

No. 4 Sept Term 19 24

ORDER TO VACATE

REVIEW
To ~~view~~ and vacate road situate
in the Township of Beccaria
Clearfield County.

Now May Sessions 19 25
read and confirmed Ni. Si.

By the Court.
Now Sept Sessions 19 25
confirmed absolute.

By the Court.
W. A. Hagerty
P.J.
AR. B. C.
P.J.

to ~~as up~~
at ~~as up~~

Filed 19

Atty, _____
Fees \$1.25 paid by _____

W. A. Hagerty, Atty.

In the Court of Quarter Sessions of Clearfield County, Penna.

Petition to vacate a portion : No. 4 September Sessions, 1925
of Public road in Beccaria : Amended petition by Citizens of
Twp : Beccaria Township

They therefore pray your Honorable Court to be allowed to amend said petition so as to read "To vacate that portion of the foregoing road "Beginning at a point on said road at or near the house of Jack Root in said village of Beccaria and ending at a point on said road at or near the foot of Ab Davis Hill on said above mentioned road. This will include the piece mentioned in the petition asking to be vacated and also the other part that was intended to be included in said petition

By the Court,

A. R. Chase, P. J

STATE OF PENNSYLVANIA : Certified from the record this
COUNTY OF CLEARFIELD : 2nd day of March A. D. 1925.

G. W. Ralston
Clerk

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 2 day of June 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 sundry inhabitants of the Township of Beccaria, in the County aforesaid setting forth that
8th day of May 1896 a public road was confirmed in said Twp of Beccaria and ordered opened leading from a point in public road in the village of Beccaria and ending at a point on public road at or near the house of Jacob Mathews. That before said road was opened a petition was presented to said Court at Sept. ss 1896 to vacate that portion of said road not yet opened from a point at or near the house of George Alinskey and ending at a point in said public road 100 feet north the division line of lands of Robinson and Shoff. That viewers were appointed and survey made and report changing the location of the first mentioned road was duly confirmed and opening order granted. That no portion of as changed under the report of the viewers has ever been laid out, that the same is useless and of no benefit to the traveling public.

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 John Scollins, 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.

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 **Boccaria**, 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

22nd day of April, A. D. 1925, 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 24th day of April A. D., 1925, at ten 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 Andrew O'Donnell, John Burchill, John M. Robeson, George Kochler, Peter Lemish, Emory Neveling, Wm. Mellot and others in favor of vacating the road; And John Grego, Andrew Lachen, Mike Franko, James W. Ruffner and others opposed to vacating said road.

parties is treated either in loco or ex parte without notice. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 24th day of April ,

A. D. 19 ~~25~~, when the parties interested in the said road were in attendance:

W. A. Harty, Esq., for petitioners, and John M. Chase, Esq., for
exceptants, and seven witnesses sworn, examined and cross-examined on both
sides.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said
read-back become useless, inconvenient and burdensome unanimously find and agree:

First: What that portion of said road leading from a point in said road at or near the (Ratol or) house of Jack Root in said Village of Beccaria, in Beccaria Township, to the South side of the School House Lot (the "Bocimning" as shown on the plan hereto attached) has never been opened; no families residing along the route thereto without an outlet; would require a bridge or large culvert across the Run and a r. 1st 1 and 1/2 miles long, and a part of the said road remaining; and with the opinion of the R. R. Co. is useless, but the said r. r. Co. has said that this portion of the said Road be vacated.

Week 1: Day 2: 10:00 AM - 4:00 PM - 1100 CDT
Wheelchair basketball - 10:00 AM - 11:30 AM - 1000 CDT
Swimming - 11:30 AM - 12:30 PM - 1000 CDT
Lunch - 12:30 PM - 1:30 PM - 1000 CDT
Swimming - 1:30 PM - 2:30 PM - 1000 CDT
Gymnastics - 2:30 PM - 3:30 PM - 1000 CDT
Swimming - 3:30 PM - 4:00 PM - 1000 CDT

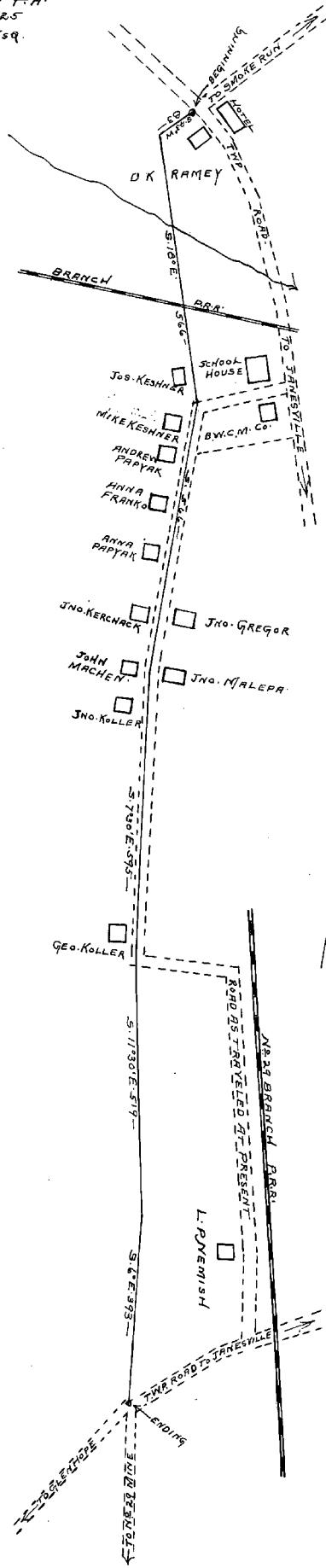
John M. Robeson, a witness favoring vacation at this hearing, provision was made for streets or lanes for the use and necessity of the families owning and occupying properties abutting thereon; with the exception of a field of George Koller and the property of Peter Nemish, both of which front on the Railroad Right-of-way at the "inding" thereof. At the field of George Koller a lane runs Eastwardly to the Railroad right-of-way and thence South on or along said Right-of-way to the Township Road leading from Janesville up the Ab Davis Hill. This lane and road along the Railroad being the road traveled at present and as outlined on the plan of the Robeson Estate and testified to as dedicated to public use.

It is an unfortunate circumstance that after previous or subsequent to the original view of 1895, the course of said Road or the opening or building of it (at the "inding" thereof) was interfered with by a coal mining operation since abandoned, probably accounting for the deflection of the Road at the Koller Lane where it follows the Railroad right-of-way to the Janesville - Utahville Road. Nemish is now the owner of the tract where the mining operation was located, has fenced up the whole tract, built a commodious home, and is a claimant of damages, which together with damages as claimed by Koller (and the cost of building the other portion from the School House line to Root's corner) in the opinion of many of the witnesses favoring vacation would be excessive for the Township to bear; but in the opinion of your Board the course of said Road at the Koller lane could be readily changed and re-located to advantage; and that Street, as laid out by the Robeson Estate adjoining the School House line on the Southern line thereof and extending from the aforementioned Road to the Road leading from Root's Hotel South to Janesville, supplied. This Board however being without authority so to do.

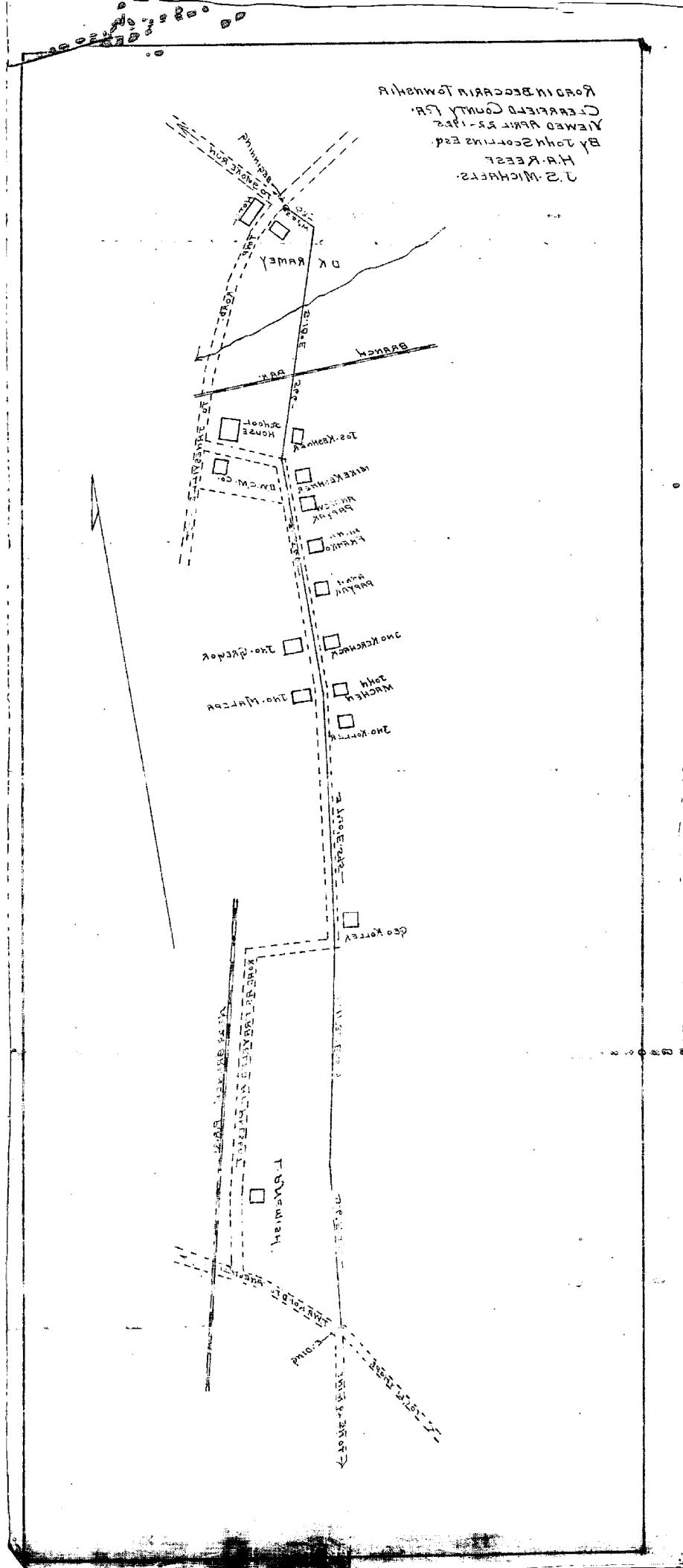
Third: No evidence on the question of damages sustained by the Robeson estate, Peter Nemish and George Koller by reason of the taking of said Road over and across these properties was received before this Board, except a demand of \$1000.00 by Peter Nemish at the time of the view and a claim of John M. Robeson for damages for the taking of the Robeson Estate for public road purposes. However in the original View to Mr. G. Copeland, Esq., J. C. the 17th of Oct. 1895, he returned: "No claim (zero) assessed" to the Robeson estate and the aforementioned properties have since been sold by the Robeson estate and the previous or allusion made for road in the conveyance of title of the same plotted and dedicated on the road of said estate for public use, for which damages are now claimed.

Fourth: The Board is anxious for and finds the first portion of the original application that should be to extend the boundary line the South side of the School House lot to the top of Ab Davis' Hill is reasonable for the purpose of the dedication of the said 116th street, so the same is so ordered.

ROAD IN BECCARIA TOWNSHIP
CLEARFIELD COUNTY, PA.
VIEWED APRIL 22-1985
BY JOHN SCOLLINS ESQ.
H.A. REESE
J.S. MICHAELS.



BY JOHN SCOTTUS ED.
H.A. REESER
J.S. MICHAELS.
NEWED PRINT 55-1626
CERFLEED COUNTY ILL.
RODOLIBECARIA LOWMYER



TO THE COUNTY 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 No. 4 September Sessions, 1925, to review and view to that portion of a certain public road "Beginning at a point on said road at or near the house of Jack Root in the Village of Beccaria and ending at a point on said road at or near the foot of Ab Davis Hill on the aforementioned road", in Beccaria Township, in the County aforesaid, will meet at the house of Jack Root in said Township on Wednesday, the 22nd day of April, A.D. 1925, at twelve (12) o'clock Noon, to attend to the duties assigned them, of which time and place aforesaid, all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 24th day of April, A.D. 1925, at ten (10) o'clock A. M., at which time and place all parties interested may attend and be heard.

John Dacline
Harry Reese
J. Michael
Viewers

Dated, April 6th, 1925

Now, April 6 1925, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Horns
Clerk

ATTENTION: YLWICK, GENEVA TO COMMUNICATIONS YLWICK TEL OF

President

at section 6000000 to section 7000000
with no significance to communication but not bad news

Frank D. St

TO: GEORGE T. MULLEN, EMERY HEVLING and WILLIAM H. MELLOTT, Supervisors of Beccaria Township, Clearfield County, Pennsylvania:

You are hereby notified that the undersigned Viewers, ^{as (Pennsylvania to etas2}
ent, em eroted, dSeI, frqA to vab njoI ait no
appointed by the County Quarter Sessions of Clearfield County,
and whose nrows v.Ind aited onw, entflos met heineqqs v.ill noated
Pennsylvania for the 4th September Session, 1924, after reaived and
jollii H. H. william T. oce noqz eolton nndjw ent to seiqo
jgagerr that oportion of mea certaint phablic road, ^{the beginning at a point}
jfecei nriuer; herejnei' bekrn, becessrbs v. record, elabnok
bus phablic roadqat or near the house of Jack ^{beginning at a point}
aetrevi leb gnlwoda abro jfecei nriuer ent eis ojerion bon of jz
Beccaria and ending at a point near the foot of
Ab Davis Hill on the aforementioned road", in Beccaria Township,
scoy bus vab ent, em eroted bedroades bus nrows
in the County aforesaid, will meet at the house of Jack ^{beginning at a point}
D. R. ~~in~~ ^{beginning at a point} Township on Wednesday, the 22nd day of April, A.D. 1925, at
twelve (12) o'clock Noon, to attend to the duties assigned them,
of which time and place aforesaid, all parties interested will
take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 24th day of April, A.D. 1925, at ten (10) o'clock A. M., at which time and place all parties interested may attend and be heard.

John Scallion
Harry Reese
J. D. Michael
Viewers

Dated, April 6th, 1925

State of Pennsylvania) ss.
County of ~~Philadelphia~~ and before me this day
On this 10th day of April, 1925, before me, the
subscribed, a Justice of the Peace in and for said County,
personally appeared John Scollins, who being duly sworn according
to law, deposeth and saith: that he served, April 6th, 1925,
copies of the within notice upon Geo. T. Mullin, Wm. H. Millott
and Emory Neyland, by depositing the same in the post-office at
Houtzdale, properly addressed, marked "registered; return receipt
requested", with the proper amount of postage prepaid thereon; and
attached hereto are the return receipt cards showing delivery
to the aforesaid addressees. *[Signature]*

sworn and subscribed before me, the day and year
aforesaid. To whom also is given full power to do
so much ... from the 20th day of October, 1992, to and
including the term and of office of said Person,
FIRST MONDAY IN JANUARY, 1993.

John F. Kennedy
President of the United States
John F. Kennedy

2000 100 1000 1000

Post Office Department		PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$100
<u>OFFICIAL BUSINESS</u>		POSTMARK OF DELIVERING
REGISTERED ARTICLE		OFFICE
No. <u>1247</u>		
INSURED PARCEL		
No. <u>1247</u>		1910 AND DATE OF DELIVERY
Return to <u>John S. Johnson</u>		
Street and Number, } or Post Office Box, } <td>(NAME OF SENDER)</td>		(NAME OF SENDER)
Post Office at <u>Cherrydale, D.C.</u>		

Rev. 3-24

05-0110

S

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

James McLean

(Signature or name of addressee)

James McLean

(Signature of addressee's agent.)

Date of delivery, 4/7, 1925

Form 3811

GOVERNMENT PRINTING OFFICE

6-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 1246

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$100

POSTMARKS OR SEALING TAPE
OFFICE

3 APR 18 1925
5 PM

AND DATE OF DELIVERY

Return to John A. Schleser
(NAME OF SENDER)
Street and Number, 100
or Post Office Box, 100

Post Office at Albuquerque, NM

Rev. 3-24

05-0116

5

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

W. H. G. C. D.

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, 1925

Form 3811

GOVERNMENT PRINTING OFFICE

•5-616

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

NO. 1245

INSURED PARCEL

NO. _____

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

POSTMARK OR DELIVERING

OFFICE

AND DATE OF DELIVERY

Return to Post Office
(NAME OF SENDER)

Street and Number
or Post Office Box

Post Office at Post Office

Rev. 3-24

6-6116

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee.)

Date of delivery, 11-7-, 192
Form 3811

c b-6115

GOVERNMENT PRINTING OFFICE

May 4, 1925. Not being out of order for
suspension and release, I become my except
& the written report, and assign the following
order. - That two viewers admitted a
portion of said road should be vacated
admitting that there is a road for all along the
road proper the present, but they do not
say any authority to vacate same under this order
but that not being a right road.

Not Hagerty
Atty for Petitioners 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 considera-
tion the advantages as well as the disadvantages
of the road, they will report to that effect.

	Days	Miles	Am't
H. A. Reese	3	120	\$28.50
J. S. Michaels	4	206	\$40.30
John Scollins	4	76	\$33.80

Now May 1925 Sessions 1925
read and confirmed Ni. Si.
By the Court
Sept 1925 Sessions 1925
confirmed absolute.

By the Court
W. A. Hagerty

1925
Sept 1925
Sessions 1925
confirmed absolute.

By the Court
W. A. Hagerty

1925
Sept 1925
Sessions 1925
confirmed absolute.

No. 4 Sept Term 19 24

ORDER TO VACATE

To REVIEW and vacate road situate

in the Township of BEECHWOOD

Clearfield County.

Filed 19
Atty.
Fees \$1.25 paid by

W. A. Hagerty, Atty.

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:~~

No one in the opinion of the Viewers being damaged, therefore no damages are assessed.

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

Witness our hands and seals this **25th** day of **April**, A. D. 19 **25.**

R. S. Seine [SEAL.]

..... *K. A. Reese* [SEAL.]

..... *J. S. Michaels* [SEAL.]

Viewers.