

Road DOCKET No. 6

Number	Term	Year
2	Sept. ss	1924

Petition to vacate road in

Morris Twp

Versus

X

Q

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 **12** day of **May** in the year of our Lord, one thousand nine hundred and **twenty four**

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of ~~many~~  
**Supervisors**  
~~inhabitants~~ of the Township of **Morris**, in the County aforesaid setting forth that .....  
~~in the exercise of their duties as supervisors they have determined that~~  
~~a certain public road in said Township which begins at a point at or near the~~  
~~farm of Alvie Cowder (formerly H. E. Reidy farm) and extending a distance of~~  
~~about one and one-half miles to a point at or near the residence of~~  
~~George Swisher in said twp. has become useless, expensive to maintain and~~  
~~burdensome upon the Twp.~~

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 appoint from and among the County Board of Viewers **A. L. Edwards, Esq., E. D. Billotte and**  
**J. W. Spangle, RETURNABLE SEPT. SS 1924** 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. Palstone*

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 Morris, and that three notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

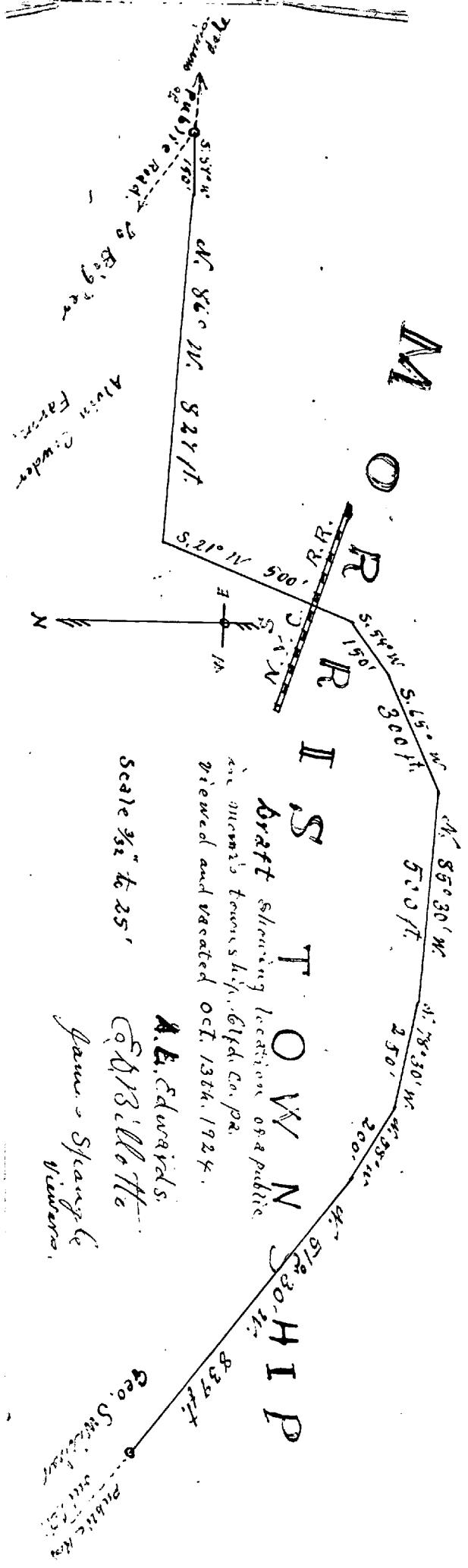
13th day of October, A. D. 1924, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield,

Pa., on the 18th day of October A. D., 1924, at 11 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 A. L. Edwards, E. D. Billotti and James W. Spangle, Viewers Isaac Lusk, Alvie Cawder, John Nichols, Supr., & Alfred Meyers

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 18 day of October ,

A. D. 1924, when the parties interested in the said road were in attendance: A. L. Edwards, E. D. Billotti & Jas. W. Spangle, Isaac Lusk, Alvie Cawder, John Nichols & Alfred Meyers

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome & therefore recommend that the same be vacated.



# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a public Road leading from a point at or near the farm of Alvie Cowder

in Morris Township to a point about one and  
one half mile distant, near the residence of George Swisher

in Morris Township, in the County aforesaid, will meet at the house of Alvie Cowder farm

in Morris Township, on 11  
the 11 day of July A. D. 1924, at 11  
o'clock A.M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take

notice. And a hearing upon said view will be held in the arbitration room of Court House, Clearfield, Pa. on the 11 day of July 1924

Viewers

John Nicholls  
Isaac Smeal } References

REVIEWS.

of some of the smaller [SEAL.]

..... [SEAL.]

..... [SEAL.]

18th day of October, A.D. 1924

and we hereby will return releases obtained, and copy of the notices.

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 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.

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'
<i>J. T. Edwards</i>	3	68 2 5.90	
<i>C. D. Bulte</i>	3	60 2 5.50	
<i>J. W. Sprague</i>	2	150 22.50	

Now *Next* Sessions 1926

read and confirmed Ni. Si.

By the Court.

*A. H. Moore*

Now *Next* Sessions 1926

confirmed absolute.

By the Court.

*A. H. Moore*

re J.

*A. H. Moore*

re J.

re J.

Filed Sept 3, 1924

Geo. M. Ralston  
Clark

Filed ..... 19 .....

Atty. Miller & Hartwick

Fees \$1.25 paid by

No. 2 Sept Term 1924

**ORDER TO VACATE**

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

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

In re Order to vacate road : No. 2 Sept. Term, 1924  
situate in the Township of :  
Morris : :

TO THE HONORABLE A. R. CHASE, PRESIDENT JUDGE OF THE  
ABOVE NAMED COURT:-

The petition of A. L. Edwards respectfully  
represents :

First: That the said A. L. Edwards, Ed. Billotte  
and J. W. Spangle were appointed viewers on a petition to  
vacate road situate in the Township of Morris to No. 2  
September Term, 1924.

Second: That said viewers viewed the road and  
recommended that the same be vacated, but that the report  
was not filed at September Term, 1924.

Third: As report is now ready for filing your  
petitioner respectfully prays that he be permitted to  
file said report, nunc pro tunc as of the first Wednesday  
of September Term, 1924, and he will ever pray.

A. L. Edwards

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD  
COUNTY  
No. 2 September Term, 1924

In re Order to vacate  
road situate in the  
Township of Morris

PETITION TO PRESENT  
REPORT NUNC PRO TUNC

Now three (3)  
1526, will petition  
consider and same  
as directed filed  
here with as  
prayed for.

By the Court

L. EDWARD  
APR 19 1926

EDWARD  
L. EDWARDS  
DISTRICT ATTORNEY  
CLEARFIELD, PENNA.

To the Honorable A.R.Chase, President Judge of the Court of  
Quarter Sessions of Clearfield County:-

The petition of the undersigned Supervisors of the Township of Morris, Clearfield County, Pennsylvania, respectfully represents:-

FIRST: That the undersigned are supervisors of Morris Township, Clearfield County, Pennsylvania.

SECOND: That in the exercise of their duties as supervisors they have determined that a certain public road in said Township which begins at a point at or near the farm of Alvie Cowder (formerly H.A. Reidy farm) and extending a distance of about one and one-half miles to a point at or near the residence of ....*George*.... Swisher in said Township, has become useless, expensive to maintain and burdensome upon the Township.

Your petitioners therefore pray that viewers may be appointed to vacate said piece of road and they will ever pray, etc.

Thomas Deacon

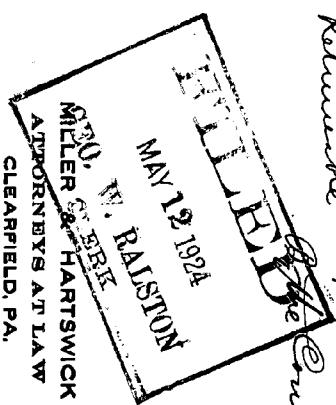
John Nichols

Isaac Smeal

2 Sept 20 1924

PETITION FOR APPOINTMENT  
OF VIEWERS TO VACATE ROAD  
IN MORRIS TOWNSHIP FROM A  
POINT AT OR NEAR THE  
ALVIE COWDER FARM TO A  
POINT NEAR RESIDENCE OF  
SWISHER

For May 1. 1924, within  
petition presented and  
A. L. Eckers et al. vs.  
Bellotte, et al. <sup>et al.</sup>  
are appointed viewers & their  
adventures said place ground  
if necessary.  
Reserve the 2d 1924  
At the Court.



Clearfield County: SS:

W.H.Davis, Secretary of the Board of Supervisors of  
Morris Township, being duly sworn according to law says the facts  
set forth in the foregoing petition are true as he verily believes.

William B Davis

Sworn and subscribed this ...9<sup>th</sup>....day of February, 1924.

William See J.P.

KNOW ALL MEN BY THESE PRESENTS; that we Thomas Deacon  
..... and John Nicholls and Isaac Smeal  
the Supervisors of Morris Township are held and firmly bound unto  
the County of Clearfield in the sum of Fifty (\$50.00) Dollars  
lawful monty of the United States of America; to which payment well  
and truly to be made, we do bind ourselves, our and each of our  
heirs firmly by these presents.

Sealed with our seals and dated the ..... 9<sup>th</sup> day of  
February, 1924.

WHEREAS the Supervisors have petitioned the Court for  
vacation of a certain piece of road in said Morris Township.

NOW the condition of this obligation is such that if the  
said Court should decree that said road should be not vacated  
that the above bounden will keep and save harmless the County of  
Clearfield from any and all expenses connected therewith, then  
this obligation to be void, else to be and remain in full force and  
virtue.

Thomas Deacon  
John Nicholls  
Isaac Smeal