

No. 6 Sept. Sessions, 1918

COMMONWEALTH

VERSUS

Petitioner to vacate
public road in
Bell Township

CHARGE

Stephenson

X
Walter Welch,
District Attorney

CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa., in and for said County, on the Twenty sixth day of August in the year of our Lord, one thousand nine hundred and Eighteen.

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Bell, in the County aforesaid setting forth that
there is a portion of a public road in said township being that portion of road leading from line of James Stevenson estate farm to what is known as Rocky Springs Road. which portion of road is little used by the public and is no longer necessary for public travel and the same is now in condition of bad repair and ought to be vacated.

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers A.G.Cramer, Esq. E.D.Billote,

and J.S.Michaels. who have been duly appointed by the said Court on the County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; 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 the place where they would meet, to view 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 QUARTER SESSIONS OF THE PEACE, IN AND FOR THE COUNTY OF CLEARFIELD, PA.

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:

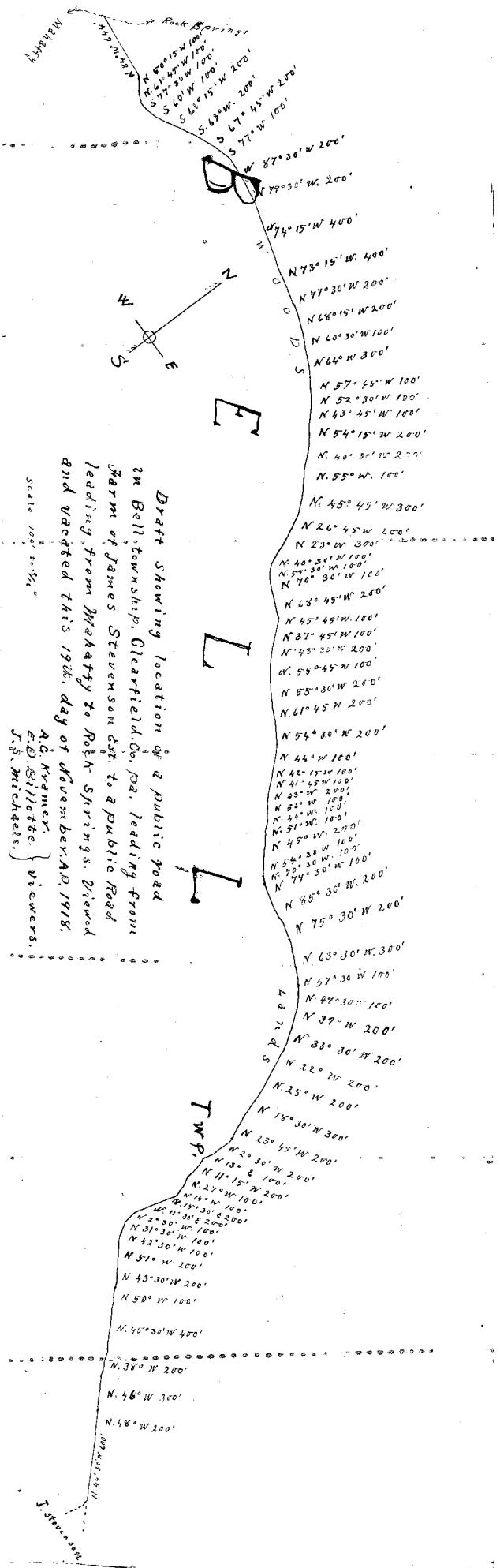
That notice of the time of the view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County, and the Board of Supervisors of the Township of , and that notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

day of , A. D. 19 , and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield,

Pa., on the day of , A. D., 19 , at o'clock A.M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view , and that the said road is in a dangerous and inconvenient condition, and that the same

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the day of , A. D. 19 , when the parties interested in the said road were in attendance:

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome.



To:- Jesse, E. Dale, H.H. Spencer, and Austin Haney,
County Commissioners of Clearfield County Penn'a.

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a portion of the public road leading from the line of the farm of the James Stephenson estate in Bell Township to what is known as the rocky spring road which portion of said road is of little use and no longer necessary for a public road, in Bell Township, in the county aforesaid, will meet at the end of the said road next the Stephenson farm in Bell Township, on Tuesday, the 19th, day of November, A. D. 1918. at 9 o'clock A. M. to attend to the duty assigned them, 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 to give all parties concerned in said road a chance to be heard by them before the filing of their report in Court will be held in the Arbitration room in the Court House in Clearfield Penn'a. on Friday the 22, day of November A. D. 1918 at 10 o'clock A. M. when and where all parties concerned may appear and be heard.

A G Kramer

Ed Billotte

J S Michaels

VIEWERS

Now November 4 1918 service of the above notice accepted
for the County Commissioners of Clearfield County Pa.

L C Morris

Clerk.

Mr. J. H. Baker, James, Breath, and T. B. Miller;
Supervisors of Bell Township, Clearfield County Penn'a.

You are hereby notified that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a portion of the public road leading from the line of the farm of the James Stephenson estate in Bell Township to what is known as the rocky spring road which portion of said road is of little use and no longer necessary for a public road, in Bell Township, in the county aforesaid, will meet at the end of the said road next the Stephenson farm in Bell Township, on Tuesday, the 19th, day of November, A. D. 1918, at 9, o'clock A. M. to attend to the duty assigned them, 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 to give all parties concerned in said road a chance to be heard by them before the filing of their report in Court will be held in the Arbitration room in the Court House in Clearfield Penn'a. on Friday the 22, day of November A. D. 1918 at 10, o'clock A. M. when and where all parties concerned may appear and be heard.

A G Kramer

E D Billotte

J S Michaels

VIEWERS

Now November 7 1918 served the above notice on J. H. Baker, James Breath and T. B. Miller the Supervisor's of Bell Township personally by handing each of them a true and correct copy of same.

J H Baker

[REDACTED] a plan, or draft, of said road [REDACTED] showing the courses and distances, and over whose property the said road passes, [REDACTED] hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacating of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from:

No one in the opinion of the viewers being damaged by vacating said road therefore no damages are assessed.

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up 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:

[REDACTED] see copy of notices attached

Witness our hands and seals this 22d day of November, ---, A. D. 1918.

A. G. Brammer [SEAL.]

E. B. Billotte [SEAL.]

J. S. Michaels [SEAL.]

Viewers.

No. 6 Sept. Term 19 18

ORDER TO VACATE

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	Amt
A. G. Kramer	4	\$0 24.00	
E. J. Billotte	4	\$0 25.75	
J. J. Michaels	2	\$0 14.00	

To view and vacate road situate in the Township of Ell in the County of Clearfield County.

Now June Sessions 19/18
read and confirmed Ni. Si. Grind
on any any any
By the Court
John Woodward
Now July Sessions 19 19/18
confirmed absolutely.

Aug 18 1918
By the Court
Aug 18 1918
John Woodward

Filed 19

Atty. A. H. Woodward.

Fees \$1.25 paid by

A. H. Woodward.

*Ex excellento feed
most*

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

No. September Term 1918.

PETITION TO VACATE PUBLIC ROAD IN BELL TOWNSHIP.

To the Honorable, the President Judge of said Court:

The petition of the undersigned, being the supervisors of the township of Bell in said County, respectfully represents:-

That there is a portion of a public road in said township, being that portion of road leading from line of James Stevenson Estate farm to what is known as Rocky Springs road, which portion of public road is little used by the public and is no longer necessary for public travel and the same is now in condition of bad repair, and ought to be vacated.

They respectfully pray the Court that said portion of public road may be vacated as provided by law and they will ever pray.

James Breath
J. H. Baker
as B. Miller

STATE OF PENNSYLVANIA }
COUNTY OF CLEARFIELD } SS.

James Breath, President of the board of supervisors of Bell township, being duly sworn according to law deposes and says that the facts stated in the foregoing petition are true and correct according to the best of his knowledge and belief.

Sworn and subscribed to before me
this 29th day of July A. D. 1918.

John W. Moore
Prothonotary

James Breath

No. 6 Sept. 1918.

Petition
to Vacate Public and
Pelle Townships.

November 26, 1918
A. G. Kramer
Ed. Beulah
J. G. Michaels
Approved Pursue
to work as provided
by law.

By My Order
Frank G. Bell
A. H. Woodward
ATTORNEY AT LAW
CLEARFIELD, PA.