

Road DOCKET No. 5

Number	Term	Year
5	Dec	1921

Vacation of road in Penn Twp.

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.
Petition to vacate road in Penn Township leading from the Greenwood Township line to its intersection with a public road leading from James McEwens to the Irish settlement School House, the point of intersection being at or near James McEwens.

TO THE HONORABLE THE PRESIDENT JUDGE OF THE SAID COURT.

The undersigned citizens and residents of the said township in said County respectfully represents:-

That there was originally located a road in Penn and Greenwood Townships leading from the public road which runs from James McEwens to the Irish settlement school house and joining said road at or near James McEwens; thence by way of Popular Run through Penn Township and into Greenwood Township and intersecting the Bell Run road in Greenwood Township at or near Johnsons Factory; that said road has been vacated so far as the same is in Greenwood Township and the part of the road that is in Penn Township is useless and burdensome to the township and does not accommodate the public travel. It has not been kept up as a public road for some years.

Your petitioners respectfully pray that the said road from the Greenwood Township line to its terminus at or near James McEwens may be vacated.

And they will ever pray, &c.,

Wm J. Thorp
Seymour L. Rester
W. E. Wall
John F. Curry
John Porteford
William Renter
Russell Thorp
F. L. Yeager
Leah Spencer
Wm J. Dimes

Edward Spencer
Allen McDonald
Joe P. Walker
Robert Mathews
D. D. Miller
Wm Renter
Miles Wison
Charles S. Wall
John Smith

Melvin Henry. Geo M. Donald
 J. G. Curry. John Pearce
 Homer Bonsall John Smith
 Frank Guichen John Walsh
 Glen Spencer William Overdorf
 C. H. Wrigglesworth J. J. Meisgarber
 John Denvir
 Thos E. Wall
 J. H. Wall
 E. E. Thomas
 G. W. Johnson
 Job Spencer
 C. L. Smith
 J. W. Corns Jr
 W. J. Freeman
 O. F. Chelgren
 Millard L. Wall
 John F. F. F.
 Wm. C. Walker
 M. a. Bloom
 Clark Dafferty
 Fred Perry
 Wm. Guthrie

Frank Sherry

W. O. Davis

J. R. Scott

C. A. Phillips

O. L. Bloom

J. S. Spencer

Roy Caldwell

T. L. Hall

Harvey L. Wriglesworth

J. R. Wriglesworth

W. H. Wriglesworth

Roy Fisher

A. B. Williams

A. J. Beers

L. Orndorff

Ralph Freeman

Ralph Winter

Alfred Leger

Wm. McDivitt

Wm. Davis

C. R. Spencer

Phos. Nicholson

W. G. Rowles

Geo. Wriglesworth

John F. Overbaugh

J. G. Haley

TO: T. R. WEIMER, JESSE. E. DALE, AND M. L. FARRELL;
County Commissioners, of Clearfield County Penna.

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 the Greenwood Township line at the end of the road lately vacated, in Greenwood Township; known as the poplar Run road; in Penn Township to the intersection of the Public road leading from James McEWEN, to the Irish settlement school house: The point of intersection being at or near James McEWEN in Penn Township, in the County aforesaid, will meet at the house of James McEWEN in Penn Township on Friday the 15th day of December A. D. 1922 at one (1) o'clock P. 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 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 said road being vacated a chance to be heard, will be held in the Arbitration Room in the Court House in Clearfield Pa; on Saturday The 16th day of December A. D. 1922 at nine (9), A. M. when and where all parties interested in said road may appear and be heard.

A. G. Kramer.
E. H. Billotts.
J. S. Michaels.
VIEWERS.

Now Dec 4, 1922 service accepted for the County Commissioners of Clearfield County Pa of the above notice.

L. C. Norris
Clerk.

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TO: William, Helper, William, T, Thoro and Charles Philips
Supervisors of Penn 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 the Greenwood Township line at the end of the road lately vacated, in Greenwood Township; known as the popler Run road; in Penn Township in the intersection of the public road leading from James McEWEN, to the Irish settlement school house: The point of intersection being at or near James McEWEN in Penn Township, in the County aforesaid, will meet at the house of James McEWEN in Penn Township on Friday the 15th day of December A. D. 1922 at One (1) o'clock P. 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 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 said road being vacated a chance to be heard, will be held in the Arbitration Room in the Court House in Clearfield Pa; on Saturday the 16th day of December A. D. 1922 at nine (9), o'clock A. M. when and where all parties interested in said road may appear and be heard.

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

Now Dec ^{2nd} 1922 served this notice on William, Helper, William T. Thorp & Chas Phil the Supervisors of Penn Township personally by handing to each of them a true and correct copy of same.

Wm T. Thorp

Thence, south twelve (12) degrees, thirty (30) minutes, east one hundred (100) feet; Thence south no degrees, ten (10) minutes, west three hundred (300) feet; Thence south fifteen (15) degrees, east two hundred (200) feet; Thence south two (2) degrees, thirty (30) minutes, east four hundred (400) feet; Thence south four (4) degrees east two hundred (200) feet; Thence south one (1) degree fifteen (15) minutes east two hundred (200) feet; Thence south two (2) degrees, thirty (30) minutes, east two hundred (200) feet; Thence south eight (8) degrees, east three hundred (300) feet; Thence south ten (10) degrees, east three hundred (300) feet; Thence south no (0) degrees thirty (30) minutes west two hundred (200) feet; Thence south seven (7) degrees, thirty minutes (30), West two hundred (200) feet; Thence south eighteen (18) degrees, forty five (45) minutes west four hundred (400) feet; Thence south five (5) degrees, west two hundred (200) feet; Thence south six (6) degrees; east one hundred (100) feet; Thence south nineteen (19) degrees thirty (30) minutes east two hundred (200) feet; to where poplar run crosses said road; Thence south thirty three (33) degrees forty five (45) minutes, East two hundred (200) feet; Thence south four (4) degrees, thirty (30) minutes, east three hundred (300) feet; Thence south sixteen (16) degrees, thirty (30) minutes east three hundred (300) feet; Thence south twenty two (22) degrees thirty (30) minutes, east two hundred (200) feet; Thence south seven (7) degrees thirty (30) minutes east two hundred (200) feet; Thence south twelve (12) degrees, west two hundred (200) feet; Thence south ten (10) degrees, west three hundred (300) feet to the Greenwood Township line from where the end of the said road in Greenwood Township has been 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:

That no one over whose land said road vacated has in the opinion of the viewers suffered any damages by the vacating 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 herewith return releases obtained, and copy of the notices.

Witness our hands and seals this 20th day of December, A. D. 1922

H. G. Kramer [SEAL]

E. B. Billotte [SEAL]

J. S. Michaels [SEAL]

Viewers.

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	30	\$31.00
E. D. Brilley	4	60	\$33.00
J. L. Michaels	2	95	\$19.90

No. 5 Dec 1921

Term

ORDER TO VACATE

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

Now February Sessions 1922
read and confirmed Ni. Si.

By the Court.
Now May Sessions 1923
confirmed absolutely

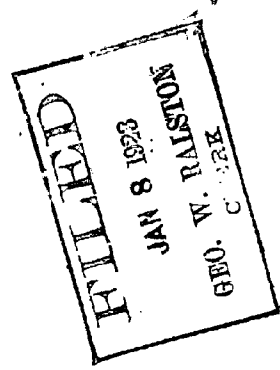
By the Court.
Ingelund Seal

Filed 19

Atty.

Fees \$1.25 paid by

A. H. Woodward, Atty.



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 13th day of October 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 inhabitants of the Township of Penn, in the County aforesaid setting forth that there was originally located a road in Penn & Greenwood townships leading from the public road which runs from James McEwens to the Irish settlement school house and joining said road at or near James McEwens; thence by way of Popular Run through Penn Twp. and into Greenwood Twp. and intersecting the Bell Run road in Greenwood Twp. at or near Johnsons Factory; that said road has been vacated so far as the same is in Greenwood Twp. and the part of the road that is in Penn Twp. is useless and burdensome to the Twp and does not accomodate the public travel.

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. 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 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 Township of Penn -----, and that three (3), ----- notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

15th day of December ----, A. D. 1922, 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 16th --- day of December ----- A. D., 1922, 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 William Helper and Charles Wall two of the Supervisors of Penn 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 16th -- day of December

A. D. 1922, when the parties interested in the said road were in attendance: William Helper, Charles Wall and Charles Phillips the Supervisors of Penn Township in the County aforesaid -----

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 in the public road leading from the Irish School House to the residence or formerly the residence of James McEwen in Penn Township in the County aforesaid; thence over the property of the said James McEwen the following courses and distances to wit: South twenty eight (28) degrees, thirty (30) minutes, East five hundred (500) feet; Thence south thirty five (35) degrees, East Three Hundred (300) feet; Thence south fifty one (51) degrees; East three hundred (300) feet; Thence south fifty seven (57) degrees, thirty (30) minutes East three hundred (300) feet; Thence South thirty five (35) degrees, thirty (30) minutes; East two hundred (200) feet; Thence south thirty (30) degrees, forty five (45) minutes; East two hundred (200) feet; Thence south twenty four (24) degrees, thirty (30) minutes, east two hundred (200) feet Thence south thirty five (35) degrees, east four hundred (400) feet; Thence south fifty three (53) degrees, thirty (30) minutes, east two hundred (200) feet to the property line formerly the property of John Irvin now owned by the Curwensville Lumber Company; Thence over the land of the Curwensville Lumber Company the following courses and distances; to wit; South fifty nine (59) degrees, thirty (30) minutes, east two hundred (200) feet; Thence, south fifty two (52) degrees, fifteen (15) minutes, east four hundred (400) feet; to where the Poplar run crosses the said road

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

#5 Dec 1921

IN RE: Petition to vacate road
in Penn Twp. leading from the
Greenwood Twp. line to its inter-
section with a public road
leading from James McGraws to the
Irish settlement School house, the
point of intersection being at or
near James McGraws.

PETITION TO VACATE ROAD.

Dec 12, 1921 vs. J. McGraw,
J. McGraw, and J. McGraw,
are appointed return to
give the parties and report
on property tax.

By the Court
Sungdon Day

A. H. WOODWARD
ATTORNEY-AT-LAW
CLEARFIELD, PA.

KURTZ BROS., CLEARFIELD, PA.

Dec 4, 1922, no return being due taken on this petition,
J. McGraw, J. McGraw, and J. McGraw, are appointed return to
give the parties and report on property tax.

By the Court
Sungdon Day