

No. 5, Sept. 1890, Sections 190.

COMMONWEALTH

versus

Public Road in  
Burnside Twp  
Chest. Twp.  
New Washington Boro.  
Vacation

Charge

X

Kelley

WILLIAM F. SWOOP,  
DISTRICT ATTORNEY.

To the Honorable Allison O. Smith, Judge of the Court of Quarter Sessions  
of Clearfield County; -

The petition of the undersigned, citizens of Burnside township, New  
Washington Borough, and Chest township, respectfully represents; -

That a road has long been laid out beginning at a point on the public  
road leading from New Washington to Five Points, at, or near the South-  
West corner of the Borough of New Washington; thence through a part of  
Burnside township, thence through a part of the Borough of New Washing-  
ton into Chest township, being near one and one eighth of a mile long,  
which road your petitioners conceive is now become useless, inconvenient,  
and burthensome, and they therefore pray the Court that the said road  
may be vacated, agreeably to the Act of Assembly in such case made and  
provided. And they will pray.

J. F. Gallagher.  
J. W. Erticher.  
T. W. Riddle  
Thos Mahaffy  
J. L. Mahaffy  
Adam Roth Burgess

James G. Glance  
A. J. Westover  
J. H. Weaver, Supervisor  
of Burnside twp.

Simon Shesby  
John Haag  
John H. Palmer  
H. E. Trostle  
John P. Feath.

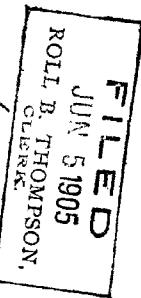
J. M. Weaver  
James Chapman  
A. & Roland  
James Riddle  
A. W. Byers  
T. J. Marshall  
William Foxell  
J. P. McConnell  
E. E. Curry

Mr. 5 May, 1905.

Subject: Board of Education  
and School Committee  
West Washington Borough.

Petition to Vacate.

May 1805  
Petition of and conc-  
urred, C. C. C.  
Thompson, S. W. Bell and  
Blaser, commissioners  
are appointed receiver  
of school tax funds  
road and maintenance  
of streets, beginning  
1805.  
by the Compt.  
William H. Smith  
D.



Heller

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 5

day of June, A. D. 1905, before the

Judge of said Court, upon a petition of sundry inhabitants of the township of Burnside, Chest

New Washington, in said county, setting forth that

a road has long been laid out, beginning at a point on the public road leading from New Washington to Five Points at or near the South West corner of the Borough of New Washington. Hence through a part of Burnside Township. Hence through a part of the Borough of New Washington into Chest Township, being near 1/8 of a mile long which road your petitioners conceive is now become useless inconvenient and burdensome.

and therefore praying the Court to appoint proper persons to view and Vacate the same according to law, Report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint C. B. Alexander, J. W. Bell & Blake McCracken <sup>11th Aug. Pa.</sup> who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to 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 view and Vacate 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 the 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 land 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 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 sealed land 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.

Roll B. Thompson  
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 the..... 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 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. 190.....

Seal

Seal

Seal

Seal

→→ \* ←←

## ASSESSMENT OF DAMAGES.

The following 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. 190 .....

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view ~~to vacate~~ Public Road leading from a point on the Public Road leading from New Washington to Fair Points at or near the Southwest corner of the Road of New Washington thence through a part of ~~in Burnside Township, to a point~~ in Chest Township, in the county aforesaid, will meet at the ~~house of~~ Supply Company Store, in New Washington Road Township, on ~~Thursday~~, the 29th, day of ~~June~~, A. D. 1905, at 10 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

*C. P. Alexander*

*G. W. Bell*

*Blake McCracken*

Viewers.

*June 20*, 1905.

service accepted  
June 21, 1906  
County Comr's  
By W. H. Atchison

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view to vacate Public Road leading from a point on the Public Road leading from New Washington to Five Points at or near the Southwest corner of the Board of New Washington there through a point of

in Burnside Township, to a point

in Chest Township, in the county aforesaid, will meet at the ~~house of~~ Supply Company Store, in New Washington, Township, on Thursday, the 29<sup>th</sup> day of June, A. D. 1905, at 10 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

C. B. Alexander

G. W. Bell

Blake M. Carken

Viewers.

June 20, 1905.

Service accepted

J. H. Weaver Supervisor of Bunnvale Prop.

A. J. Shuster

James E. Glencie

John Hutton Street Commissioner N.W. Borough

John Haag City reading along road  
prepared for vacation.

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view, to vacate, Public Road leading from a point on the Public Road leading from New Washington to Five Points, at or near the Southwest corner of the Block of New Washington, then and through a part of in Burnsides Township, to a point in Chest Township, in the county aforesaid, will meet at the house of Supply Company Store, in New Washington, in Township, on Thursday, the 29th day of June, A. D. 1905, at 10 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

C. B. Alexander

G. W. Bell

Blake M. Craven

Viewers.

Issued 20, 1905.

Service accepted.

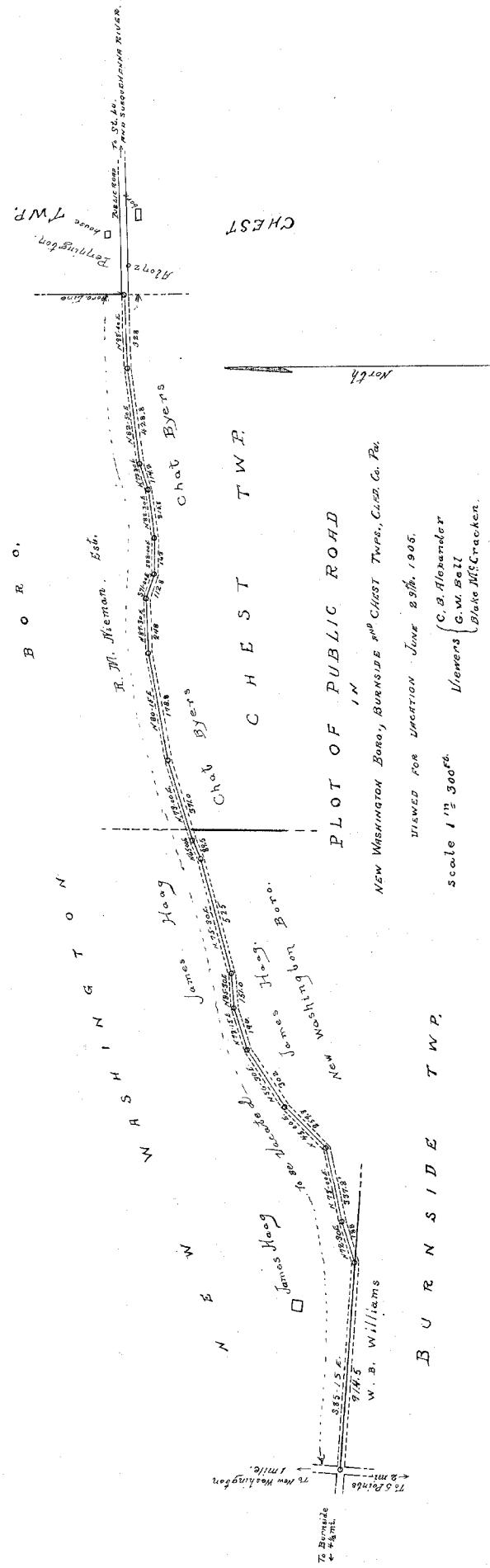
John Killian Supervisor of Hood Shop  
B. M. Campbell Supervisor of Sheet Shop

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TO THE HONORABLE ALLISON O. SMITH, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

We the undersigned viewers appointed to view to vacate public road herein mentioned, respectfully report that we gave good and lawful notice of said view to the County Commissioners of Clearfield county, to the Street Commissioner of New Washington Boro., to the Supervisors of Burnside and Chest Townships, to citizens living along said road, and notices were posted all according to law. Copies of said notices to view with acceptance of service being herewith attached and made a part of this report.

On the 29th. day of June 1905 your viewers met agreeable to said notices, and being severally affirmed proceeded to, receive testimony, survey and view to vacate said road.

Your viewers found this road to be in very bad condition, appearing to have been abandoned for travel for some time, and that it could only be repaired and made fit for use at great expense. On the portion of the road which we viewed for vacation we found only one citizen living on or near said road. This person being Mr. John Haag who having another outlet was agreeable to the vacation.

No testimony adverse to vacating this road was offered your viewers, and believing its vacation would be a benefit to the aforementioned Borough and Townships, relieving them from needless expense in repairing a piece of road which seems to be abandoned and useless, we would respectfully recommend its vacation.

A map of said road is herewith attached and made a part of this report.

WITNESS our hands this 30th. day of July A.D. 1905.

*C. B. Alexander*

VIEWERS.

*G. W. Bill*  
*Blake McCracken*

No. 5 Dept. Sessions, 1905

**ORDER**

To view and locate a road for use in the

townships of Chest & Burnside  
Hancock & Croydon, No. 5  
Clearfield County

*John* Sessions, 1905, read and confirmed N. S. ~~Book to be opened~~ <sup>33</sup> feet wide; except where there is side hill cutting or embankment and bridging, there to be 10 feet wide.

By the County of Wayne & with the W. V. Co. Commissioners and the Board of Education.

*FILED*

Filed

Fees \$1.25 paid by

NOTICE.—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 ~~final~~ reviewers, except so far as the location may be changed by the ~~final~~ 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.

	AMOUNT.
C. B. Almond	Days 9
G. W. Bell	Days 1
	Miles 1.5
	\$ 3.50

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C. B. Almond	Days 9
G. W. Bell	Days 1
	Miles 1.5
	\$ 3.50

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Kelley