

No. 11 May Term, 1915

Vacate Road

Versus

Knox & Pitt Townships

X

TO THE HONORABLE COURT OF CLEARFIELD COUNTY, PENNSYLVANIA.

The petition of the undersigned Citizens of Knox and Pike Townships of Clearfield County respectfully sets forth that they have learned that a petition is now before the Court of said County, for the purpose of vacating the public Road leading from Charley Normans in Pike Township, thence across the little Clearfield Creek thence to a line of Farm of H.F. Rowles Est, in Knox Township, leaving without a proper outlet of Three Families on Said Public Road.

And we believing such a measure to be unnecessary and injurious and against the will of the people in the limits of the proposed Townships, respectfully but energetically remonstrate against its passage, by your Honorable Court. And your petitioners as in duty bound will ever pray--;

D. G. Barron

Walter Scott

W.H. McDonald

R. H. Bloom

Pic Rowles

Hoyd Russell

Amos Bloom

R. O. Swateworth

Parley Scott

Robert F. Scott

M. C. Owens

Frank Louis

Robert Boyle George Rumminger

Aluf Boyle

Hoyd D. Bloom J. A. W. Gary

Doas R. Lambright

James Saultby

William Lambright

J. A. Woods

John B. Otter

James O. Read

Milton Read

R. A. Norris

G. A. Kidding

Geo. A. Kidding

Wm. Maynard

G. L. McKee

Joe Dunlap

M. F. Loving

W. J. Williamson

Fred Lund

Robert Rowles

Jess Sprnlap

L. J. Snyder

J. W. Blocker

Harvey Morris

D. L. Rowles

Harry R. Taylor

Mark Luray

S. H. Rowles

John R. Rowles

55 signers

# 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 1st day of May in the year of our Lord one thousand nine hundred fifteen.

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

Knox and Pine in said County, setting forth that a public road

long since laid out commencing at a point, on the public road leading from the Turkey Hill to Oshanter, near the Fagan Bowles homestead and extending about one mile in Knox Township, thence crossing by a bridge over Little Clearfield Creek into Pike Township, about twenty rods to a point on a public road leading from Olanta to Oshanter at what is now known as Cathcart's Old Mill, has become burdensome to the tax payers and useless to the traveling public.

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. G. Kramer Harry Reese and J. S. Michaels

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 impartiality 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 distance, 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 Knox and Pike and that three notices thereof were posted along the route of the proposed road to be vacated in each of said townships present, that the said view would be held on the 29th day of July, A. D. 1915, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 27th day of August, 1915, at 1 o'clock P. M. That the viewers appointed by the said order viewed the proposed said road to be vacated present and that there were present at the view for vacating said road Walter Long, & T. H. Rowles Supervisors of Pike Township and Alvin Earhard, Alex Rowles & T. H. Farran Supervisors of Knox Township and against vacating it John R. Dunlap, Luther Dunlap, Daniel Bowman, Bloomer Bowman, Wm McDonald, James Soulby, M. C. Ownes, Parley Stott, Walter Stott, Clinton Rowles, James Reed, Jesse Dunlap, T. A. Woods, John Black and others. parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 27th day of August A. D. 1915, when the following appearances were noted: Taylor Rowles, Walter Long, & Harrison Straw Supervisors of Pike Township and A. W. Bloom, T. H. Farran, & Alvin Earhard Supervisors of Knox Township in favor of vacating it and E. A. Woods, James Soulby, L. Y. Dunlap, Perry Stott & James Reed opposed to having said road vacated.

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 upon the petition of sundry inhabitants of the Townships of Knox and Pike to view and vacate a public road, long since laid out, leading from a point on the public road leading from Turkey Hill to Oshenter, near the Fagan Rowles Homestead in Knox Township; and intersect with the public road, leading from Olanta to Oshanter near what is known as Cathcarts old mill in Pike Township.

You are therefore hereby notified, that the said viewers will meet for the discharge of the duties of their appointment at the end of said road to be vacated near Cathcarts old mill in Pike Township, on Thursday the 29 day of July 1915 at one (1) o'clock P. M. at which time and place you may attend if you see proper.

A G Kramer

H A Reed

J S Michaels

VIEWERS.

Now this the 16 day of July 1915 service of the above notice accepted. COUNTY COMMISSIONERS OF CLEARFIELD COUNTY.

L C Shomis

Clerk.

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 a public road long since laid out and opened, leading from a point in the public road, leading from Turkey Hill to Oshantre, near the Fagan Rowles homestead in Knox Township; To a point in the public road leading from Olanta to Oshanter, at or near what is known as Cathcarts old mill in Pike Township.

Said road having been viewed; but owing to a protest against the vacating of said road by parties interested, and the requirement of the Act of Assembly and the Rules of Court, requiring the viewers to give all parties interested either for or against, the laying out, changing or vacating of a road, a chance to be heard by the viewers before the filing of their report.

NOTICE is therefore hereby given, that the public hearing to give all parties interested in said road a chance to be heard; will be held in the Arbitration Room in the Court House in the Borough of Clearfield Pa on Friday the 27th day of August A. D 1915 at one (1) o'clock P. M. at which time and place all parties interested either for or against vacating said road can appear and be heard.

H G Kramer  
H A Reese  
J S Michaels

VIEWERS.

Now August 10 1915 service of this notice accepted for the  
County Commissioners of Clearfield County Pa.

L C Johnson  
Clerk.

TO:- Walter Long, T. H. Rowles and Harrison Bloom Supervisors of Pike Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa, upon the petition of sundry inhabitants of the Townships of Pike and Knox Townships to view and vacate a public road long since laid out, leading from a point on the public road leading from Turkey Hill to Oshenter near the Fagan Rowles Homestead in Knox Township and intersect with the Public road, leading from Olanta to Oshenter near what is known as Cathcarts old mill in Pike Township

You are therefore hereby notified, that the said viewers will meet for the discharge of the duties of their appointment at the end of said road to be vacated near Cathcarts old mill in Pike Township on Thursday the 29th day of July 1915 at one (1) o'clock P M at which time and place you may attend if you see proper.

A G Kramer

H A Reese

J S Michaels

VIEWERS.

Now July 17 - 1915 served the above notice on Walter Long, T. H. Rowles and Harrison Bloom the supervisors of Pike Township personally by handing each of them a copy of same.

T H Rowles

TO:- Walter, Long, T. H. Rowles. and Harrison Bloom Supervisors of Pike 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 a public road long since laid out and opened, leading from a point in the public road leading from Turkey Hill to Oshanter, near the Fagan Rowles homestead in Knox Township, to a point in the public road, leading from Olanta to Oshanter at or near what is known as Cathcarts old mill in Pike Township:

Said view having been made; but owing to a protest against the vacating of said road by parties interested, and the requirement of the Act of Assembly and the Rules of Court requiring the viewers to give all parties interested either for or against the laying out, changing or vacating of a road, a chance to be heard by the viewers before the filing of their report.

You are therefore hereby notified, that the public hearing in this case will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the 27th day of August A. D. 1915 at one (1) o'clock P. M. when and where all parties interested in said road either for or against vacating the same may appear and be heard.

A G Kramer

H A Rees

J A Michaels

VIEWERS.

Now August 11 1915 served this notice on Walter Long, T. H. Rowles and Harrison Bloom the Supervisors of Pike Township Clearfield County Pa personally by handing each of them a copy of same.

Taylor H. Rembs

TO:- Alvin. Earhard, Alex. Bloom and T. H. Farran Supervisors of Knox Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa, upon the petition of sundry inhabitants of the Townships of Knox and Pike to view and vacate a public road long since laid out, leading from a point on the public road leading from Turkey Hill to Oshanter near the Fagan Rowles Homestead in Knox Township and intersect with the public road, leading from Olanta to Oshanter near what is known as Cathcarts old mill in Pike Township.

You are therefore hereby notified, that the said viewers will meet for the discharge of the duties of their appointment at the end of said road to be vacated near Cathcarts old mill in Pike Township on Thursday the 29th day of July 1915 at one (1) o'clock P M at which time and place you may attend if you see proper.

A G Kramer

H A Reese

J S Michalls

VIEWERS.

Now July 16<sup>th</sup> 1915 served the above notice on Alvin Earhard Alex Bloom and T. H. Farran the Supervisors of Knox Township personally by handing each of them a copy of same.

Alvin Earhard

TO:- Alvin. Earhard, Alex, Bloom and T. H. Farran Supervisors of Knox 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 a public road long since laid out and opened, leading from a point in the public road leading from Turkey Hill to Oshanter, near the Fagan Rowles homestead in Knox Township, to a point in the public road, leading from Olanta to Oshanter at or near what is known as Cathcarts old mill in Pike Township:

Said view having been made; but owing to a protest against the vacating of said road by parties interested, and the requirement of the Act of Assembly and the Rules of Court requiring the viewers to give all parties interested, either for or against the laying out, changing or vacating of a road a chance to be heard by the viewers before the filing of their report.

You are therefore hereby notified, that the public hearing in this case will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday the 27th day of August A. D. 1915 at one (1) o'clock P. M. when and where all parties interested in said road either for or against vacating the same may appear and be heard.

I G Braemer

H A Reese

J S Michaels

VIEWERS.

Now August 13 1915 served this notice on Alvin Earhard, Alex Bloom and T. H. Farran the Supervisors of Knox Township Clearfield County Pa personally by handing each of them a copy of same.

Alvin Earhard

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 27<sup>th</sup> day of August  
A. D. 1915.

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



## ORDER

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.

Viewers 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.M.'R.
A. G. Brown	3	3 1/4 1/2 55
W. H. Reed	2	1 2/2 1/6 35
J. J. Michaels	2	1 2/3 1/6 35

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

Session, 19 ,  
read and confirmed Ni. Si.  
Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

Nov 8<sup>th</sup> Aug 1916,  
Report Confirmed  
By the Court  
John B. Bell  
Atty. Weeden

Filed 19  
Fees \$1.25 paid by —

## 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 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. 1911.



IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

In Re: Petition to Vacate  
Road in Knox Township, and  
Pike Township.

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

We, the undersigned citizens of Knox Township and Pike Township, in Clearfield County, respectfully represent;

That a public road long since laid out, commencing at a point on the public road leading from Turkey Hill to Oshanter, near the Fagan Rowles homestead and extending about one mile in Knox Township, thence crossing by a bridge over Little Clearfield Creek into Pike Township about twenty rods to a point on the public road leading from Olanta to Oshanter at what is now known as Cathcart's Old Mill, has become burdensome to the tax payers and useless to the traveling public.

Your petitioners, therefore, pray your Honorable Court to appoint viewers to view and vacate the same. And they will ever pray, etc.

Alvin Echard } Supervisors of Knox  
Allen Bloom } Township  
J. M. Ottman

Harrison Bloom

J. H. Banks

Walter Long

James Gray

M. C. Tolias

James Tolias

J. L. Dowling

John Clark

} Supervisors of Pike  
Township

J. D. Patterson  
L. P. Yocom

Edgar Bloom

W. H. Martin

Sylvester Bloom

J. B. Snyder

Renton Galloway  
J. C. Gaynor  
W. H. Bloom  
Levi M. Wise  
John Wise  
Robert F. Winters  
E. S. Esthard M.D.  
Paul Ormsby  
W. B. Mc. Cracker  
A. G. Bloom  
Mark E. Mathewson  
John E. Mathewson  
Geo. Patterson  
John Gray  
Joseph Patterson  
H. L. Wise  
W. W. J. J.  
Dr. C. Robbins  
D. R. Hickok  
Lester Bloom  
G. W. Robins  
Osgood Merrifield  
Al. Walker  
W. B. Dunlap  
Obed Dunlap  
Fred Bishop

Dr. G. Pathcart  
J. De Leathcart  
W. W. Leathcart  
H. Bloom  
Sam Boag  
John Boag Jr  
Wm. Shane  
E. C. Robinson  
John Boag  
R. C. Dunlap  
R. C. Patterson  
Wade Rowles  
Ward Rowles  
Wm. H. Linchias  
Frank Bloom  
John Doty  
Chester Devens  
Paul Bloom  
H. S. Catherall  
Calvin Rowles  
James Devens  
John C. Bauman  
Alfred Bloom  
W. H. Leathcart  
Leoni Doty

Ashley McDowell  
J. H. Eckert  
Howard W. Bloom  
D. D. Long  
Ernest Cathcart  
Elmer Windom  
Samuel Barnum  
Robert Throckmorton  
S. Snyder  
Monroe Bloom  
G. W. Appleton  
John J. Brown  
J. S. Bloom  
A. B. Quens  
C. A. Bloom  
S. J. White  
R. Wise  
Harry S. Caldwell  
W. E. Caldwell  
Thomas Humphreys

James M. Humphreys  
Jared Maynard  
Charles Caldwell  
A. H. Hall  
W. S. Oliver  
J. W. Rice  
T. L. Eldridge

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are hereby enlarged to September Term, 1915.

And, now, June 7th, 1915, on account of the return day being only two days after the date of the above appointment of trustees and not having sufficient time to make a return, on motion of Waller Wodge, Esq., Attorney for petitioners, the powers of the said trustees

10. *W. J. G. Schenck, 1915.*

Ergonomics in Design

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Send now May 1-1915  
The enclosed petition

A. G. Kraemer Harry Hess

are obtained. V.  
W. S. Michaels

view the premises and make return to the Court of their finding in the matter.

By the Committee

Sugihara Bell

State of Pennsylvania )  
County of Clearfield. ) : ss.

Before me a Justice of the Peace in and for said County and State,  
personally appeared det. Bloom - who being duly sworn  
doth depose and say that the facts set forth in the foregoing petition  
are true to the best of his knowledge, information and belief. And  
further deponent saith not.

Sworn and subscribed to  
before me this 28th  
day of April, A. D. 1915.

AWB

APRIL, A. D. 1915.  
J. C. F. Snyder  
Justice of the Peace.

Jan. 1916.