

No. 21 Sept

Term, 1889

79

Public Road

VERSUS

Woodward Corp

Contents:

R.D. 1/2 Village of 1/1
A. Report
A. Size of original witness
Report from 101, 80, stand.

Too short to locate

Nov 21 Sept 28 1879

Resolution No. 11 in 1879
Authorizing the Board of Public Works
to begin after the month of November
the Run to the Madera Grist
mill -

Oct. 9, 1879. Resolution now made
& Mr. P. Wright, John M. Morris,
Frederick, & Fred. Melchiorius
appointed members of
By the Council of
P. W. C.

Resolved that the
Board of Public Works
be authorized to begin
the Run to the Madera Grist
mill -

W.M.C.

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

The petition of the subscribers respectfully
showeth, 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 Cedar Hill
Hill 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
W. H. Gill
James Cornely
Samuel Shopp
Samuel Whiteside
J. W. Smith

David Hegarty
John Rough
Reuben Straus
Austin & Kilin
Thomas Mather
Thomas Henderson
S. W. Beck

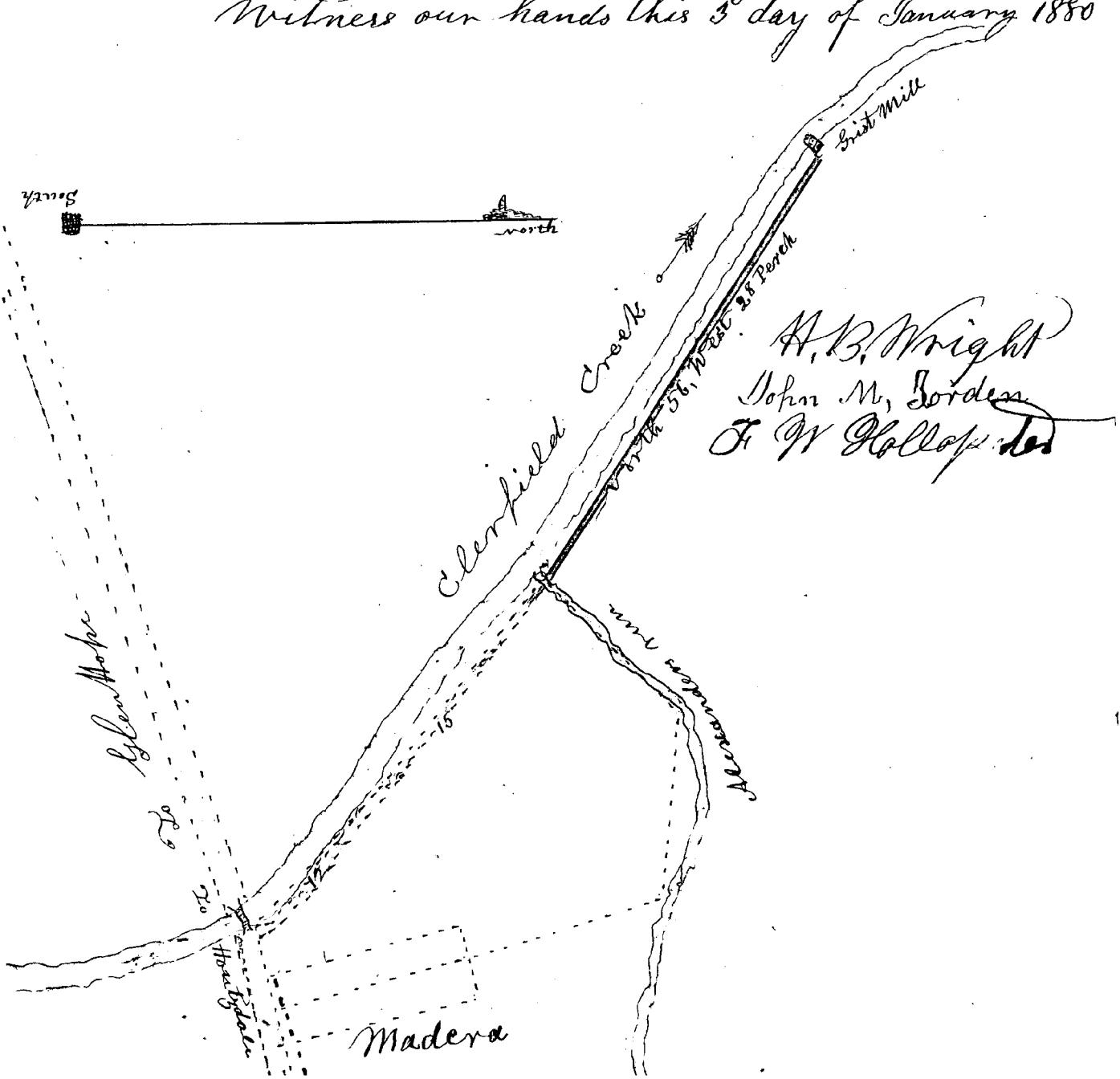
H. H. Williams
J. W. Gill
James Hegarty
A. T. Shopp
B. Bonwoth
S. B. Dunlop
J. W. Wilson
Reuben Hegarty
John Beyor
W. B. Whiteside

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.

El. Bloom
Clerk Quarter Sessions.

To the Honourable, the Judges within Named
We the persons appointed by the Order of Court, to
view and layout 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 ~~Mader~~ Mader; a draft whereof is herewith
annexed.— Notice having first been given according to law.

Witness our hands this 3rd day of January 1880



No 21 Sept 2 1879

March 21. 1880 Renew
Appointed By the County
of N.D.

Order to Deed one acre
out public Road in Wood-
ward Gap to begin at the
mouth of Alexander Run
to the railroad bridge built

At 33 - Paid by Sam Glancy

El. Glancy
Signed

Filed for January 1880
Custer Co. N.D. Road 6
Opposite 33 feet wide, steeped
where there is cutting or digging
than 10 to 1200 feet wide
at the 33 feet long 1880. Repeating
C. Glancy

Oct. 4, 1880 Contingent at
solicitor by the County
of N.D.

W. D. G.

ROAD VIEWERS' REPORT.

Clearfield County, ss:

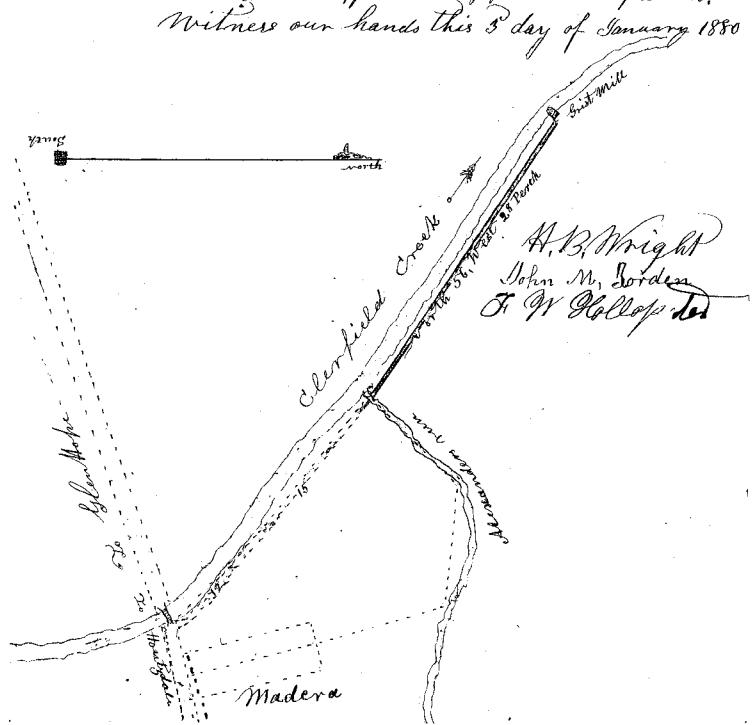
At a Court of Quarter Sessions of the Peace of the county Clearfield, held at Clearfield, in and for said county, on the 9th day of Oct. A. D. 1879, before the Judges of the said Court, upon the petition of sundry inhabitants of the township of Woodward, in said county, setting forth that they labor 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 Hollopeter, 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.

E. Bloom
Clerk Quarter Sessions.

To the Honourable, the Judges herein 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 perih, to the Grist Mill of
or at Madera; a draft whereof is herewith
annexed. — Note having first been given according to law.

Witness our hands this 3rd 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, 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 Hager's Flouring Mill Parallel with and only some twenty feet ~~apart~~ 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 burthenome to the inhabitants of the Township aforesaid

and therefore praying the Court to appoint proper persons to ~~view and lay out~~ ^{review} 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 Ed John Sylte 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. Blodgett
Clerk.
Treasurer

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 ensealing 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

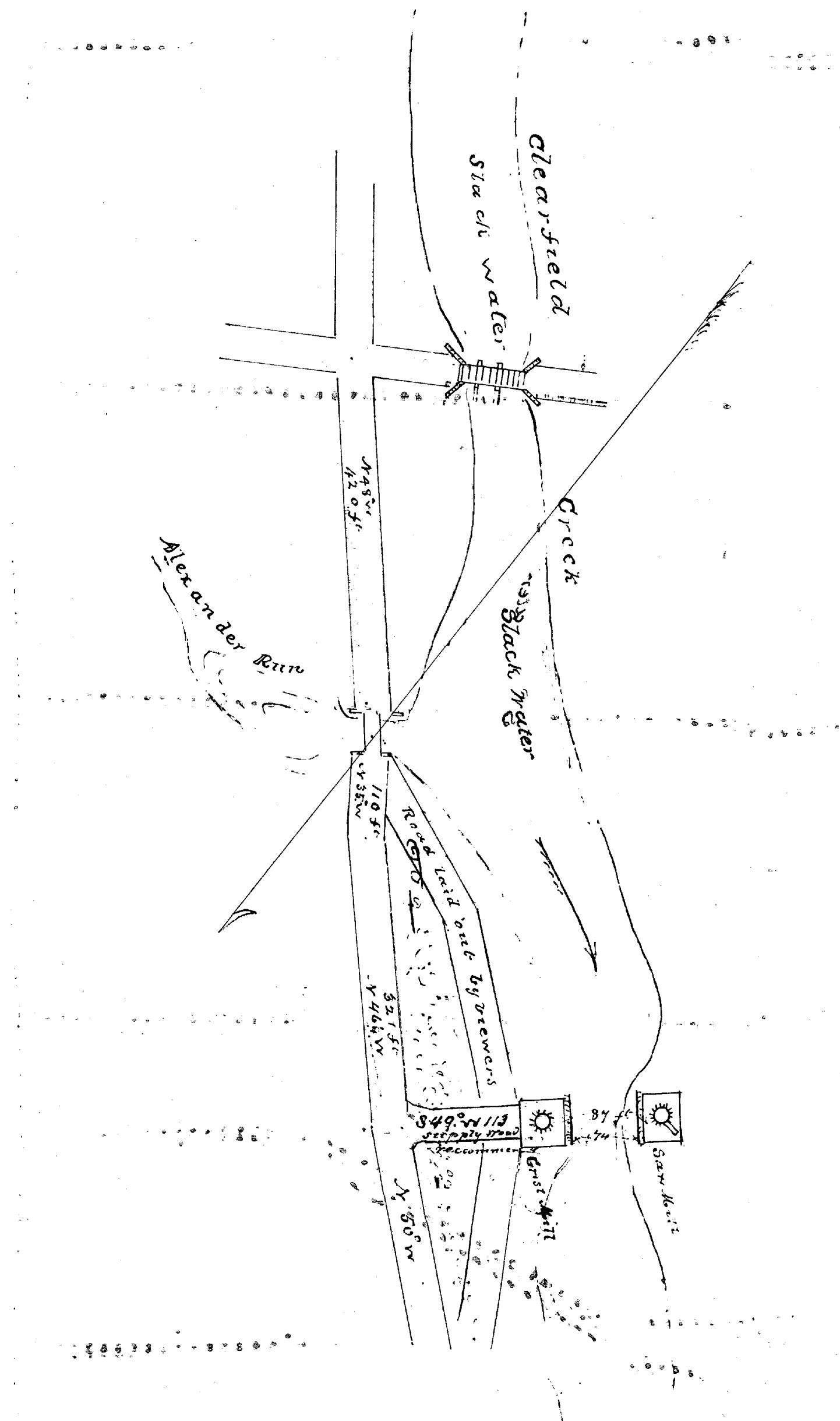
Witness our hands this day of A. D. 188 .

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.



No. 7 Mar Session, 1880

ORDER

To review and Lay out a Road

For Public Use in the township
of Woodward, Clearfield county.

Report Conformed to
of June 1880 Road to be
opened 33 feet wide except
where there is cutting or
bridging then to be 6 feet
wide each

Oct. 4, 1880 Ex est.
tions discontinued and
Report laid aside
By the County
J. H. O.

Filed 4 Jan 1880

Fees \$17 paid by J. H. O.

REPUBLICAN PRINT.

And now, 9 July 1880. Exceptions filed to the written and attached report for the following reasons. viz., 1^o Because the Reviewers exceeded their authority by 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. — 2- Because the order of the Court is an order to Review and lay out a road & not to review any road previously laid out. — 3^o 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. — 4^o Because of other irregularities & non-approximation report viz that no notice was given of the time for review. —

Mullock & Hicks
on behalf of the

51

Mr. June, 1880

Report of Revenue
to recruit and supply
Road leading from
Point Mean Mackenzie
on to Fort Simpson & thence
on to Fort McPherson
in Mackenzie Park

1st June 1880

Patterson

8
J. C. & Company
Brewers Rice

Peter Cameron 20 days and \$8.00
5 miles 50

John Lytle 2 days

33 miles

J. A. Morris 2 days

33 miles

James Cornelius }
Joe Alouides } Chain Coms 1 day - 3.00

Reed, Camerson, Cornelius & Alouides
per week

W. H. Russell

and only 74 feet between the said 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 an-
swer the purposes of a road it would
cause the water to dam back overflow
and injure the lands of persons
along the said

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 ~~Permittee~~
in pursuance of the said order
do further represent that we have run-
ned and laid out and do return for
public use the following road to be
~~paved~~ Beginning at a point directly
opposite the Great mill on the Township
Road and running S 49° W 113 $\frac{1}{2}$ 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 the 4th day of June 18

James A. Moore

John Lytle
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 herein
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 to affirm
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 $11\frac{1}{2}$ feet.
Second Because It would be utterly impos-
sible to ~~build and~~ keep in repair
a road as laid out by the Reviewers
along this mill dam there not being
space enough between the two Miles
built on either side of the Creek being
only 87 feet distant from each other.

— — — — —
Maderia ^{knob}
G L E R
↑
stop

Woodward

Begun opposite
Redwood Valley
... toward N.E.

Prof. M. S. Jones
1880

33-16