

Road DOCKET No. 6

Number	Term	Year
3	Sept ss	1924

Petition to vacate road in

Graham Twp

**Versus**

X

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

In re Order to vacate road: No. 3 Sept. Term, 1924.  
situate in the Township of:  
Graham. :

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, Harry Reese  
and J. S. Michaels were appointed viewers on a petition  
to vacate road situate in the Township of Graham to No. 3  
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. 3 Sept. Term, 1924

In re Order to vacate  
road situate in the  
Township of Graham.

PETITION TO PRESENT  
REPORT NUNC PRO TUNC

Now April 19<sup>th</sup> 1924  
the Petition com-  
menced and same  
is directed filed  
here this 19<sup>th</sup> day  
of April 1924.

By the Court

H. H. McNamee

By  
H. H. McNamee

H. H. McNamee

H. H. McNamee

H. H. McNamee

EDWARDS  
DISTRICT ATTORNEY  
CLEARFIELD, PENNA.

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

In re Vacation of road leading from a point }  
on the Bigler and Allport road at or near the }  
farm of O. L. Williams; thence to a point on }  
the road leading from Bigler to Fairview. } # Lay SS. 1924.

To the President Judge of said Court:

The petition of the undersigned constituting the Board of Supervisors of the Township of Graham respectfully represents:— That a certain piece of public road situate in the Township of Graham aforesaid, to-wit, that road leading from a point on the Bigler and Allport Turnpike at or near the farm of O. L. Williams thence to a point on the road leading from Bigler to Fairview near to Grahampton has become useless and burdensome to the said Township and is not needed for public travel.

They therefore, respectfully pray the Court that the said road may be viewed and vacated as a public road.

And they will ever pray, etc.

Ridman H. Miller  
Ed. Coulter  
A. C. Hummel  
Supervisors of Graham

Supervisors of Graham

**Township.**

STATE OF PENNSYLVANIA }  
COUNTY OF CLEARFIELD } SS.

A. C. Hummel, one of the above named  
supervisors, being duly sworn according to law deposes and says  
that the facts stated in the above and foregoing petition are true  
and correct to the best of his knowledge and belief.

Sworn and subscribed before me  
this 7th. day of April A. D. 1824.

7th day of April A. D. 1924.  
Major J. Brallon  
Clerk of Orphans Court

#3 ~~Act~~ SS. 1924

In re: Vacating of road  
~~or boundary of~~ ~~Woodland~~  
Leading from a point on  
the Bigler and Allport road  
at or near the farm of O.  
L. Williams; thence to a  
point on road leading from  
Bigler to Fairview.

May 28 = 1924  
T. G. Edwards Engt.  
Henry Reese Engt.  
J. S. McVille,  
Appointed Surveyors  
By the court  
of Jefferson  
County  
Penns.

**MAILED**  
GEO. W. R. 1924  
RAISMAN OFFICES  
CLERK: H. R. WOODWARD  
CLEARFIELD, PA.

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 Graham, 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

30th day of September, 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 4th 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 Harry Reese, Jack Michaels & A. L. Edwards, viewers, R. W. Hubley, Matt Kuepp, Earl Williams, Grant Cowden, Howard Miller and Clark Klemel & Elmer Colter, supervisors

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 4th day of October,

A. D. 1924, when the parties interested in the said road were in attendance: Harry Reese, Jack Michaels & A. L. Edwards, viewers, Clark Klemel & Elmer Colter, supervisors

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome described in The petition does not correspond with the piece of road to be vacated. The termini are not the same that is the piece of road which the petitioners desire vacated is not properly described in the petition for the location in the petition includes a part of the road which the viewers could not vacate among the people living along said road with no other outlet. The location asked for by the petitioners is there for refused & the viewers recommended that the petitioners should to have a petition of the above described road vacated that they present a new petition accurately describing the same

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 29th 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 ~~number~~  
~~Supervisors~~  
~~inhabitants~~ of the Township of Graham, in the County aforesaid setting forth that .....  
a certain piece of public road situate in the Township of Graham aforesaid,  
to-wit, that road leading from a point on the Bigler and Allport Turnpike  
at or near the farm of O. L. Williams, thence to a point on the road leading  
from Bigler to Fairview near to Grahampton has become useless and burden-  
some to the said Twp and is not needed for 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. L. Edwards, Esq., Harry Reese 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.

# 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 write a public Road leading from a point on the Bigler and Allport turnpike at or near the farm of O. L. Williams

in Graham Township to a point on the road leading from Bigler to Fairview near to Grampton

in Graham Township, in the County aforesaid, will meet at the house of near the farm of O. L. Williams.

in Graham Township, on Monday, the 20th day of September, 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 21st day of Sept. 1924

O. L. Williams

W. C. Nichols

J. J. Nichols

Viewers

Sept. 12, 1924 1924

Nov. 22, 1924

Service accepted for the County Commissioners

L. C. Spans  
Class

# 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 execute a public Road leading from a point on the Bigler and Allport turnpike at or near the farm of O. L. Williams

in Graham Township to a point on the road leading from Bigler to Fairview near to Grahampton

in Graham Township, in the County aforesaid, will meet at the house of near the farm of O. L. Williams

in Graham Township, on Tuesday the 30th day of September 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 4th day of Oct. 1924 at 11 A.M.

A. L. Williams

Harry Reese

J. S. Michaels

Viewers

8 J Morris  
A. G. Hammel

No. 3 Sept Term 19 24

**ORDER TO VACATE**

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>J. L. Edwards.</i>	3	68	2690
<i>Harry Rose</i>	3	128	2890
<i>J. S. Nichols</i>	3	246	3480

To view and vacate road situate in the Township of Graham

Clearfield County.

Now July Sessions 1926

read and confirmed Ni. Si.

By the Court.  
*J. W. Phane.*  
Now July Sessions 1926

confirmed absolute.

By the Court.

*J. W. Phane.*  
J. W. Phane.

Filed Sept 3 1924 19

Atty, A. H. Woodward

Fees \$1.25 paid by

Filed Sept 3 1924  
Geo W. Ralston  
Clark

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:

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 4th day of October, A. D. 1924  
*A. L. Edwards.* [SEAL.]

..... [SEAL.]

..... [SEAL.]

Viewers.