

No. 5 May Sessions, 1911

COMMONWEALTH

VERSUS

Vacate Road
in Goshen Twp

CHARGE

X

Walter Welch,
District Attorney

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

That a road has long since been laid out in our Township, known as the road to the Spence Place by way of the Thompson-Read Farm, now Harrison Straw Farm, and that parts of this road is now become useless, inconvenient and burdensome, and we, therefore, pray the Court that the said parts of said road may be vacated agreeable to the Act of Assembly in such case made and provided;

That the other part of said road desired to be vacated begins at a point where the lane from the Spence Place joins this road to the terminal, which terminal is not designated and can not be definitely determined because this road continues as a private road known as the old McGeorge Road and leads for a distance of about ten miles to the old Caledonia Pike, but the terminal of this Township Road is about one-half mile ^{north} from the Spence Place; and

And they will ever pray.

40

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD CO.

Petition by citizens of
Goshen Township to
vacate road in Goshen
Township, Clearfield
County, Pennsylvania.

*Now set by SS. 1917
the foregoing petition
being read and considered
by the court. Ed Ballou
and J. S. McKeever
appearing in
behalf of the petitioners and
make report.*

12 1917

MURRAY & OLAUGHINIK
LAWYERS
CLEARFIELD, - PENNA.

KURTZ 3908, 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 12 day of
Feburayr in the year of our Lord
one thousand nine hundred seventeen,

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

in said County, entitled as follows:

That a road has long since been laid out in our Township known as the road to the Spence Place by way of the Thompson-Read Farm now Harrison Straw Farm, and that prts of this road is now become useless, inconvenient and burdensome, and we, therefore, pray the Court that the said parts of said road may be vacated agreeable to the Act of Assembly in such case made and provided.

That the parts of said road desired to be vacated are:- Beginning at a point near the barn of said Harrison Straw to a point where this road joins the road leading from School House No. to the Spence Place and the other part of said road desired to be vacated begins at a point where the lane from the Spence place joins this road to the terminal which terminal is not designated and cannot be definitely determined because this road continues as a private road known as the old McGeorge Road and leads for a distance of about ten miles to the old Caledonia Pike, but the terminal of this Township Road is about one half mile north from the Spence Place; and that the parts of this road desired to be vacated have been for some time abandoned for any public use and it is a great hardship on the part of the Township to have the expense and ~~inconvenience~~ of maintaining it.

ity and according to the best of their judgment, are to view the ~~proposed~~ ^{public} ~~road~~ ^{road}, and if they view the same, and a majority of the actual viewers agree that there is occasion ~~for such road~~ ^{and} ~~they shall proceed to lay out the same, as agreeable to the desire of the petitioner~~ ^{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 ~~vacating said~~ ^{vacating said} road, they shall obtain from the persons through whose lands the said road shall pass, release 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 S. 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 Goshen ----- 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 April ----- A. D. 1917, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the Fifth day of April -----, 1917, at (9) o'clock A. M. That said viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Harrison Straw, Thomas Taylor and Ira Tate, Mr Taylor and Mr Tate being Supervisors of said Township

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the Fifth day of April ----- A. D. 1917, when the following appearances were noted: Ira Tate and Thomas Taylor of the Supervisors of Goshen Township with their Attorney Hazzard A Murray and Elmer C Zimmerman, W. C. Goss, Dr A. D. Gornick, John Sipe, James Brewer, A. L. Kline, James McLaughlin with their Attorney A. R. Chase Esq

After the view and hearing above mentioned, the undersigned, ~~the majority of the said~~ viewers, do agree that there is ~~no~~ ^{said} occasion for a road as desired by the petitioner, and that the same is ~~no longer necessary~~ ^{not necessary} for a ~~public~~ ^{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 according to the desire of the petitioner, and do return for that said road the following described road, to-wit:~~ ^{By} Beginning near the barn on the Harrison Straw farm in Goshen Township and leading from there through the said Straw farm and the old abandoned farm of W. F. Shaw to the intersection of said road with the public road leading from school house No ----- known as the West Goshen school house to the Spence place; as more fully shown by the draft hereto attached as part of our report:

And as said road has to all appearances and according to the information of the viewers been practically abandoned and is of no apparent further use to the community or traveling public it has therefore in the opinion of the viewers become, useless, inconvenient and burdensome upon the taxpayers of the township; the viewers would therefore recommend that the same be vacated.

As to the other part of the road desired to be vacated: from where the lane from the Spence place joins said road, leading from the West Goshen school house to the township line between Lawrence and Goshen Townships the supposed terminus of said road, as a road supposed to be the further end of said road from the Lawrence Township line to the Turkey path has long since been vacated by an order of this Court, but has never been closed up and is still used, but as the end of said road sought to be vacated from the lane on the Spence place to the township line, according to the testimony produced at the hearing continues to be of considerable use to several families living out beyond the terminus of said road engaged in lumber

To:- Jessie. E. Dale, H. H. Spencer and Austin Haney.
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, certain parts of the public road long since laid out; known as the road leading to the Spence place, by way of the Thompson Reed now the Harrison Straw farm: From a point near the barn on the said Harrison Straw farm; to a point where said road joins the road leading from School House, No, 1. in Goshen Township, to the Spence farm:-

And the other part of said road, to be vacated begins at a point where the lane from the Spence place joins this road; to the terminus of the said road, which is about one half mile north from the said Spence place; in Goshen, Township in the County aforesaid, will meet at the barn on the said Harrison Straw farm, in Goshen Township on Wednesday the Fourth (4th) day of April A. D. 1917 at nine (9) o'clock A. M. to attend to the duty of their appointment of which time and place aforesaid all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers in order to give all parties interested, either in favor of or against vacating said road a chance to be heard by the viewers, before the filing of their report; will be held in the Court House in Clearfield Pa on Thursday the fifth day of April, A. D. 1917 at nine (9) o'clock A. M. at which time and place all parties concerned in said road may attend and be heard.

A. C. Kramer
E. D. Billotte
J. L. Michaels

VIEWERS.

Now March 22nd 1917 service of the foregoing notice accepted for
the County Commissioners of Clearfield County Pa.

L. C. Morris

Clerk.

X

To:- W. H. Condon, Ira. Tate and Thomas Taylor,
Supervisors of Goshen 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, certain parts of the public road long since laid out; known as the road leading to the Spence place, by way of the Thompson Reed now the Harrison Straw Farm: From a point near the barn on the said Harrison Straw farm; to a point where said road joins the road leading from School House NO, 1, in Goshen Township, to the Spence farm.

And the other part of said road to be vacated, begins at a point where the lane from the Spence place joins this road, to the terminus of the said road, which is about one half mile north from the said Spence place; in Goshen Township in the County aforesaid, will meet at the barn on the said Harrison Straw farm, in Goshen Township on Wednesday the Fourth (4) day of April A. D. 1917 at nine (9) o'clock M, to attend to the duty of their appointment of which time and place aforesaid all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers, in order to give all parties interested, either in favor of or against vacating said road a chance to be heard by the viewers, before the filing of their report; will be held in the Court House in Clearfield Pa on Thursday the fifth (5) day of April; A. D. 1917 at nine o'clock A. M, at which time and place all parties concerned in said road may appear and be heard.

A. G. Kramer
E. D. Billotte
J. A. Michalls.

VIEWERS.

Now March 22 1917 served the foregoing notice on W. H. Condon Ira Tate and Thomas Taylor the Supervisors of Goshen Township personally by handing each of them a true and correct copy of same.

Ira Tate

operation for the Vithmer Steel Company who are heavy tax payers and the owners of considerable timber in said township who have occasion to frequently use said road in taking out provisions and supplies for their camps and in traveling to and from their said operations besides the other travel over said road: so that in the opinion of the viewers said road has not become, useless nor inconvenient and is not an expensive road to keep up and is therefore in the opinion of the viewers not burdensome upon the taxpayers of the township and not sufficient reason for vacating said road; They would therefore recommend that the same be not vacated.

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 undersigned viewers further report that no one being damaged or inconvenienced by vacating said road so that no damages have been assessed.

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 5th day of April

A. D. 1917.

A. G. Kramer

E. D. Billette

J. S. Michaels



No. 5 May Sessions, 1917

ORDER

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

May Session, 1917, read and confirmed N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 10 feet wide.

Mythas Land
Engelhard
Sept 22 1917 Confirmed
absolutely
Mythas Land
Engelhard

Filed 19

Fees \$1.25 paid by W.T.O.L.
W.T.O.L.

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.
<u>A. B. Branner</u>	<u>3</u>	<u>14</u>	<u>15.70</u>
<u>Edw. Billotte</u>	<u>4</u>	<u>54</u>	<u>27.20</u>
<u>J. S. Michaels</u>	<u>3</u>	<u>80</u>	<u>19.00</u>

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. 191_____



In the Court of Quarter Sessions of Clearfield County

In re public road in Girard Township .-

The undersigned petitioners citizens of said Township of Girard respectfully represents .- That a road long since or supposed to have been laid ^{out} as a public road as laid out and used

commencing at a point at the hand boards in Public Road leading from Clearfield to Karthaus near the Murray Graveyard and extending to the Knobs in said Twp of Girard.- is inconvenient and burdensome

Your petitioners therefore pray your Honorable Court to appoint viewers to view vacate and change said road from the said hand boards near the Murray Graveyard to a point on public road

leading from Shawsville to the Knobs at or near the residence of F S Shope in said Township of Girard.-

And they will ever pray &c

A. L. Smith
Daniel Bradford
D. C. Bradford
Earl Bradford
Alfred Brice
Geo. B. Jorg
Daniel Steiner
Frank Coulter
Paul Smith
L. F. Martell
Henry Buck
David J. Coulter

Q. E. Beaumais
Erick Martell
W. B. Graham
Minto Flood
Harry Smith
A. L. Jorg
Martin Martell
Ashley Ryker



[The body of the document contains several paragraphs of text that are almost entirely illegible due to extreme blurring and low contrast. The text appears to be organized into paragraphs, but no specific words or sentences can be discerned.]

Sept 16th 1897 - A.H.
in Sy. Ed. Whittle
Michaelson of -
at Meiner to seek
your say and feel
in part to Sept 18th 1897.

My Mr. Lewis
in part to Sept 18th 1897.

Collected for specimens
of brown brown ground
and change between
more from limestone
on some heavy from
Chapman to North
see many from me
the first in person
some knowing from
Hessner. to the black
also seen to Sept 18th 1897.