

No. 7 September Term, 1913

<sup>#11</sup>  
Petition to Vacate &  
Supply Road in Union

VERSUS

Township

Part Bt. 17030

Union Twp.

#1 - Sept. 1913 R. D. #5 Page 216

Comp. Feb. 1914

33' wide except 16' where there is side hill cutting,  
Ember in front on bridging  
No papers on file

Beginning at a point in the middle of the Champaign  
turnpike, 229 ft. west of Hicks mills at Rockton, Illinois;

N 79° 52' E - 162' into woodland of Mrs D. S. Bore

N 86° 07' E - 878' thru land of " "

N 32° 22' E - 2704.5' " " Saylor heirs

N 23° 52' E - 1207'

N 0° 50' E - 535.5'

N 36° 37' E - 150' to bend in public highway from  
Jacob Kline's land near Alfred  
Boileau's farm

Total length 5637 feet

From to flat woods  
S. J. Bore

7c.

KNOW ALL MEN BY THESE PRESENTS, That we,

are held and firmly bound in the County of Clearfield, in the sum of one hundred dollars, lawful money of the United States, to which payment to be made we do bind ourselves, our heirs, executors and administrators, firmly by these presents. Sealed with our Seals and dated the                      day of April A. D. 1913.

The Condition of this Obligation is such that, Whereas, a petition has been filed in the Court of Common Pleas of Clearfield County, praying for the vacation of a public road in Union Township, and also the appointment of viewers to view, lay out and supply a public road in Union Township.

NOW, Therefore, is said application shall be favorably considered by the Court and the said road vacated as prayed for, and the said road supplied as prayed for, then this obligation to be void, otherwise to be in full force and effect.

 (SEAL)

----- J. B. Beer ----- (SEAL)

----- (SEAL)

PETITION FOR A PUBLIC ROAD, TO VACATE AND SUPPLY.  
IN UNION TOWNSHIP CLEARFIELD CO. PENNSYLVANIA.

To the JUDGE of the COURT of quarter sessions of the  
peace of the County of Clearfield, The petition of the  
subscribers respectfully sheweth: That they labor under  
great inconvenience for the want of a Public Road or  
highway, to lead from ROCKTON at or near KIRK'S MILL,  
to a crook or bend in the ROAD at or near ALFRED BAILEY'S  
Farm in said County. 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 we, the subscribers to this petition also respectfully  
represents: That a Road was formerly, laid out by order  
of the COURT from JAMES ANDERSON'S Property to crook or  
bend in the Road at or near ALFRED BAILEY'S in said  
County, this part of the Road the applicants claim vacated,  
which Road would petitioners conceive has become useless,  
inconvenient and burdensome. Our Petitioners, therefore,  
pray the COURT that said Road may be vacated.

IN UNION TOWNSHIP CLEARFIELD CO. PENNSYLVANIA.

signed

signed

[illegible]

G. J. Brooks  
W. F. Schaffer  
E. M. Halsey  
C. I. Bailey  
G. C. Weber  
A. H. Bailey  
C. G. Hargrave  
J. E. Jones  
  
J. W. Taylor  
R. H. Laing  
J. E. Schofield Supervisor  
A. L. Schiffler  
B. B. Brown  
J. W. Brown  
Anthony Parrish  
P. G. Johnston  
J. W. Jones

Petition to vacate  
granted; public road  
in Indian Township.

Nov 29, 1913 with petition  
presented, read and considered  
and thereupon A. J. Kramer,  
J. S. McCarty and J. M. Glee  
were appointed referees to  
their said premises and  
make report at September  
meeting.

By the Court

William A. Smith

Nov 25, 1913, power of  
Attorney enlarged to December 15, 1913

By the Court

William A. Smith

John Munson

Pr



# PETITION FOR A PUBLIC ROAD, TO VACATE, AND SUPPLY.

IN UNION TOWNSHIP CLEARFIELD CO. PENNSYLVANIA.

To the JUDGE of the COURT of quarter sessions of the peace of the County of Clearfield, Pa. The petition of the subscribers respectfully sheweth: That they labor under great inconvenience for the want of a Public Road or highway, to lead from ROCKTON at or near Kirk's Mill to a creek or bend in the Road at or near ALFRED BAILEY's Farm in said County. 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 we, the subscribers to this petition also respectfully represents: That a Road was formerly laid out by order of the COURT from JAMES ANDERSON's Property to creek or bend in the Road at or near ALFRED BAILEY's in said County, this part of the Road the applicants desire vacated, which Road your petitioners conceive has become useless, inconvenient and burdensome. Your petitioners, therefore, pray the COURT that the Said Road may be vacated.

signed

signed

J. C. Beer  
W. B. Buff  
H. B. Lake  
E. F. Brubaker  
H. B. Ericsson  
D. M. Hollapeter  
J. S. Wells  
W. H. Kirk  
J. A. Hummel  
H. K. Wilson  
G. A. Green  
J. S. Brubaker  
J. W. Fleming  
D. J. B. B. B.  
C. D. G. Bonds  
Andrew Rimmer  
J. D. B. B. B.  
J. J. Hollapeter  
Howard H. H.  
Maine Bailey  
J. S. B. B. B.  
On H. B. B.  
A. B. B. B.  
W. E. B. B. B.  
H. W. B. B. B.  
R. P. H. B. B.  
Jacob B. B.

Samuel H. B. B.  
E. J. Brooks  
W. D. S. B. B.  
E. M. Hollapeter  
C. H. Bailey  
J. W. B. B.  
E. C. B. B.  
A. H. Bailey  
C. C. B. B.  
D. E. B. B.  
J. H. B. B.  
Samuel H. B.  
J. W. B. B.  
J. W. B. B.  
J. W. Taylor Roadmaster  
W. B. B. B.  
R. H. B. B.  
J. E. Schofield Supervisor  
A. L. Schofield  
S. B. B. B.  
J. W. B. B.  
William B. B.  
J. W. B. B.  
Alfred B. B.  
Anthony Parrish  
P. E. B. B.  
J. W. B. B.

**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 5<sup>th</sup> day of  
May in the year of our Lord  
one thousand nine hundred 13,

Judge of the same Court: Upon the petition of  
sundry inhabitants of the Township of  
Union

in said County, setting forth that

That they labor under great inconvenience for the want of a Public  
Highway to lead from Rockton at the corner of the  
Couch or Road to the Road at or near Alfred Willey's in said County,  
They therefore pray the Court to appoint persons duly qualified to  
view the ground proposed for the said Road and to lay out the same  
according to law. Also respectfully request the Court to order for early  
lay out of the Road from James A. Simon's property to Brook  
or Road in the Road at or near Alfred Willey's in said County, this  
part of the Road being the only way to the place which is now a  
great inconvenience and burdensome.  
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. C. Fowler, H. S. McMinum,  
and J. M. Gill

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 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.

John H. Moore, Clerk.

Mrs D 135

# 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 Union and that Five notices thereof were posted along the route of the proposed road, that the said view would be held on the 11th day of September, A. D. 1913, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 21<sup>st</sup> day of November, 1913, at 10 o'clock A M. That the said viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Grant Kirk, J E Schofield and H W Hollopeter the Supervisors of the Township and J C Beer, Samuel H Beer, James Henry, Elmer J Blough, R D Murphey, Chauncy Baily, George McDonald, Jacob McMillin, A H Baily, Harrison Freidly, Chas Freidly all in favor of the road and J Miles Dressler opposed to location of road parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 21<sup>st</sup> day of November, A. D. 1913, when the following appearances were noted: Joseph Schofield, Grant Kirk Supervisors and J C Beer all in favor of the road and J R Seyler opposed to the road

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is neccessary 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 in the middle of the Clearfield Turnpike, two hundred and twenty nine feet west of Kirks Mill, at Rockton; Thence north seventy nine degrees fifty two minutes, east, one hundred and sixty two feet, into the woodland of Mrs S I Beer: Thence north eighty six degrees, seven minutes, east eight hundred and seventy eight feet through lands of the said Mrs S I Beer: Thence north, thirty two degrees and twenty two minutes east two thousand seven hundred and four and one half feet through unimproved lands of the Seyler heirs and Mrs J M Dressler, and improved lands of J C Beer: Thence north twenty three degrees fifty two minutes through improved land of J C Beer and unimproved land of the Blanchard heirs east twelve hundred and seven feet: Thence through unimproved land of the Blanchard heirs north fifty minutes, ease five hundred and thirty five and one half feet: Thence through unimproved land of the Blanchard heirs, north thirty six degrees, thirty seven minutes, east one hundred and fifty feet to a bend in the public Highway on Jacob Kline's land near Alfred Bailey's farm. A total length of the road as surveyed of Five thousand six hundred and thirty seven (5637,) feet: Respectively through the lands of the following persons;

Mrs I S Beer	958 feet of woodland
The Seyler Heirs	1337, feet of woodland
Mrs J M Dressler	128' feet of Woodland
J C Beer	1622.5 feet of improved land

Blanchard Heirs 1509.5 feet through unimproved land

TO W, C, Langsford, J. S. Richards, and H. L. Bowman,

County Commissioners of Clearfield County Pa.

SIRS.

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County Pa: TO view and lay out a public road in Union Township in said County, from a point in Rockton, at or near Kirks Mills; to a crook or bend in the road at a point, at or near Alfred Bailey's farm in Union Township in said County.

And to vacate a road formerly laid out by an order of Court from James Anderson's property, to a crook or bend in the road at a point, at or near Alfred Bailey's farm in Union Township in said County: Will meet at the house of Kirks Mills at or near Rockton in Union Township in said County, on Thursday September 11, 1913 at 1, oclock P M to discharge the duties of their appointment, at which time and place aforesaid you may attend if you see proper.

Clearfield Pa August 28th 1913.

A. G. Kramer  
H. S. MacMinn  
J. W. Hill  
Viewers.

Now August 29, 1913 service of the above notice accepted

COUNTY COMMISSIONERS OF CLEARFIELD COUNTY

per L. E. Norris  
Clerk.

TO Grant, Kirk. H, W, Hollopeter, and J, E, Schofield.  
ROAD SUPERVISORS OF UNION TOWNSHIP CLEARFIELD COUNTY PA.  
GENTS.

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of the said County, to view and lay out a public road in Union Township in said County, from a point in Rockton at or near Kirks Mills; to a crook or bend in the road at a point at or near Alfred Bailey's farm in Union Township in said County.

And to vacate a road formerly laid out by an order of Court, from James Anderson's property, to a crook or bend in the road at a point, at or near Alfred Bailey's farm in Union Township in said County.

Will meet at the house of Kirks Mills in Union Township in said County, on Thursday September 11, 1913 at 1 o'clock P M to discharge the duties of their appointment, at which time and place aforesaid you may attend if you see proper.

A. G. Kramer  
H. S. MacMinn  
J. W. Gill  
Viewers.

Now                      1913 served this notice on the aboved named  
Supervisors of Union Township by handing to each one of them  
a copy thereof.

supervisors J. E. Schofield,  
H. W. Hollopeter, and Grant, Kirk, with a copy of this notice to each of them.  
J. E. Schofield  
H. W. Hollopeter  
Grant, Kirk

Samuel B. Beer

TO Grant, Kirk. H, W, Hollopeter, and J, E, Schofield.

ROAD SUPERVISORS OF UNION TOWNSHIP CLEARFIELD COUNTY PA.  
GENTS.

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of the said County, to view and lay out a public road in Union Township in said County, from a point in Rockton at or near Kirks Mills; to a crook or bend in the road at a point at or near Alfred Bailey's farm in Union Township in said County.

And to vacate a road formerly laid out by an order of Court, from James Anderson's property, to a crook or bend in the road at a point, at or near Alfred Bailey's farm in Union Township in said County.

Will meet at the house of Kirks Mills in Union Township in said County, on Thursday September 11, 1913 at 1 oclock P M to discharge the duties of their appointment, at which time and place aforesaid you may attend if you see proper.

*A. G. Kramer*  
*H. S. Mac Minn*  
*J. W. Gill*  
Viewers.

TO, W. C. Langsford, J. S. Richards, and H. L. Bowman,  
County Commissioners of Clearfield County Pa.

SIRS.

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County Pa, to view and lay out a public road in Union Township in said County, from a point in Rockton at or near Kirks mills; to a crook or bend in the road at a point at or near Alfred Bailey's farm in Union Township in said County:

And to vacate a road formerly laid out by an order of Court from James Anderson's property, to a crook or bend in the road at a point, at or near Alfred Bailey's farm in Union Township in said County. And having met as per notice previously given, on Thursday September 11th 1913 at 1.30 oclock P M on the premises and performed the dutied of their appointment by making said view.

And that in persuance of the requirements of the Act of Assembly in such case made and provided, the said viewers will meet for the purpose of holding a public hearing in the Arbitration room in the Court House in Clearfield Pa on Friday November 21st 1913 at 10 oclock A M, when and where all parties interested, either for or against the said road may attend and be heard.

A. G. Kramer  
H. S. MacMinn  
J. W. Gill  
Viewers.

Now November 7<sup>th</sup> 1913 service of the above notice accepted,  
COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. C. Morris  
Clerk.

To. Grant, Kirk. H. W. Hollopeter and J. E. Schofield.

Road Supervisors of Union Township Clearfield County Pa.

GENTS.

You are hereby notified; That the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view and lay out a public road from Rockton at or near Kirk's mills, to a crook or bend in the road, at or near Alfred Bailey's farm in Union Township, Clearfield County Pa. And to vacate a public road running from James Anderson's property, to crook or bend in the road at or near Alfred Bailey's farm in said County. And having met as per notice previously given, on Thursday September 11th 1913 at 1.30 o'clock P M on the premises and performed the duties of their appointment by making said view.

And that in pursuance of the requirements of the Act of Assembly in such case made and provided, the said viewers will meet for the purpose of holding a public hearing in the Arbitration room in the Court House in Clearfield Pa on Friday November 21st 1913 at 10 o'clock A M when and where all parties interested either for or against the said road may attend and be heard.

A. G. Brainer  
H. S. Mac Miner  
J. W. Gill  
Viewers.

Now November 10 1913 served on Grant, Kirk, {H. W. Hollopeter, }  
and J. E. Schofield the Supervisors of Union Township by handing each  
of them a copy of same.

Samuel M. Beer

A total of five thousand five hundred and fifty five feet (5555).

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~~

~~wherein the said parties to the road have agreed to pay 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 J C BEER and S I Beer




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:

<u>Joseph Saylor Estate</u>	<u>\$15.00</u>
<u>Mrs J Miles Dressler</u>	<u>5.00</u>

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 12th day of September

A. D. 1913 .

A. J. Kramer   
W. S. MacMillan   
J. W. Sill 

No. 221 Sessions.

## ORDER

To view use in the  
road for township of  
Clearfield County

December 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  
Harrison Smith

Now Feb 28 1914 Confirmed  
absolute By the Court

Singleton Bell J.

Filed 19

Fees \$1.25 paid by

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. G. Kramer	4	\$24.00
A. B. MacMillan	5	\$46.27 30
J. W. Gill	3	\$240.27 00
Jat Public Hearing		
A. G. Kramer	1 day	\$5.00
A. B. MacMillan	1 " Mileage	\$7.70
J. W. Gill	1 day 80 miles	\$9.00

### 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 the Township of Union

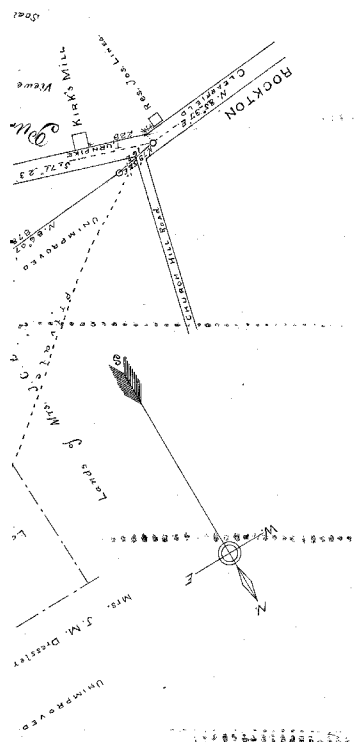
at and before the enrolling and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said Township of Union

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 11<sup>th</sup> day of September A. D. 1913

J. C. Bier  
J. J. Bier





*H. H. MacArthur*  
U.S. Army  
Major General

Doc 11-1111

U.S. Army  
Major General

September 11, 1918

*Locate Supply*  
*the Road in Union Twp.*

