

Road

DOCKET No. 5

Number

Term

Year

2

May SS

1921

Petition of Supervisors of Cooper

and Graham Twp. for vacation of

road

Versus

X

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE COURT OF  
QUARTER SESSIONS OF CLEARFIELD COUNTY.

The petition of the undersigned supervisors of Cooper  
Township and Supervisors of Graham Township, respectfully  
represent:

That for many years there has been a public road beginning  
at a point at or near the Moore place in Cooper Township and  
extending through Cooper Township into Graham Township to a point  
at or near the Schoonover mill in Graham Township.

That said road has become useless and is a great burden  
upon the Township of Cooper and the Township of Graham. That the  
said road is not travelled and, and in the judgment of your peti-  
tioners should be vacated.

Your petitioners, therefore pray the court that viewers  
may be appointed to view and vacate the said road.

And they will ever pray etc.

Frederick Edmund

Levin Lumber

Harry Benz

Supervisors Cooper Township.

Willard Evans

Isaac W. Tate

Supervisors Graham Township.

Clearfield County, SS

Harry Berg, one of the Supervisors of Cooper Township,  
being duly sworn, according to law says the facts set forth in  
the foregoing petition are true, as he verily believes.

Harry Berg

Sworn and subscribed this Eleventh day of February.

Chas. D. W. W. J. P.

My Commission expires first  
Monday in January 1922.

Now Highway Session  
1923. The records of the  
others are enclosed  
to May Session 1923

By the Court  
Singleton Bell

Now Dec 13 1922. At,  
Munichy. E D Bell  
and W. Stange  
an affidavit sworn  
before me in and under  
by the said Stange;  
the prior affidavit having  
been filed by the Court  
Singleton Bell

No 2 May 22 1921

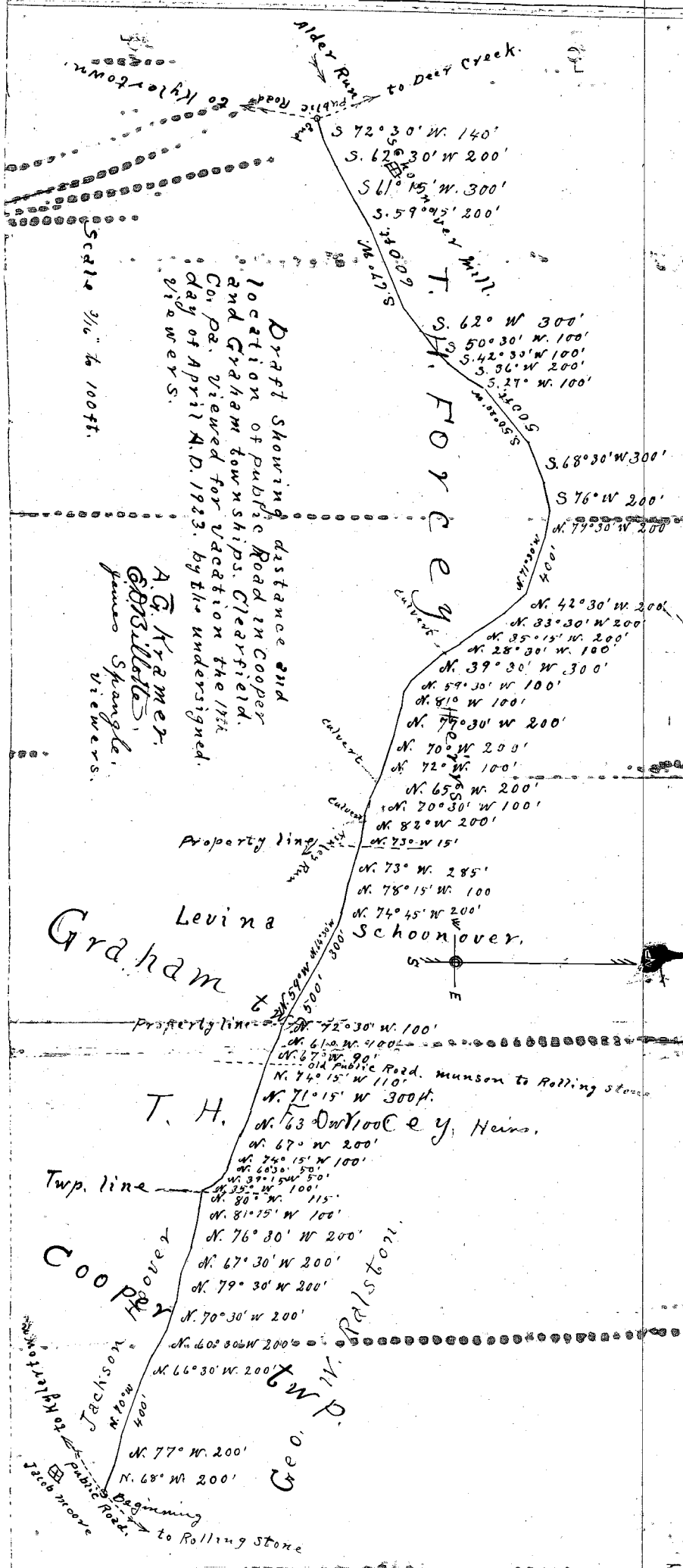
Petition of Supervisors  
of Cooper and Graham  
Township for vacation of  
road.

Now. Feb 22. 1921  
Notation presented  
and Charles A. L. Bell  
E D Bell of Stange  
acceptance of new  
to view to create and  
not. make return  
At the Court  
Singleton Bell

At the Court  
Singleton Bell

FILED  
FEB 12 1922  
GEO. W. MILLER & HARTSWICK  
ATTORNEYS AT LAW  
PROTH. CLERK  
CHESARFIELD, PA.

275-137 28



TO; WILLARD, EVANS, W. M. EMICH, AND, WILLIAM. HUBLER.  
SUPERVISORS, OF GRAHAM, TOWNSHIP, CLEARFIELD, COUNTY. PENNSYLVANIA.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and vacate A public road leading from at or near the Moore place in Cooper Township and extending through Cooper and Graham Townships, to a point at or near the Schoonover's Mill in Graham Township in the County aforesaid, will meet at the end of the road to be vacated at or near the Moore place in Cooper Township on Tuesday the 17th day of April A. D. 1923 at (9.30) 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 in favor of or against the vacation of the said road, a chance to be heard by the viewers before the filing of their report in Court, will be held in the Arbitration Room in the Court House in Clearfield Pa, on wednesday the 18th day of April A. D. 1923 at (9.30) o'clock A. M. when and where all parties interested in the said road to be vacated may attend and be heard.

*A. G. Kramer*  
*E. W. Billots*  
*J. W. Shangle*  
VIEWERS.

Now April 7<sup>th</sup> 1923 served this notice on Willard Evans; W. M. EMICH and WILLIAM, HUBLER, the Supervisors of Graham Township personally by handing to each of them a true and correct copy of

*Willard Evans*

TO; WILLARD, EVANS, W. M. EMICH, AND, WILLIAM. HUBLER.  
SUPERVISORS, OF GRAHAM, TOWNSHIP, CLEARFIELD, COUNTY. PENNSYLVANIA.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and vacate A public road leading from at or near the Moore place in Cooper Township and extending through Cooper and Graham Townships, to a point at or near the Schooner<sup>18</sup> Mill in Graham Township in the County aforesaid, will meet at the end of the road to be vacated at or near the Moore place in Cooper Township on Tuesday the 17th day of April A. D. 1923 at (9.30) 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 in favor of or against the vacation of the said road, a chance to be heard by the viewers before the filing of their report in Court, will be held in the Arbitration Room in the Court House in Clearfield Pa, on wednesday the 18th day of April A. D. 1923 at (9.30) o'clock A. M. when and where all parties interested in the said road to be vacated may attend and be heard.

*A. G. Kramer*  
*E. W. Billotts*  
*J. W. Spangle*  
VIEWERS.

Now April 7<sup>th</sup> 1923 served this notice on Willard Evans; W. M. EMICH and WILLIAM, HUBLER, the Supervisors of Graham Township personally by handing to each of them a true and correct copy of same.

*Willard Evans*

TO, LEWIS, LINBERG, HARRY, H. BERG AND LAWRENCE. F, FLOOD,  
SUPERVISORS, OF, COOPER TOWNSHIP, CLEARFIELD COUNTY, PA.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and vacate a public road, leading from at or near the Moore place in Cooper Township, and extending through Cooper and Graham Townships to a point at or near the Schnoorver Mill in Graham Township in the County aforesaid, will meet at the end of the Road to be vacated near the Moore place in Cooper Township on Tuesday the (17th) day of April A. D. 1923 at (9.30) o'clock A. M. to attend to the duly 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 in favor of or against the vacation of the said road, a chance to be heard by the viewers before the filing of their report in Court, will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday the (18th) day of April A. D. 1923 at (9.30) o'clock A.M. when and where all parties interested in said road to be vacated may attend and be heard.

*A. G. Kramer*  
*E. D. Billotte*  
*J. W. Shangle*

VIEWERS.

Now April 7<sup>th</sup> 1923 served this notice on Lewis Linberg, Harry H. Berg, and Lawrence, F. Flood; the Supervisors of Cooper Township personally by handing to each of them a true and correct copy of same.

*Jas A. Pearce, Sec*



TO: T. R. WEIMER, JESSE. E. DALE, AND, M. L. FARRELL;  
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 public road, leading from, at or near the Moore place in Cooper Township, and extending through Cooper and Graham Townships, to a point at or near the Schoonover Mill in Graham Township in the County aforesaid, will meet at the end of the road to be vacated near the Moore place in Cooper Township on TUESDAY the (17th) day of April A. D. 1923 at (9.30) 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 in favor of or against the vacation of the said road, a chance to be heard by the viewers before the filing of their report in Court, will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday the (18th), day of April A. D. 1923 at (9.30) o'clock A. M. when and where all parties interested in said road to be vacated may attend and be heard.

*A. G. Kramer*  
*E. D. Billorette*  
*J. W. Spangler*  
VIEWERS.

Now April the 6<sup>th</sup> 1923 service accepted for the County Commissioners of Clearfield County Pa; of the above notice.

*L. C. Morris*

Clerk.

teen (15) feet; Thence north eighty two (82) degrees, west two hundred (200) feet: Thence north seventy (70) degrees, thirty (30) minutes, west one hundred (100) feet: Thence north sixty five (65) degrees, west two hundred (200) feet: Thence north seventy two (72) degrees, west one hundred (100) feet: Thence north seventy (70) degrees west two hundred (200) feet: Thence north seventy seven (77) degrees, thirty (30) minutes, west two hundred (200) feet: Thence north eighty one (81) degrees, west one hundred (100) feet: Thence north fifty nine (59) degrees thirty (30) minutes west one hundred (100) feet: Thence north thirty nine (39) degrees thirty (30) minutes; west three hundred (300) feet: Thence north twenty eight (28) degrees, thirty (30) minutes, west one hundred (100) feet: Thence north thirty five (35) degrees fifteen (15) minutes, west two hundred (200) feet: Thence north thirty three (33) degrees thirty (30) minutes, west two hundred (200) feet: Thence north, forty two (42) degrees, thirty (30) minutes, west two hundred (200) feet: Thence north seventy one (71) degrees thirty (30) minutes, west four hundred (400) feet: Thence north seventy nine (79) degrees, thirty (30) minutes, west two hundred (200) feet: Thence, south seventy six (76) degrees, west two hundred (200) feet : Thence south sixty eight (68) degrees, thirty (30) minutes, west three hundred (300) feet: Thence south fifty (50) degrees, twenty, minutes west: five hundred (500) feet: Thence south twenty seven (27) degrees, west, one hundred (100) feet: Thence south thirty six (36) degrees west two hundred (200) feet: Thence south forty two (42) degrees, thirty (30) minutes, west one hundred (100) feet: Thence south fifty (50) degrees, thirty (30) minutes, west one hundred (100) feet: Thence south sixty two (62) degrees, west three hundred (300) feet: Thence south sixty seven, (67) degrees, west six hundred (600) feet: Thence south fifty nine (59) degrees, fifteen (15) minutes, west two hundred (200) feet: Thence south sixty one (61) degrees, fifteen (15) minutes, west three hundred (300) feet: Thence south sixty two (62) degrees thirty (30) minutes, west two hundred (200) feet: Thence south seventy two (72) degrees, thirty (30) minutes, west one hundred and forty (140) feet to the intersection of the public road leading from Kylertown to the Rolling Stone Bridge near what is know as the Schoonover Mill in Graham Township county and State aforesaid.

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 **twelfth** day of **february** in the year of our Lord, one thousand nine hundred and **twenty-one**

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of ~~sundry~~ **supervisors**

~~inhabitants~~ of the Township of **Cooper & graham**, in the County aforesaid setting forth that .....

**for many years there has been a public road beginning at a point at or near the Moore place in Cooper Township and extending through Cooper Township into Graham Township to a point at or near the Schoonover mill in Graham Township.**

**That said road has become useless and is a great burden upon the Township of Cooper and the Townahip of Graham. That the said road is not traveled and, and in the judgment of your petitioners 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, Esq, E. D. Billotte**

**and J. W. Spangle**

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.

*Hes W. Ralston*

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 Townships of Cooper and Graham, and that <sup>two</sup> ~~three~~ notices in each ~~two~~ <sup>two</sup> thereof were posted along the route of the said road to be vacated, that the said view would be held on the

17th day of April -----, A. D. 1923, 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 18th day of April ----- A. D., 1923, 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 Lewis Linberg, Harry H Berg and Lawrence F Flood the supervisors of Cooper Township and Willard Evans, W. M. Emich and William Hubler the Supervisors of Graham 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 18th day of April -----,

A. D. 1923, when the parties interested in the said road were in attendance: as follows: Lawrence F Flood one of the Supervisors of Cooper Township and William Hubler one of the Supervisors of Graham Township with their Attorneys to wit A. H. Woodward Attorney for the Supervisors of Graham Township and H. B. Hartswick Esq of the firm of Miller & Hartswick Attorneys for the Supervisors of Cooper 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 therefore recommend that the same be vacated as follows: Beginning at a point on the public road leading from Kylertown to the Rolling stone bridge near the residence Jacob Moosberger on the dividing property line between farm of Jackson Hoover and woodland of Geo. W. Ralston; thence over the said dividing property line the following courses and distances; to wit; North sixty eight (68) degrees west two hundred (200) feet; Thence north seventy seven (77) degrees west two hundred (200) feet. Thence north seventy (70) degrees, west four hundred (400) feet; Thence north sixty six (66) degrees thirty (30) minutes west two hundred (200) feet; Thence north sixty (60) degrees thirty (30) minutes; west two hundred (200) feet; Thence north seventy (70) degrees, thirty (30) minutes west two hundred (200) feet; Thence north, seventy nine (79) degrees, thirty (30) minutes, two hundred (200) feet Thence north sixty seven (67) degrees, thirty (30) minutes; west two hundred (200) feet; Thence north, seventy six (76) degrees, thirty (30) minutes, west two hundred (200) feet; Thence north, eighty one (81) degrees fifteen (15) minutes, west one hundred (100) feet. Thence north eighty (80) degrees, west one hundred and fifteen (115) feet. To the Township line between Cooper and Graham Townships.

Thence over property of the Thomas H Forcey Estate in Graham

Township the following courses and distances to wit;

north thirty five (35) degrees west one hundred (100) feet: Thence west thirty nine (39) degrees, fifteen (15) minutes, west fifty (50) feet: Thence north sixty (60) degrees, thirty (30) minutes, west fifty (50) feet.

Thence north seven four (74) degrees, fifteen (15) minutes, west one hundred (100) feet: Thence north sixty seven (67) degrees, west two hundred (200) feet: Thence north sixty three (63) degrees west one hundred (100) feet: Thence north seven one (71) degrees, fifteen (15) minutes, west three hundred (300) feet: Thence north seventy four (74) degrees fifteen (15) minutes, west one hundred and ten (110) feet to an old public road leading from Munson to to the Rolling stone bridge: Thence running north, sixty seven (67) degrees, west ninety (90) feet: Thence north sixty one (61) degrees, west one hundred (100) feet: Thence north, seventy two (72) degrees, thirty (30) minutes; west one hundred (100) feet to the property line Levina Schoonover. Thence over land of the said Levina Schoonover the following courses and distances; to wit: North fifty nine (59) degrees, west five hundred (500) feet; Thence north sixty six (66) degrees, thirty (30) minutes, west three hundred (300) feet: Thence north seventy four (74) degrees forty five (45) minutes, west two hundred (200) feet: Thence north seventy eight (78) degrees fifteen (15) minutes; west one hundred (100) feet: Thence north seventy three (73) degrees, west two hundred and eighty five (285) feet: to the property line of the heirs of the Thomas H Forcey estate; thence over the property of the said Forcey estate the following courses and distances; to wit: North seventy three (73) degrees, west fif-

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 are fully convinced that no damages are inflicted on the abutting property owners 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 herewith ~~return releases obtained, and~~ copy of the notices

Witness our hands and seals this 20<sup>th</sup> day of April, A. D. 1923

H. G. Kramer. [SEAL]

E. A. Billotte [SEAL.]

James W. Spangle. [SEAL.] View

•Viewers.

No. 2 May Term 1921

## ORDER TO VACATE

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

Now May Sessions 1923  
read and confirmed Ni. Si.

By the Court.  
Singular Bull  
Now Sept. Sessions 1923.

confirmed absolute.

By the Court.  
H. W. Whitehead  
Atty. General  
Specimen provided.

Filed 19

Atty,

Fees \$1.25 paid by

Miller & Hartswick, Atty's.

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. Kramer	4	5.28	85
E. D. Billotte		5.28	85
J. W. Spang		28.35	

