

No. 5 May SS 1913 Term, 191

Petition to vacate public road
in Cooper Twp. on public road
near Hart Place

VERSUS

X

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 31st day of
March in the year of our Lord

one thousand nine hundred and Thirteen
T Allison O. Smith.

Judge of the same Court: Upon the petition of
sundry inhabitants of the Township of
Cooper. in said County of Clearfield

in said County, setting forth that A Petition of
the Citizens and Tax Payers of Cooper Twp. Respectfully represents
that A certain Public road in the said Cooper Twp. which leads from
A point on the public road at or near the Rader place to Hart place
has become useless. in not traveled by the public and is expensive to
maintain and a burden on the Township. They therefore pray that the court
will appoint viewers to vacate said road. and they will ever pray etc.

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 thereupon. Walter Welsh.
H.A. Reese. and F.H. Harmon.

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 impari-
ality and according to the best of their judgment, 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 dis-
tance, 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 mann r
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.

John H. Moore 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, beg 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 Cooper and that five notices thereof were posted along the route of the proposed road, that the said view would be held on the 19th day of June, A. D. 1913, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 21st day of June, 1913, at 1.00 o'clock P. M. That all of the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Andrew Peterson, O. L. Hughes, Supervisors, and Joseph Ollinger, Road Master of said Township.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 21st day of June A. D. 1913, when the following appearances were noted: No person appeared at this hearing.

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 un- 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~~ use the following described road, to wit: Beginning

And that the only travel over the said piece of road is the hauling of a small amount of lumber; that there is no one living along or near to said road and that it has not used by the general traveling public; and that the same should be vacated as unnecessary and burdensome to the taxpayers to maintain.

~~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 practicable to preserve it within that limit.~~

~~The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from~~

~~the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, 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 obtained and copy of the notices.~~

WITNESS our hands and seals this 21st day of June

A. D. 1913.

Walter Welch
L. G. Reese
E. C. Harman



No. 5 May Sessions, 1913

ORDER

To view Vacate
in Cooper Twp. a
road for use in the
township of Cooper.
Clearfield County Pa.

Sept Session, 1913,
read and confirmed Ni. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

By the Court
J. S. Allison & Smith
December Sessions 1913
Confirmed absolutely
By the Court
Allison & Smith

Filed 19

Fees \$1.25 paid by CKA

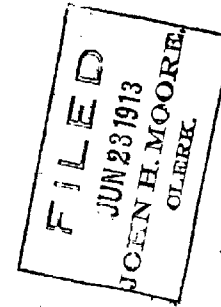
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.
Walter Wolch	3 Days 27	19.70
H. O. Reese	2 Days 24	13.40
W. H. Hamon	2 Days 23	16.30



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 re-mise, 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. 191_____.



ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned
Viewers, appointed by the Court of Quarter Sessions of
Clearfield County, Pennsylvania, to view A PUBLIC
Road leading from A POINT ON THE PUBLIC ROAD AT OR NEAR THE
RADER PLACE TO THE HART PLACE

in COOPER Township to DETERMINE IF SAID ROAD SHOULD
BE VACATED ACCORDING TO THE PETITION FILED IN THE SAID COURT OF QUARTER
SESSIONS BY CITIZENS RESIDING IN COOPER TOWNSHIP, W I L L M E E T
AT THE HART PLACE ON THURSDAY JUNE 19th, 1913 AT 9 O'CLOCK A.M. AND VIEW
SAID ROAD

AND
in COOPER Township, in the county aforesaid, will
meet at the ~~house of~~ ARBITRATION ROOM IN THE COURT HOUSE,
in CLEARFIELD BOROUGH, PENNA. TOWNSHIP, on SATURDAY,
the 21st day of JUNE A. D. 1913, at 1.00
o'clock P. M., to attend to the duty assigned them, of
which time and place aforesaid all parties interested
will take notice.

H. A. REESE.

E. H. HARMON.

WALTER WELCH.

VIEWERS

JUNE 7th, 1913.

AND NOW, June 7th, 1913 notice of the time and place of the within mentioned view is hereby accepted on behalf of the County Commissioners of Clearfield County.

L. B. Morris

Commissioners' Clerk.

AND NOW, June 10 1913 notice of the time and place of the within mentioned view is hereby accepted on behalf of the Road Supervisors of Cooper Township.

Wm. Hartsman

Attorney for

Supervisors.

AND NOW, June 10th, 1913 notice of the time and place of the within mentioned view is hereby accepted on behalf of the Petitioners for said view.

Wm. Hartsman

Attorney for Petitioners.

KNOW ALL MEN BY THESE PRESENTS That we,-----

are hald and firmly bound unto the Commonwealth of Pennsylvania
for the use of Clearfield County, in the sum of one hundred dollars
lawful money of the United States, for which payment well and truly
to be made, we do bind ourselves, our and each of our heirs firm-
ly by these presents. Sealed with our seals and dated the
day of March 1913.

WHEREAS, a petition has been presented to the Court of
Quarter Sessions of Clearfield County, asking for a vacation of a
certain road in *Cooper* Township, which petition has been
filed to No. May Session 1913.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that in
case of the failure of the petitioners to sustain said petition,
if the above bounden shall save and keep harmless the County of
Clearfield from any and all costs connected therewith, then this
obligation to be void, or else to be and remain in full force
and virtue.

H. O. Lacey----- (SEAL)
Abraham B. B. B.----- (SEAL)

----- (SEAL)

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

The Petition of the undersigned, the Board of Supervisors
of Cooper Township, as also of the resident tax payers of said
Township, respectfully represents; that a certain public road
in the said Cooper Township, which leads from a point on the
public road at or near the Rader place to the Hart place, has
become useless, is not travelled by the public and is expensive
to maintain and a burden on the Township. They, therefore, pray
that the Court will appoint viewers to vacate said road,
and they will ever pray etc.

Amos Putman
Jas A Pearce
O L Hughes

Supervisors

L E Ardy
John Pfeiffer
Christie White
J B Cunningham

Henry Brown
O R Reese
W Mours
A. S. S. S.
P J S. S.
Wilson Hoover

H. G. Jones
C. B. Shedd
J. J. Maines
J. F. Shaw

Peter Meyer
George E. Beard.
F. B. Jones
Jacobus H. H. H.
Edw. M. Bath
J. M. Wesley

Lepelletier H. H.
B. H. Mc Bath
L. J. Folmar
J. F. Harte
Joseph E. E. E.
A. B. Brown
L. A. Hoover
W. E. Diving
- Wm. Meyer
Wm. Hughes
Alb. Hoover
P. B. Hollenback

57 May 88 1913

Petition to locate public
road in Cooper Township
from a point on public road
about near the Rodan place
to a point at the dead place

Now May 24 1913 the undersigned
petition presented and returned
Sheldon Meek, H. A. Reese
and Ed Starnes to view
the same and make report thereon
to the court.

139 The court
Wm. D. Smith
Jr.