINT.

And now, 9th July 1880. Exceptions filed to the within and attached report for the following reasons. viz.

1st Because the Reviewers exceeded their authority the Order of the Court not authorizing to Reviewers to supply by any new route but only to review and lay out a road for public use.

2nd Because the order of the Court is an order to review lay out a road not to review any road previously laid out. —

3rd Because the Reviewers report a new road with different points of beginning and different point of terminus from the road laid out by previous report. —

4th Because of other irregularities & errors apparent on report — viz that no notice was given of the time for review &c.

Muller & Thebes
or Captants.

Ms. June. 9. 1880

Report of Revenue
to record and supply
the Road leading from the
Point near Washington
to the St. Mary's station
in the Washington Gap

Dec 27 June 1880

Paterson

1/10/1888

Revised Price

Peter Cameron 2 days 5 1/2 miles 18.00
5 miles 50

John Lytle 2 days 5 1/2 miles

J. A. Moore 2 days 5 1/2 miles

James Cornelius } Chain Course 1 day - 3.00
Jas Alonides }

Reck, Cameron, Cornelius & Alonides
for winter

W. H. Pullen

and only 74 feet between the gate walls
to allow the water during a flood
to pass over the breast of the dam
Third- Because If such road was built and
in a manner it should be to answer
the purposes of a road it would
cause the water to dam back overflow
and injure the lands of persons
along the dam

Fourth- Because The said said road if built
would have to answer the purpose
both of that of a road that of an
embankment for the Mill dam

And we the aforesaid Reviewers
in pursuance of the said order
do further represent that we have surveyed
and laid out and do return for
public use the following road to be
bridged Beginning at a point directly
opposite the Grist mill on the Townships
Road and running S 49° W 113½ to said Mill

A plat whereof is hereto annexed

Which said road as laid out by
us we are of the opinion is necessary
for a public road

Witness our hands this 4th day of June 186

James A. Moore

John Little

Peter Cameron

To the Honorable the Judges of
the Court of Quarter Sessions
of Clearfield County,

We the within named persons
appointed by the within order
of Court to Review the road therein
mentioned and to view and lay out
a public road respectfully report
that having been present at the
Review of the ~~said~~ road and
posts adjacent and having all
been first severally sworn or affirmed
in pursuance of the within order we
have reviewed the same and are of
opinion that there is no occasion for
such road and that the same is not
necessary for a public Road.

First, Because ~~A~~ better passage to the Mill
and one which will be much less expen-
sive can be built by Erecting a Bridge
from the old Township road to Hagarty's
Mill a distance of some $113\frac{1}{2}$ feet.
Second Because It would be utterly impos-
sible to ~~build and~~ keep in repair
a road as laid out by the viewers
along this mill dam there not being
space enough between the two Mills
built on either side of the Creek being
only 87 feet distant from each other

G L E R
↑
STOP
Muders street ↑

Woodward
Square opposite
School Hall in Troy
to east side

Prof M. S. June 9,
1880

33-12