

DOCKET No. 5

Number	Term	Year
7	Sept. SS	1923

Vacation of Road in Lawrence Twp
near Witmer Steel Co

Versus

X

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

In re: Vacation of Road in :
Lawrence Township, Clearfield :
County, Pennsylvania. :

PETITION.

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

The petition of the undersigned inhabitants of Lawrence Township, Clearfield County, Pennsylvania, respectfully represents:-

That by a proceeding to No. 5, May Term, 1919 a road was laid out in Lawrence Township, Clearfield County, Pennsylvania, Beginning at a point in the Guinea Hill road leading from Clearfield to Guinea Hill near where said road crosses Moose Creek at what used to be known as the head gates in Lawrence Township; thence running N.20°E. 88.4 feet; thence by street laid out and dedicated to the property or lot owners along the same, known as Maple Street, the residents along said street being part of the petitioners for said road, being in what is known as the Boynton addition to the borough of Clearfield, running N.3°47'W. 648 feet to an alley known as the cinder road; thence running along said alley, including a strip of improved farm land 16 feet wide of the Witmer Steel Company along the West side of said alley, N.86°15'E. 724 feet to the public road leading from Clearfield to Mount Joy, known as the Mount Joy road, at a point near the crossing of the Witmer Steel Company's tramway, across the Mount Joy road in Lawrence Township in said County.

That the part of said road mentioned in said description as an alley or cinder road and described as follows," thence running along said alley, including a strip of improved farm land 16 feet wide of the Witmer Steel Company along the West side of said alley, N.86°15'E. 724 feet to public road leading from Clearfield to Mount Joy, known as the Mount Joy road, at a point near the crossing of the Witmer Steel Company's tramway, across the Mount Joy road in Lawrence Township in said County," has become

useless, inconvenient and burdensome by reason of the facts herein after set forth.

That the premises in the vicinity of said road are laid out in a plan of numbered lots with streets and alleys, known as Boyntonville, that on said plan two streets, Centre Street and Lynwood Street, run parallel to the public road just mentioned and at a distance of only 200 feet upon each side thereof, and each of said streets runs from Maple Avenue to Mount Joy Road; that both of said streets have lately been opened and dedicated to the public use in accordance with said plan with a width of 50 feet and afford a better means of traveling from the bridge at Moose Creek and from Maple Avenue to Mount Joy road; that on said plan the alley aforesaid is laid out as a twelve foot alley, which is sufficient for said place and is in fact all of said alley actually being used and capable of use.

YOUR PETITIONERS THEREFORE PRAY the Court that the part of said road above mentioned as having become useless, inconvenient and burdensome may be vacated agreeably to the Act of the General Assembly in such case made and provided.

H. P. Rachel
Orville Keller
Chas. Lemish
W. C. Brainerd
L. C. Brainerd
Blair W. Went
Charles G. Hall
Ralph Fetzer
M. R. Haney
A. R. Archway
W. J. Hinkle
G. P. Kolbe
Charles Coulter
J. H. W.
Walter Quicker
Lee Workman

C. W. Shively

Edison Hall

Wilbur Turner

H. H. Lutz

Charles Stevens

7 Sept 1923

P E T I T I O N.

Fraser

My Mother
Mabel Hill

SMITH & SMITH
ATTORNEYS AT LAW
CLEARFIELD, PENNSYLVANIA

218
MILSFIELD REPUBLICAN, ELE
for atty

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Vacation of Road in :
Lawrence Township, Clearfield :
County, Pennsylvania. :

B O N D.

KNOW ALL MEN BY THESE PRESENTS that we H. F. Rygh Jr.
Charles Ross and Howard T. Shaw
are held and firmly bound unto the Commonwealth of Pennsylvania
in the sum of One hundred (\$100.00) Dollars to be paid to the
said Commonwealth of Pennsylvania, its certain attorney or
assigns, to which payment well and truly to be made we do bind
ourselves, jointly and severally, our heirs, executors, ad-
ministrators and assigns, firmly by these presents. Sealed
with our Seals and dated the 31st day of May, A.D. 1923.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above
entitled proceeding is brought to a conclusion and costs paid
by the petitioners if so directed by the Court, then this
obligation shall be null and void, otherwise to be and remain
in full force and virtue.

H. F. Rygh Jr. (SEAL)
Charles Ross (SEAL)
Howard T. Shaw (SEAL)

June 1st, 1923, Bond approved.

By the Court,

Emeline Beall
President Judge.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: Vacation of Road in
Lawrence Township, Clearfield
County, Pennsylvania.

B O N D.

KNOW ALL MEN BY THESE PRESENTS that we
Charles W. [Signature] and Howard T. [Signature]

are held and firmly bound unto the Commonwealth of Pennsylvania
in the sum of one hundred (\$100.00) Dollars to be paid to the
said Commonwealth of Pennsylvania, its certain attorney or
assigns, to which payment well and truly to be made we do bind
ourselves, jointly and severally, our heirs, executors, ad-
ministrators and assigns, firmly by these presents. Sealed
with our seals and dated the 31st day of May, A.D. 1923.
THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above
entitled proceeding is brought to a conclusion and costs paid
by the petitioners if so directed by the Court, then this
obligation shall be null and void, otherwise to be and remain
in full force and virtue.

(SEAL)

(SEAL)

(SEAL)

James L. [Signature], 1923, Bond approved.

By the Court,

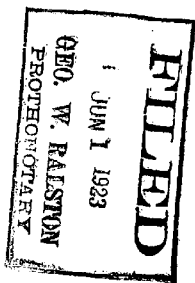
President Judge.

LAP OVER MARGIN

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

In re: Vacation of Road in
Lawrence Township, Clearfield
County, Pennsylvania.

B O N D.



SMITH & SMITH
ATTORNEYS AT LAW
CLEARFIELD, PENNSYLVANIA
CLEARFIELD REPUBLICAN, 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 **1st** day of **June** in the year of our Lord, one thousand nine hundred and **Twenty three**

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of **Lawrence**, in the County aforesaid setting forth that
the part of said road mentioned insaid description as an alley or cinder road and described as follows, thence running along said alley, including a strip of improved farm land 16 feet wide of the Witmer Steel Company along the West Side of said alley, N. 86° 15' E. 724 feet to public road leading from Clearfield to Mount Joy, known as the Mount Joy Road, at a point near the crossing of the Witmer Steel Company's tramway, across the Mount Joy Road in Lawrence Twp. in said County, has become useless, inconvenient and burdensome ~~xxxxxxxxxxxxxxx~~

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 **Frank Hutton, 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.

This recommendation not intended to interfere with the Alley as now laye
out and shown on the plot of Boyingtonville but with the intent to restore
the said "Cinder" road to the same status it was before the proceedings
had to No. 5 May Term 1919.

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose prop-
erty 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 vacat-
ing 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: _____

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 ad-
vantages to be derived to them, do assess them damages and make report thereof, as follows: _____

To Earl Reed \$1.00; to Clair Shaffer \$1.00; to Harry Bunnell \$1.00
to Fred A. Dale \$1.00

and we herewith return releases obtained, and copy of the notices.

Witness our hands and seals this fifth day of July, A. D. 1923

Mark Hutton [SEAL.]

Ed. Willette [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

No. 7 Sept Term 1923

ORDER TO VACATE

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

Now Sept 6 Sessions 19 23
read and confirmed Ni. Si. £

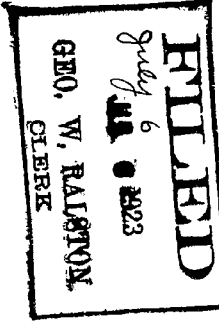
By the Court.

H. M. Lawrence
Atty. for petitioner.
Now Dec 5 Sessions 19 23

confirmed absolute.

By the Court

Mydelant Bell



Filed 7-6 19 23

Atty,

Fees \$1.25 paid by

Smith & Smith, Atty's

To the COMMISSIONERS of CLEARFIELD COUNTY, PENNSYLVANIA.

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view for vacation, a public road leading from a point where what is known as the "Cinder Road" or Alley intersects with Maple Street, thence running along said Alley or Cinder Road including a strip of farm land 16 feet wide of the Witmer Steel Company, along the West side of said Alley, North 86°15' East, 724 feet in Lawrence Township, to public road leading from Clearfield to Mt Joy, known as the Mount Joy road, at a point near the crossing of the Witmer Steel Company's tramway across the Mount Joy road in Lawrence Township, in the County of Clearfield, will meet at the intersection of Maple Street and said Cinder Road, in Lawrence Township, on Thursday the 28th day of June 1923 at 9:30 o'clock A.M. to attend to the duty assigned them, and that the required Public Hearing will be held at the Court House in the Borough of Clearfield, on Thursday the 28th day of June 1923 at 1:30 o'clock P.M. at which times and places you may attend, if you so desire.

DuBois Pa. June 8th 1923

Mark Sullivan
E. D. Bellotte
J. Michael
Viewers.

Now June // 1923 service of the above notice accepted for the Commissioners of Clearfield County, Penna.

L. C. Morris
Clerk

To the ROAD SUPERVISORS of LAWRENCE TOWNSHIP, CLEARFIELD CO., PA.

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania to view for vacation a Public Road leading from a point where what is known as the "Cinder Road" or Alley intersects with Maple Street, thence running along said Alley or Cinder Road including a strip of farm land 16 feet of the Witmer Steel Company, along the West side of said Alley North $86^{\circ}15'$ East, 734 feet in Lawrence Township, to Public Road leading from Clearfield to Mount Joy, known as the Mount Joy road, at a point near the crossing of the Witmer Steel Company's tramway across the Mt Joy road in Lawrence Township, in the County aforesaid will meet at the intersection of Maple Street and said cinder road in Lawrence Township, on Thursday the 28th day of June 1923 at 9:30 o'clock A.M. to attend to the duty assigned them, of which time and place you will take notice, and that the required Public Hearing will be held in the Court House in the Borough of Clearfield on Thursday the 28th day of June 1923 and 1:30 o'clock A.M. where you may attend and be heard if you so desire.

DuBois Pa. June 8th 1923

Frank Skilton

E. D. Bellotte

J. J. Michael
Viewers

served on us June 11, 1923

M. H. H. H. H. H.

att. Lawrence M.