

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 Apria 18th 1924
Wm. L. Peterson can
act and and same
no directed filed;
have not a
present.

By the Court
A. Williams

FILED
APR 19 1924

W. L. 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. } # 1ay 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.

William H. H. H.
Ed. Coulter
A. C. Hummel
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. 1924.
Jefford T. Truller
Clerk of Orphans Court

A. C. Hummel

3 *Sept*
May SS. 1924

In re: Vacatign of road
in ~~boundary~~ *boundary* of *Amherst*,
leading from a point on
the Bigler and Alport road
at or near the farm of O.
L. Williams; thence to a
point on road leading from

Bigler to Fairview.

May 28 - 1924

*A. S. Edwards Esq.,
Henry Keese and*

J. S. Nichols,

afforsted herein

By the Court

J. S. Nichols

FILED
MAY 20 1924
GEO. W. BAIST
CLERK OF THE COURT
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. 192*4*, 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., 192*4*, 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 and A. L. Edwards, owners, R. W. Hubler, Matt Knapp, Earl Williams, Grant Cowder, Howard Hubler and Clark Hummel + 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. 192*4*, when the parties interested in the said road were in attendance: *Harry Reese, Jack Michaels + A. L. Edwards, owners, Clark Hummel + 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 description in the petition includes a part of the road which the viewers could not vacate owing to people living along said road with no other outlet. The vacation asked for by the petitioners is there for refused + the viewers recommend that if petitioners desire to have a portion 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 ~~country~~ 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 burdensome 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 Palston
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 vote a public Road leading from a point on the Sigler and Allport turnpike at or near the farm of O. L. Williams

in Graham Township to a point on the road leading from Sigler to Fairview near to Crumpton

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 August 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 22nd day of Sept. 1924 at 10 A.M.

A. L. Harris

W. L. Harris

J. L. Harris

Viewers

1924

Nov Sept. 22 1924

Service accepted for the County Commissioners

L. C. Harris
Clear

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 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 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 4th day of Oct. 1924 at 11 A.M.

A. L. Edwards

Harry Reese

J. S. Michaels

Viewers

September 10 19 24

5

1944-1945

E. J. Conner
A. G. Hummel

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. L. Edwards</i>	3	68	25.90
<i>Harry Reiser</i>	3	128	28.90
<i>J. S. Michaels</i>	3	246	34.80

No. 3 Sept Term 19 24

ORDER TO VACATE

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

Now *Very* Sessions 19 *26*
read and confirmed Ni. Si.

By the Court.

A. W. Moore
Now *Sept* Sessions 19 *26*

confirmed absolute.

By the Court.

A. W. Moore
R. J.

Filed *4* 19

Atty, A. H. Woodward

Fees \$1.25 paid by

Filed Sept 3, 1924
Geo W. Palston
Clerk

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

..... [SEAL.]

..... [SEAL.]

Viewers.