

No. 1 Dec Term, 1914

Petition to View
and Vacate

Versus

Public Road in
Penn Township

X

In the Court of Quarter Sessions of Clearfield County, Pennsylvania.

Petition to vacate a public }
road in Penn Township.

To the Honorable Singleton Bell, President Judge of said Court:

The petition of the undersigned subscribers, all of whom are residents of the Township of Penn, Clearfield County, Pennsylvania, respectfully represents:

That a public road beginning at a point on the Bell Run Road, between Wall's Mill and the old Johnston Factory, about three hundred feet below the Bell Run School house, and extending through the property of John W. Rafferty, a distance of about one mile, to a point where it again connects with the Bell Run Road, at the Hugh Rafferty place, has become useless and burdensome to maintain.

Your petitioners therefore pray your Honorable Court to appoint properly qualified persons to view and vacate said road, and make report of their proceedings to the Court. And your petitioners will ever pray, etc.

102 Signers

J R Wriglesworth

E. A. Spencer.

J. C. Guiker

W. R. Francis

Edward Spencer

Sheridan McKee

E. P. Spencer

E. L. Kester

Raymond Kester

John Kaling

Thos. E. Hall

A. B. Williams

J. I. Spencer

J. F. Holman

Howard Spencer

A. B. Leaver

J. H. Hall

E. M. Davis

T. W. Spencer

E. S. Spencer

H. W. Spencer

A. C. Cleaver

Wm. I. Thompson

C. N. Wriglesworth

W. E. Hall

James D. Wall

W. H. Timmerman

Murray A. Spencer

James D. Danahue

E. M. Haag

S. W. By

G. D. Darrin

John P. Olson

Frank Walburn

Job Spencer

E. Lloyd Mahlon

Joseph Kalm

Lewis Kishell

L. J. Clark

J. E. Clark

Jacob Welder

Ray Guiker

Frank Guiker

W. L. Widemire

Rolland Dush

J. R. Scott

J. H. Dush

102 signers

Now 10 Sept 1914, petition considered and then upon
A.G. Kramer, J.S. Michaels and Harry Reese are ap-
pointed viewers to act as provided by law and
make report to next term

By the Court
Sunglun Bell
Jr

Alfred M. G. Donahoe

John J. Quigley

Frank Rowley

Otto Bielgren

Ralph Furcman

J. R. McBride

W. C. Walker

Fredrick Mahlon

Victor Mahlon

John Rediff

Alston

Joseph Davis
John Nicholson
Jos. Walker
Thos. Nicholson
B M Henry
Wm Clark

V. P. Davis
W. M. Gorman
Leester Spencer
H. P. Wigginsworth

Wm H. Guher

O. L. Bloom

Edward Bloom

M. A. Bloom

E. E. Rossman

Millard E. Wall

Charles W. Wall

John W. Wigginsworth

Wm. Dodge

Rush Mahlon

H. P. Decker

E. J. Duck

J. W. Sear
J. J. Freedman

Wm. W. Wigginsworth

Walter R. Spencer

Edw. Guher

Ed. Wigginsworth

Carl Wigginsworth

Frederick Wigginsworth

A. P. Bonsall

J. A. Moore

Clark Taylor

D. W. Stiller

E. E. Thomas

John Smith

John Mattie

Fred Pentz

Claude Freeman

Andrew Bogren

Miles Wiser

H. J. Freeman

A. Williams

1. Dec 1, 1914

Petition for View to Vacate
public road in Penn Town-
ship,, Clearfield County,
Pennsylvania.

(See order within)

Walter Welch
District Attorney
Clearfield, Pa.

KURTZ BROS., CLEARFIELD, PA.

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 13 day of
September in the year of our Lord
one thousand nine hundred four,

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

in said County, setting forth that a public road
beginning at a point on the Bell Run Road, between Wall's Mill
and the old Johnston Factory about three hundred feet below the
Bell Run School house, and extending through the property of
John W. Rafferty a distance of about one mile to point where it again
connects with the Bell Run road, at the Hugh Rafferty place
has become useless and burdensome to maintain

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. Kramer, J. C. Michaels

Harry Reese

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 impartial-
ity 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.

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 Penn and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the first day of October, A. D 1914, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 27th day of November, 1914, at one o'clock P. 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 John Wrigglesworth one of the Supervisors of said Township of Penn in favor of vacating said road; and John W Rafferty, Bernard Rafferty and Hugh P Rafferty, opposed to having said road vacated

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 27th day of November A. D. 1914, when the following appearances were noted: Isaac Wall & W. E. Millgovern John W. W. W. W.

John C. Wides & William McKee Link from Nelson E. M. G. Davis & Edward
Lawson from Santa Monica Park with Attorney Wright. We have
a secret vacation said Road & John W. Mofferty with
Attorney John Binder. The set to vacations said Road.

After the view and hearing above mentioned, the undersigned, _____ Public Road
viewers, do agree that there is no occasion for a _____
_____ with the Department for such road as hereinafter described in every manner we shall so the
_____ the following described road to wit: Beginning _____

at that point we are therefore before of the opinion that said road has become useless and is therefore burdensome upon the taxpayers of the township, running as it does almost parallel and within a few rods of the main road leading from Gramplan to Bells Landing in said township and ought therefore to be vacated. Said road to be vacated beginning in the public road leading from Gramplan to Bells Landing at a point near the Bell Run School House; Thence running south eighty six (86) degrees, west, three hundred and ninety (390) feet, thence, south forty six (46) degrees, west two hundred and eighty five (285) feet, thence north eighty three (83) degrees, west one hundred (100) feet, thence north sixty (60) degrees, west, two hundred (200) feet, thence south, seventy four (74) degrees, west, two hundred (200) feet, thence south, fifteen and one half ($15-1/2$) degrees, east five hundred and seventy one (571) feet, thence south twelve (12) degrees, west one hundred and forty (140) feet, thence south forty six (46) degrees, west one hundred and fifty five (155) feet, thence south five (5) degrees, west three hundred and thirty (330) feet, thence south, six and one fourth ($6-1/4$) degrees, west, six hundred and eighty four (684) feet, thence south eleven (11) degrees, west two hundred and fifty two (252) feet, thence south, four and one half ($4-1/2$) degrees, east three hundred and eighty five (385) feet, thence south, three and one half ($3-1/2$) degrees, west, three hundred (300) feet, thence south four (4) degrees, west, one hundred and fifty seven (157)

To J R Wrigglesworth, John Overdorf
and John McKenrick, Supervisors of
Penn Township Clearfield County Pa.

You are hereby notified, that
the undersigned viewers appointed by
the Court of Quarter Sessions of Clear-
field County Pa. to view and vacate
the public road, leading from a
point on the Bells Run road, between
Walls mill and the old Johnston Fac-
tory, about 300 feet below the Bells
Run School House, to a point where
the said public road connects with
the Bells Run road at the Hugh Raffer-
ty place in Penn Township, and that
the said viewers having viewed said
road are of the opinion that said road
is of very little if any benefit to the
inhabitants of the township or the trav-
eling public and should therefore be
vacated.

You are therefore hereby notified that
in compliance with the request of some
of the Citizens of the Township and the
requirements of the Act of Assembly
and the Rules of Court, that the public
hearing required to be held so as to
give the parties interested either for or

against the vacating of said road a
Chance to be heard by the viewers
before the filing of their report, will be
held in the Arbitration Room in the
Court House in Clearfield Pa, on Friday
November 27th 1914 at, one o'clock
PM when and where all parties in-
terested either for or against having
said road vacated may appear and
be heard.

A. G. Kramer
H. A. Reese
J. A. Michaels
viewers

Now Nov 18th 1914 served this notice on J. R.
Wigglesworth, John Overdorf and John McHenry
the Supervisors of Penn Township personally by
handing each of them a copy of same.

J. R. Wigglesworth

TO: - W. C. LANGSFORD, J. S. RICHARDS. AND. H. L. BOWMAN.
COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa, to view and vacate the public road, leading from a point on the Bells Run road, Between Walls mill and the old Johnston factory, about 300 feet below the Bells Run School House; To a point where the said public road connects with the Bells Run road at the Hugh Rafferty place in Penn Township; have made said view and are of the opinion, that said road is of very little if any benefit to the inhabitants and taxpayers of the township or the public at large and should therefore be vacated as prayed for.

You are therefore hereby notified, that in compliance with the request of some of the citizens of the township, and the requirements of Act of Assembly and the Rules of Court, that the public hearing required to be held to give all parties interested, either for or against the vacating of said road a chance to be heard by the viewers before the filing of their report, will be held in the Arbitration Room in the Court House in Clearfield Pa, on Friday November 27th 1914 at one (1) oclock P. M. When and where all parties interested, either for or against the vacating of said road may appear and be heard.

A. J. Kramer
H. A. Reese
J. S. Michaels
VIEWERS.

Now this 16th day of November 1914 service of this notice accepted.
COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. C. Norris
Clerk!

TO, John. Wrigglesworth, John. Overdorf, and John. McKendrick,
Supervisors, of Penn Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by
the Court of Quarter Sessions of Clearfield County Pa to view and
vacate the public road leading from a point on the Bell Run road
between Walls mill and the old Johnston Factory, about three hundred
(300) feet below the Bell Run School House in Penn Township: To a
point where said public road connects with the Bell Run road, at the
Hugh Rafferty place in Penn Township.

Will meet at the end of said road to be vacated near the
Bell's Run School House in Penn Township on Thursday the first (1)
day of October A D 1914 at (9) nine oclock A M to attend to the duty
of their appointment at which time and place aforesaid you may attend
if you see proper.

A. G. Kramer
A. A. Reese
J. S. Michals
Viewers.

Now Sept 21 1914 served this notice on the above named Supervisors
X John Wrigglesworth, John, Overdorf, and John. McKendrick, personally
by handing each of them a copy of same.

John Overdorf

TO; W. O. LANGSFORD, J. S. RICHARDS, AND H. L. BOWMAN.

COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County Pa, to view and vacate the public road, leading from a point on the Bell's Run road between Walls mill and the old Johnston Factory, about three hundred (300) feet below the Bell Run School House in Penn Township; To a point where said public road connects with the Bell Run road, at the Hugh Rafferty place in Penn Township.

Will meet at the end of said road to be vacated, near the Bell's Run School House in Penn Township, on Thursday the first (1) day of October A, D, 1914 at (9) nine oclock A. M. to attend to the duty of their appointment, at which time and place aforesaid you may attend if you see proper.

A. G. Kramer
H. A. Reese
J. S. Michaels
Viewers.

Now this / 6 day of September 1914 service of this notice accepted

COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. C. Morris
Clerk.

[illegible]

feet, thence south nine (9) degrees, east two hundred and two (220) feet, thence south fifty four and one half (54-1/2) degrees, east one hundred and twenty three (123) feet, thence south forty seven (47) degrees, east two hundred and forty three (243) feet to the point where said road intersects with the public road, leading from Grampian to Bells Landing in Penn Township: Being four thousand seven hundred and thirty five (4735) feet in length.

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~~
~~XXXXXX~~

~~that it was not possible to procure from within that town~~

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:

The viewers further report that according to their judgment that no one was damaged by the vacating of said road, that therefore no damages were assessed.

~~known as the same releases of the land and copy of the notices.~~

WITNESS our hands and seals this 27th day of November

A. D. 1914.

A. G. Kramer
H. G. Reese
J. S. Michaels



No. 1 Dec Sessions, 1914

ORDER

To view and vacate a
road for public use in the
township of Beaver,
Clearfield County

Dec Session, 1914,
read and confirmed N. S.
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

Singmaster

Nov 7th 3:14 PM Confirmed

Shirley By the Court

Singmaster

1914

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 A' T. |
|----------------|------|-------------|
| A. J. Warner | 4 | 22 21.00 |
| A. H. Rees | 4 | 28 16.00 |
| J. W. Michaels | 3 | 16 23.20 |

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 enrolling 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

