

ROAD

No. 13 SEPTEMBER TERM 1913

IN RE PETITION TO VACATE

AND SUPPLY RIAD IN BURNSIDE TWP.

VERSUS

R. & #5-Page 346

Part Twp. Bd. 17315

Know all Men by these Presents

THAT We, J. C. Solley, Allen Fulton, George Oaks and Hudson Oaks,
all of the Township of Burnside, County of Clearfield, Pennsylvania, are
held and firmly bound unto the Commonwealth of Pennsylvania, its certain Attorney,
or assigns,

in the sum of One Hundred (\$100.00) dollars

lawful money of the United States of America, to be paid to the said
Commonwealth of Pennsylvania, its
certain Attorney, Executors, or Assigns, to which payment well and truly to be made the said parties

hereto and their

Heirs, Executors and Administrators,

firmly by these Presents. Sealed with OUR

Seal. Dated the 29th day of August in the year of our Lord
one thousand nine hundred and sixteen.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bounden J. C. Solley,
Allen Fulton, George Oaks and Hudson Oaks, their

Heirs, Executors, and administrators, or any of them, shall and do well and truly ~~pay on account to be paid~~
~~into the above named~~

~~certain Attorney, Executors, Administrators and Assigns,~~

~~the just sum of~~

save and keep harmless the Commonwealth of Pennsylvania, the County of
Clearfield or any person interested from the costs and expense incurred
in the case of a petition this day presented to the Court of Quarter
Sessions of Clearfield County, in the event such proceeding should be
abandoned or the said viewers should report adversely to the ~~prayer~~
of said petition for ~~to~~ vacate and supply a certain road in Burnside
Township, Clearfield County,

without any fraud or further delay, then the above Obligation to be void, or else to be and remain in
full force and virtue.

Sealed and Delivered in the Presence of us

J. C. Solley (Seal)

Allen Fulton (Seal)

George Oaks (Seal)

Hudson Oaks (Seal)

BOND.

In re: Petition for to vacate
and supply a certain road in
Burnside Township, Clearfield
County, Pennsylvania

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For \$ 1.00

1916

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 first day of
September in the year of our Lord
one thousand nine hundred sixteen,*

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

*in said County, setting forth that to vacate the
road in Burnside Township leading North east from the Slab Town
Bridge to C. J. Colley's and supply a road leading from Walters Run
to D. J. Colleys, starting at a point on said run along the River
Road between Patchinville and Slab Towns and running North east
to C. J. Colleys distance about one mile.*

*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, E. D. Billotte
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 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 K. 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 Burnside and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 4th day of October, A. D. 1916. ~~That the hearing was held on the 4th day of October, 1916, at 10 o'clock, A. M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view J. C. Solley, A. P. Fry, R. H. Ownes, Allen Fulton, J. B. McGee and John Nowrev two of the Supervisors of Burnside Township and Hudson Oaks and George Oaks.~~

~~parties in interest. That the hearing was held in the Arbitration Room in the Court House at Clearfield, Pa. on the 4th day of October, 1916, when the following appeared and were noted:~~

After the view ~~and hearing~~ (above mentioned, the undersigned, ~~the majority of the said~~ viewers, do agree that there is occasion for a road as desired by the petitioner, and that the same is 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 public use the following described road, to-wit: Beginning at a point in the public road leading from Slab town to Harmony at or near the property line of C. F. Fulton near the residence of J. C. Solley in Burnside Township; Thence over improved land of the said J. C. Solley, south forty seven (47) degrees, west six hundred (600) feet; thence south fifty (50) degrees, west, two hundred (200) feet; thence over unimproved or wood land of the said J. C. Solley the following courses and distances, to wit: south fifty three (53) degrees, west one hundred feet; thence south forty three (43) degrees thirty (30) minutes, west one hundred (100) feet; thence south thirty six (36) degrees and thirty (30) minutes west one hundred (100) feet; thence south fourteen (14) degrees fifteen (15) minutes west one hundred (100) feet; thence south fourteen (14) degrees and forty five (45) minutes west one hundred (100) feet; thence south six (6) degrees east one hundred (100) feet; thence south seventeen (17) degrees east one hundred (100) feet to property line of Clyde Fulton; Thence over unimproved or wood land of the said Clyde Fulton the following courses and distances to wit, south twenty two (22) degrees thirty (30) seconds, west one hundred (100) feet; thence south sixty one (61) degrees, west one hundred (100) feet; thence south fifty six (56) degrees thirty (30) minutes, west two hundred (200) feet; thence south seventy one (71) degrees west one hundred (100) feet; thence south fifty nine and one half (59-1/2) degrees, west three hundred (300) feet to property line of Mrs A. W. Patchin. Thence over unimproved or wood land of the said Mrs A W Patchin the following courses and distances, to wit; south

thirty nine (39) degrees, west one hundred (100) feet; thence south sixty seven (67) degrees, west two hundred (200) feet; thence south seventy five (75) degrees, west two hundred (200) feet; thence west one hundred and thirty (130) feet; thence north sixty (60) degrees thirty (30) minutes; west one hundred (100) feet; thence north, sixty seven (67) degrees west one hundred (100) feet; thence north sixty eight (68) degrees, fifteen (15) seconds west one hundred (100) feet; thence north eighty six (86) degrees, west two hundred (200) feet; thence north eighty three (83) degrees thirty (30) minutes west one hundred (100) feet; thence north eighty one (81) degrees, west three hundred (300) feet to a point in the State road leading from Patchinville to Burnside near the mouth of Walters Run in Burnside Township.

And vacate that part of the public road, leading from Slab town to Harmony; from the State road at Sladtown to the corner of the property line of C. F. Fulton in Burnside Township; which said road is supplied by the said new road laid out, which will by the opening of said new road become, useless, and burdensome upon the taxpayers of the township, to keep up, and is therefore hereby vacated, as shown on the draft attached as part of our report.

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 ~~unsuccessfully endeavored to~~ failed to procure such releases




failed to
the following persons having ~~unsuccessfully endeavored 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:

J. C. Solley	\$25.00
Clyde Fulton	\$25.00
Mrs. A. W. Patchin	\$25.00

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

WITNESS our hands and seals this Fourth day of October

A. D. 1916.

A. G. Kramer 
E. B. Billotto 
J. S. Michaels 

ORDER

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

Jelmy Session, 1917, (7th)
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.

By the Court
Mugdant Bell
May 26 1917 (May 26)
Confirmed absolutely
By the Court
Mugdant Bell
Filed 19 17.

Fees \$1.25 paid by
Wilek atty.

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. Branner	4	18.24.90
E. D. Billotte	4	140 27.00
J. S. Michaels	3	34 16.70

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 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. 191 _____.



TO:- JESSIE. E. DALE, H. H. SPENCER AND AUSTIN HANFY,
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 lay out a public road, leading from the public road known as the river road, from a point between Slab Town and Patch-inville known as Walters run, in Burnside Township:-

To a point in the public road, at or near the residence of C. J. Solley in Burnside Township; and vacate the public road leading north east from the river road at the end of the Slab Town Bridge, to the residence of C. J. Solley, in Burnside Township in the County aforesaid; will meet at the house of C. J. Solley in Burnside Township on wednesday the fourth (4) day of October A. D. 1916 at nine (9) oclock A. M. to attend to the duty of their appointment at which time and place you may attend if you see proper.

A. G. Kramer
E. D. Billotte
J. S. Michaels.
VIEWERS

Now Sept. 16, 1916 service accepted for the County Commissioners of Clearfield County Pa.

L. C. Norris
Clerk.

TO:- John, B, MaGee, John, Nowrey and J, L. Brothers;
Supervisors of Burnside 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 lay out a public road, leading from the public road known as the river road, from a point between Slab Town and Patch-inville known as Walters run in Burnside Township:-

To a point in the public road, at or near the residence of C. J. Solley in Burnside Township; and vacate the public road leading north east from the river road at the end of the Slab Town bridge, to the residence of C. J. Solley, in Burnside Township in the County aforesaid; will meet at the house of C. J. Solley in Burnside Township on Wednesday the fourth (4) day of October A. D. 1916 at nine (9) oclock A. M. to attend to the duty of their appointment, at which time and place you may attend if you see proper.

A. G. Kramer
E. D. Billotte
J. S. Michaels
VIEWERS.

4 Now Sept 23 1916 served this notice on John B MaGee, John Nowrey and J. L. Brothers the Supervisors of Burnside Township personally by handing each of them a true copy of same.

C. J. Solley

Petition to vacate and supply.

To the Hon. S. S. Bell President Judge
of Quarter Sessions of the Peace in and
for the County of Chearfield, Tenn.

The petitioners of the undersigned for
to vacate the road in Burnside Twp
leading North East from the Glab Town
bridge to C. J. Solleys, and supply a
road leading from Wallers Run to C. J.
Solley, starting at a point on said Run
along the River road between Hatchsville
and Glab Town, and running North East
to C. J. Solleys distance about one mile.

your petitioners therefore pray your
Hon. Court to vacate and supply, and we will
ever pray

S. S. Young
P. L. Owens
P. H. Owens
L. E. Sullivan
M. E. Newsome
W. H. Wolfe
John Brabanger
Jerry Fry
George K. Koon
S. L. Chapman
J. E. Butler
Anthony King
C. L. Kerabough
Bryson Thompson
Elmer Koon
E. L. Dejeanina
Daniel Fry
A. E. Fry
C. P. Fry
J. O. Fry
J. P. Fry
A. L. Lee
S. E. Fry
Hudson Oaks
George Oaks
S. D. Kantz

Charfield County, ss

J. C. Solley. being duly sworn
doth depose and say that the facts
set forth in the foregoing petition are true
to the best of his knowledge and
belief

Subscribed and subscribed J. C. Solley
to before me this 29th
day of August 1910
John W. Moore

Jas L. Adams,
John Leary
W. J. Beck
P. E. Smith
Jacob Bennett
E. E. Huffman
L. W. Young
Smith
J. H. Trudel
J. Q. Brothers
J. W. Myers
Arthur Sunderland
Carl E. Pritchard
J. C. Solley

John B Magee Super

Thomas Lockard.

Paris Lockard.

Thomas Brock.

Aaron Fulton

~~John H. Satchel~~

J. S. Young

James Ciddle

Frank Beck

Clark Beck

Laban Hallen

C. E. Fulton

N. M. Rowley-

E. L. Beck.

John H. Weaver.

Geo W. Griffith

Daniel Keim

J. L. Byers

and now Sept 9-1916.
 The former of the Revenue appointed
 in the meeting enlarged that as in the above
 one meeting enlarged that as in the above
 By the Court
 September 13th 1916

# 13 to above	1916
In re Petition to Narrow & supply Road in Burrows & Lutz	
Now Sept 13 th 1916 Petition read and considered whereupon Att. General, E. D. Beckett and J. S. Buckner are appointed vicariously to view the said road and report to the Court By the Court September 13 th 1916	