

Road DOCKET No. 6

Number	Term	Year
2	Sept. ss	1924

Petition to vacate road in

Morris Twp

Versus

X

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 ~~XXXX~~
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 ap-

point 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. Palatka

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 *Moore*, 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

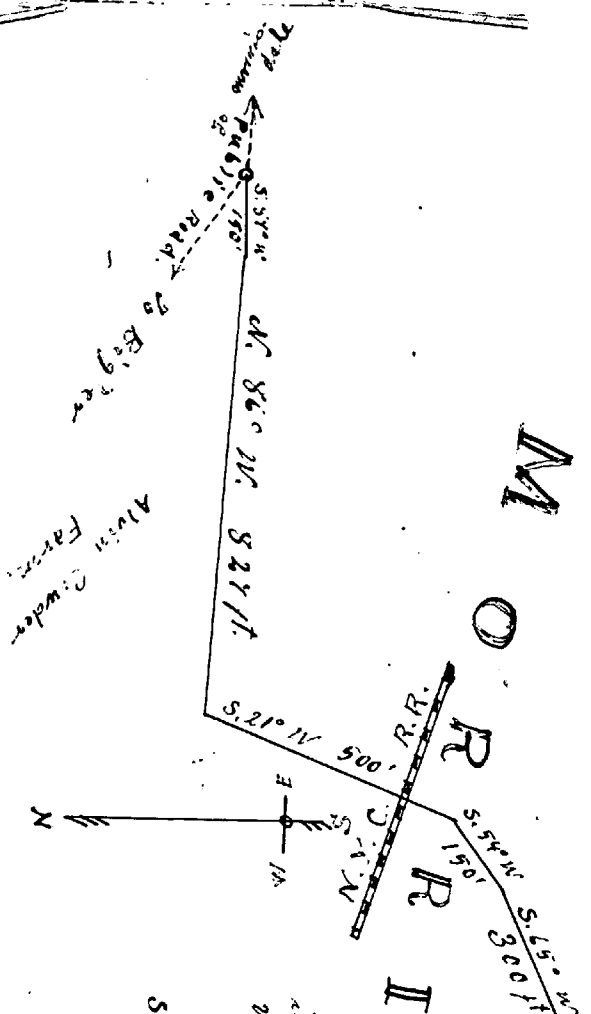
13th day of *October*, A. D. *1924*, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield,

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. Bielotte and James W. Spangle, Isaac Linsel, Alvie Cowden, 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. Bielotte & Jas. W. Spangle, Isaac Linsel, Alvie Cowden, 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.*



M O R R I S T O W N S H I P

Draft showing location of a public
 one acre's township, 614d Co. Pa.
 viewed and vacated Oct. 13th, 1924.

Scale $\frac{3}{32}$ " to 25'

A. E. Edwards,
 Co. A. B. C. 116
 Jan. - Sample
 Viewers.

Geo. S. Swickard
 Public Road

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 Monday the 10th day of August A. D. 1924, at 11 o'clock AM, 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 10th day of August 1924

Viewers

John Nicholls
Isaac Smeal } Superiors

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 vacation 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 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 18th day of October, A. D. 1924

[SEAL.] *A. S. Edwards.*

[SEAL.] *E. J. W. Lott*

[SEAL.] *James W. Spangle*

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
<i>A. J. Edwards</i>	3	68	25.90
<i>G. D. Bilezik</i>	3	60	25.50
<i>W. Sprague</i>	2	150	22.50

No. 2 Sept Term 1924

ORDER TO VACATE

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

Now May Sessions 1926 read and confirmed N. Si.

By the Court, A. H. Hays
Now Sept Sessions 1925 confirmed absolute.

By the Court.

A. H. Hays
P. J.

Filed Sept 3, 1924

Geo. W. Ralston
Clerk

Filed _____ 19__

Atty, Miller & Hartwick

Fees \$1.25 paid by ✓

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

*from June 13th
1924, with petition
made and same
is directed filed
here - no - as
proposed for.*

*by the Court
H. H. H. H.
p. 9*

APR 19 1926

CLERK
W. H. ALSTON
A. 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 Town-
ship 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 super-
visors 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

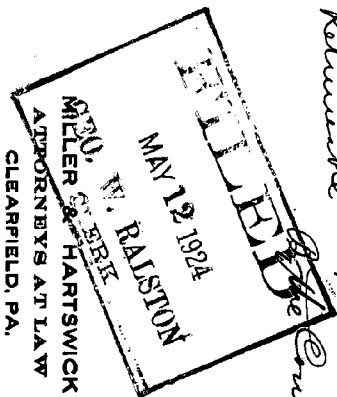
John Nicholls

Isaac Smeal

2 Sept 22 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

*After May 8. 1924. within
better bounded and
N. 2. Johnson & Co. S. 18
Belleville, & W. 18
are appointed viewers & view
and vacate said piece of land
if necessary.
Returnable Sept 22 1924
to 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 ...^{9th}.....day of February, 1924.

William Lee J. P.

RECORDED
1924 FEB 11 1924

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 money 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 9th 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