

No. 1

Feb. 24 Term, 1920

Ferguson & Jordan, Twp.
Versus

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Bellat.
Boromir
Michael

John Reed
to Intraset
Not to John Bell
McShears

Joseph Ames tract

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

In Re. Road in Ferguson and) No. 5 May Sessions, 1920.
Jordan Townships.)

Now, September 8th, 1920, this proceeding ordered on the Argument List. The papers on file show Viewers were appointed on May 3rd, 1920, and was for the review of a proceeding proposing vacation of a public road. Under this proceeding the Viewers have undertaken to lay out a new road and we do not at this time see how they have power to so act. We direct this matter be placed on the Argument List and that notice be given to the Attorneys of record for Jordan and Ferguson Townships.

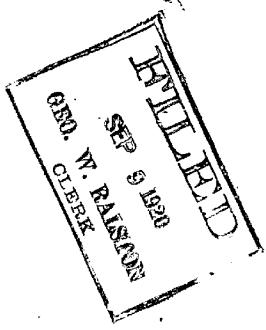
By the Court,

Singleford Bell
P. J.

NO. 5 MAY Sessions, 1920.

In Re. Road in Ferguson and
Jordan Townships.

ORDER.



COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

IN RE : # February Sessions, 1920.
REVIEW OF ROAD IN :
FURGESON AND JORDAN TWP. :
CLEARFIELD COUNTY :
:

To the Honorable Singleton Bell, President Judge of the Court of Quarter Sessions, Clearfield County.

The petition of the undersigned inhabitants of the Townships of Furgeson and Jordan in said County respectfully sheweth:

1st: That in proceedings in said Court to #1 February Sessions 1920, upon petition presented, viewers were appointed to view and vacate a section of public road in said Townships, and described as follows; to wit: Beginning at a point at the foot of what is known as Ames Hill and extending to a point on public road leading from La Jose to Berwindsale, at or near John McKeehans. A draft of said road which was recommended for vacation, together with the metes and ~~size~~ there being fully set out by the viewers by draft attached to their report in #1 February Sessions, 1920.

2nd: That the aforesaid appointed viewers, namely A. G. Kramer, Esq., E. D. Billet and J. S. Michaels, reported said road useless, inconvenient and burdensome, and recommended vacating the same, said report of the viewers being confirmed in ~~ni si~~ by your Honorable Court at February Sessions, 1920 and now on file in the Clerk's office for final confirmation at the next term of Court.

3rd: That said road is necessary to the traveling public, and convenient, and would be ~~very injurious~~ to your petitioners and burdensome to the inhabitants of the Township of Ferguson and Jordon and to the traveling public in general if the report of the viewers recommending vacation was confirmed.

Your petitioners therefore pray your Honorable Court to appoint proper persons to re-view said road and parts adjacent and make a report to the Court according to law.

And they will ever pray, etc.

NAME

POST OFFICE ADDRESS

S. K. Ames

Evona Pa

H. W. Queen Bus.

Berwindale

J. B. McKeon

Berwindale

E. Thompson Jrine

Berwindale

John Thewalt

Laf Jabe

Geo. Donell

Ho go 2d

Blake Summey

Kerrwood

L. G. Wesley

" " " "

James McKeon

Berwindale Pa.

Pine Ridge Coal Co.

J. J. Conrad

Berwindale Pa.

J. C. Shaffer

Kerrwood

J. C. Shaffer

Berwindale

B. A. Danner

Kerrwood

B. A. Danner

Kerrwood

Howard Williams

Kerrwood

W. A. Smith

Kerrwood

B. B. Shaffer

Kerrwood

F. C. Parrott

Kerrwood

Frank McTeehan

POST OFFICE ADDRESS

Bennettsville

NAME

L. McElroy

Frank Stang

Geo Peterson

C. Miller

W. Lewis

B. McElroy

L. McElroy

McElroy & McElroy

David Blawie

G. G. Galt

A. Hunter

W. J. Macomber

Willie Mayes

W. B. Cook

M. E. Duvall

Bolt Miss

Rutherford graine

Paul Leiderholz

E. K. Kramer

W. D. Bennett

N A M E

POST OFFICE ADDRESS

H. Bette Baird Salesman Pa.

A. W. Smith

~~W. H. Smith~~

~~C. W. Blawie~~

J. E. Peaks

J. P. Mc. Girey

L. L. Showalter Berwick Pa.

W. D. Bloom

J. G. Tyler

Dominic Smith

John Swan

~~Conrad~~ Pa.

~~Conrad~~ Pa.

~~Conrad~~ Pa.

~~Conrad~~ Pa.

Berwick Pa.

NAME

POST OFFICE ADDRESS

STATE OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) ss:
)

J. H. Ames Being duly sworn according to law deposes and says that the facts set forth in the above petition are true and correct to the best of his knowledge and belief, and that the signers of said petition are residents of Furgeson and Jordon Townships, Clearfield County, Pennsylvania.

Sworn and subscribed before me

this 29th day of March, A.D. 1920.

J. H. Smith J. P.

COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY

May Sessions, 1920

P E T I T I O N

For Review of Public
Road in Ferguson and
Jordan Townships, Cle-
arfield County, Pennsylvania

Said road being recom-
mended for vacation in
#1 February Sessions, 1920

John J. McAllister
Petitioner

Nov 3, 1920
A. E. Edwards, Harry
Rice and James Sprung
on behalf of numerous
citizens
By Pet. Comt.

THE ATTORNEY GENERAL
APR 5 1920
RAISIN CONCESSION & CHASE
#1
ATTORNEY AT LAW
CLEARFIELD, PA.

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 6th, day of January in the year of our Lord, one thousand nine hundred and twenty

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Ferguson & Jordan the County aforesaid setting forth that a certain Public Road in said Township, beginning at a point at the foot of what is known as "Ames Hill" and extending to a point on Public Road leading from LaJose to Berwindsale, at or near John McKeehans, has become burdensome, of little, if any use, and very expensive for the Township to maintain in proper condition, in the opinion of the petitioners the said Road should 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. Kramer E. D. Billotte

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.

Geo. W. Calston
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:

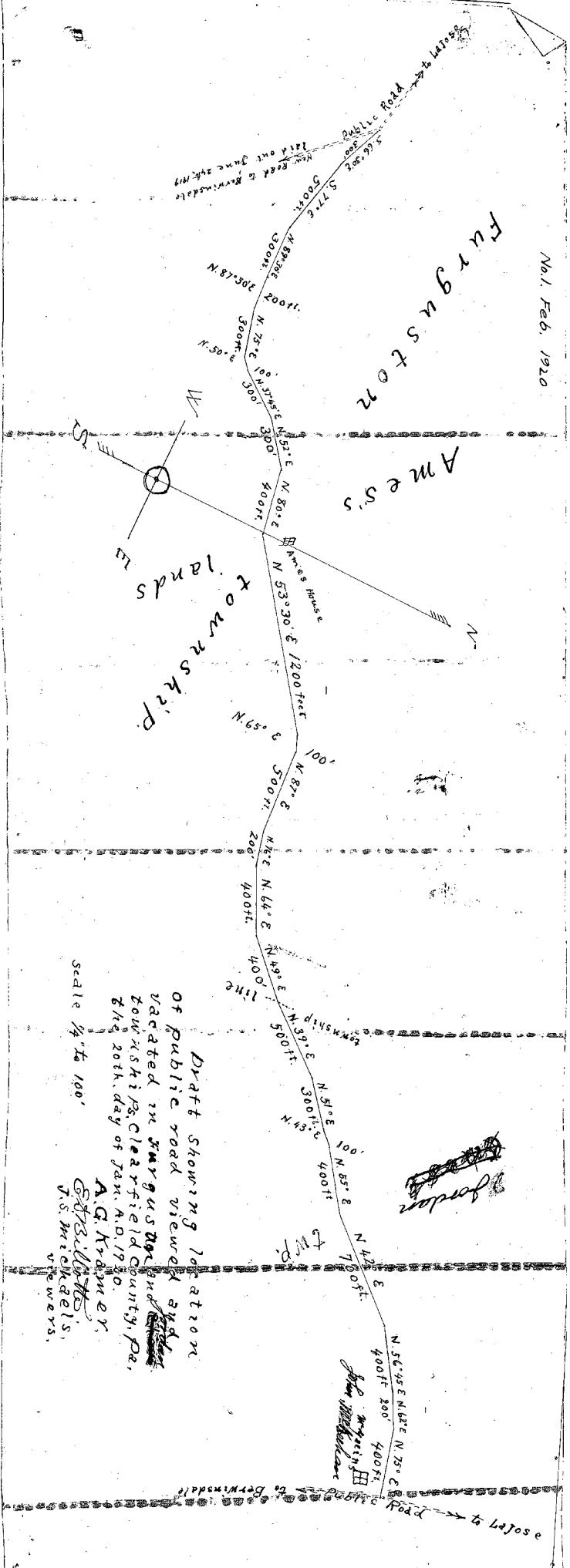
That notice of the time of the view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County, and the Board of Supervisors of the Township of Ferguson and Jordan, and that four notices thereof were posted along the route of the said road to be vacated, that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

20th day of January, A. D. 1920, 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 22d, -- day of January ----- A. D., 1920, at nine, 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 L. W. Bell and L. J. Hile two of the Supervisors of Ferguson Township and A. W. Thurston, one of the Supervisors of Jordan Township,

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 22d, day of January, , A. D. 1920, when the parties interested in the said road were in attendance: L. J. Hile one of the Supervisors of Ferguson Township,

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome and ought therefore in the opinion of the viewers be vacated from a point in the public road leading from Lajose to Berwindsdale at the foot of Ames Hill where a new road recently laid out intersects with said public road through part of Ferguson and Jordan Townships as follows. Beginning at the foot of Ames Hill in Ferguson Township: thence running over land of Ames as follows: South, sixty six (66) degrees, thirty (30) minutes, East three hundred (300) feet; thence south seventy seven (77) degrees, east five hundred (500) feet; thence north eighty nine (89) degrees, thirty (30) minutes east three hundred (300) feet; thence north eighty seven (87) degrees thirty (30) minutes, east two (200) feet; thence north, seventy five (75) degrees, east three hundred (300) feet, thence north fifty (50) degrees east one hundred (100) feet; thence north, thirty seven (37) degrees, forty five (45) minutes, east three hundred (300) feet; thence north fifty two (52) degrees, east three hundred (300) feet; thence north, eighty (80) degrees, east four hundred (400) feet; to Ames house; thence north fifty three (53) degrees, thirty (30) minutes, east twelve hundred (1200) feet; thence north sixty five (65) degrees, east one hundred (100) feet; thence north, eighty seven (87) degrees, east five hundred (500) feet; thence

No. 1. Feb. 1920



Draft showing location
of public road viewed and
varrated in ~~Washington~~^{Clearfield} County, Pa.
Aug. 20th, day of Jan. A.D. 1930.
A. G. Krapf, C.
Est. Billiards,
J. S. Michalek,
V. W. E.

No. 1 Feb. Term 1920

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.

To view and vacate road situated in the Township of Ferguson and in the Township of Jordan County.

Now July Sessions 1920

read and confirmed Ni. Si.

By the Court
Dugald G. Kelly
Now May Sessions 1920

confirmed absolute.

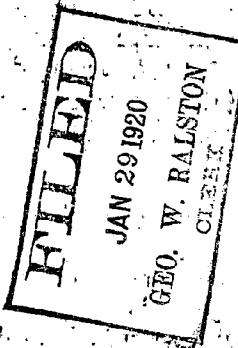
Samuel Kelly

By the Court

Filed

19
Atty. Miller & Hartwick

Fees \$1.25 paid by Atty's



north, seventy six (76) degrees, east, two hundred (200) feet; thence north, sixty four, (64) degrees, east four hundred (400) feet, thence north forty nine (49) degrees, east four hundred (400) feet to the Jordan Township line, thence through Jordan Township the following courses and distances to wit: north thirty nine (39) degrees, east, five hundred (500) feet; thence north, fifty one (51) degrees, east three hundred (300) feet; thence north, forty three (43) degrees, east one hundred (100) feet; thence north, fifty five (55) degrees, east four hundred (400) feet; thence north, forty two (42) degrees, east seven hundred (700) feet; thence north fifty six (56) degrees, forty five (45) minutes, east four hundred (400) feet; thence north, sixty two (62) degrees, east two hundred (200) feet; thence north, seventy five (75) degrees, east four hundred (400) feet, to the public road, leading from La-Jose to Berwindsdale at the residence of John McKeahan in Jordan Township; said road being on account of the steep grade but very little traveled and an expensive road to keep up or in proper repair and being supplied by a new road just recently laid out on good grade through a thickly settled district which supplies this road is no longer needed and very expensive to the townships to keep up they would therefore recommend that said road be vacated.

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is 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: The viewers further report that no one is damaged by the vacation of 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:

and we have with the return releases obtained and copy of the notices

Witness our hands and seals this 22, day of January, A. D. 1920.

A. G. Trauner [SEAL]

E. B. Billotte [SEAL]

J. L. Michaels [SEAL]

Viewers.

TO; T. R. Weimer, Jesse. E. Dale and M. L. Farrell.
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, leading from a point at the foot of what is
known as Ames Hill in Ferguson Township, to a point on the public
road leading from LaJose to Berwindsdale, at or near the residence
of John McKeehan in Jordan Township in the County aforesaid, will mee
t at the end of the road at the foot of Ames Hill in Ferguson Township
on Tuesday the 20th day of January A. D. 1920 at nine o'clock A. M
to attend to the duty assigned them, of which time and place afore
said all parties interested will please take notice.

And that the public hearing as required by the Act of Assem
bly and the Rules of Court, to be held by the viewers before the fil
ing of their report in Court, in order to give all parties interested
either for or against the vacation of said road, and chance to be
heard by the viewers; will be held in the Arbitration Room in the
Court House in Clearfield Pa, on Thursday the 22d, day of January
A. D. 1920 at nine o'clock A. M. when and where all parties intere
sted, in said road may appear and be heard.

A G Kramer

E W Billott

J J Michaels

VIEWERS.

Now Jany 12 1920 service accepted of the foregoing notice for the
County Commissioners of Clearfield County Pa.

L C Shorris

Clerk.

To: L. W. BELL. Gurney. Hile and William H. Young.

Supervisors of Ferguson 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; leading from a point at the foot of what is known as Ames Hill in Ferguson Township; to a point on the public road, leading from La,Jose to Berwindsdale, at or near the residence of John Mc,Keahan in Jordan Township, in the County aforesaid, will meet at the end of the road at the foot of Ames Hill in Ferguson Township on Tuesday the 20th day of January A. D. 1920 at nine 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, before the filing of their report in Court, in order to give all parties interested, either for or against the vacation of said road, a chance to be heard by the viewers, will be held in the Arbitration Room in the Court House in Clearfield Pa, on Thursday the 22d, day of January A. D. 1920 at nine o'clock A. M. when and where all parties interested, in said road may appear and be heard.

A G Kramer

E H Biehle

J S Michaels

VIEWERS.

Now, Jany, 16th 1920 served this notice on L. W. Bell, Gurney, Hile and L J Hile William H. Young, the Supervisors of Ferguson Township personally by handing each of them a true and correct copy of same.

L. W. Bell