

DOCKET No. 6

Number	Term	Year
6	Dec	1924

Petition to vacate road in

Burnside Twp

Versus

X

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

The petition of the undersigned respectfully represents:

FIRST: That your petitioners are supervisors of the Township of Burnside, Clearfield County, Pennsylvania.

SECOND: That a certain public road in Burnside Township which begins at a point at or near the James Riddle residence and extends to a point at or near New Washington Borough, in said Township, has become useless and is expensive to maintain and a burden upon the Township.

Your petitioners therefore pray the Court to appoint viewers to view and vacate said road, and they will ever pray, etc.

Frank Beck
S S Young
J Ralph Hutton

Clearfield County: SS:

J. Ralph Hutton, Secretary of the Supervisors of Burnside Township, being duly sworn according to law says the facts set forth in the foregoing petition are true as he verily believes.

Sworn to and subscribed before me this 13th day of October, 1924

J. C. Morris

DEED
EXPIRES
JANUARY 1st, 1926

KNOW ALL MEN BY THESE PRESENTS, That we, S. S. YOUNG,
FRANK BECK and J. RALPH HUTTON are held and firmly bound unto the
County of Clearfield in the sum of Fifty (\$50.00) Dollars, lawful
money of the United States to which payment well and truly to be
made, we do bind ourselves, our heirs, executors, and administra-
tors firmly by these presents. Sealed with our seals and dated
theday of October, 1924.

WHEREAS, the above bounden, as Supervisors of Burnside
Township, have petitioned the Court for appointment of viewers to
view and vacate a certain public road in Burnside Township, begin-
ning at a point at or near James Riddles residence and extending
to a point at or near the line of New Washington Borough.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if
the above bounden shall at all times save and keep harmless the
County of Clearfield from any and all expenses and costs relative
to said vacation, in the event that said vacation is refused, then
this obligation to be void, or else to be and remain in full force
and virtue.

Frank Beck (SEAL)

(SEAL)

(SEAL)

#6 Dec 20 1924

Petition to vacate public road in Burnside Township from a point at or near the James Riddle residence to a point at or near New Washington Borough.

the October 1924 at
within fifteen minutes and
~~Franklin G. Scott~~ ~~Weller~~
Early these as James
Ladd & Co. were to
be appointed members to
view and receive and
act as managers for.

MILLER & HARTSWICK
ATTORNEYS AT LAW
CLEARFIELD, PA.

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Public Road leading from a point at or near the James Riddle Residence

in Burnside Township to a point at or near New Washington Borough

in Burnside Township, in the County aforesaid, will meet at the house of James Riddle in Burnside Township, on Friday the 14th day of November A. D. 1924, at 9.00 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice.

George K. Weber
H. A. Reese
James Spangler
Viewers

November 4th 1924

A hearing in above Case will be held at the Court house in Clearfield on Saturday November 15th 1924 at 10 o'clock A.M. where all persons who desire to do so will be heard

Nov. 6th 1924

Service accepted by County Commissioners
of Clearfield County

Per L. C. Morris
Chair

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ^{vacant} Public Road leading from a point at or near the James Riddle Residence

in Burnside Township to a point at or near New Washington Borough.

in Burnside Township, in the County aforesaid, will meet at the house of James Riddle in Burnside Township, on Friday the 14th day of November A. D. 1924, at 9.30 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take notice.

George K. Weber
Hill Reese
James Spang
Viewers

November 14th 1924

A hearing in above case will be held at the Courthouse at Clearfield on Saturday November 15th at 10 o'clock A. M. where all persons who desire to do so will be heard

Service of this Notice accepted
Frank Beck
S. S. your supervisor
J. Ralph Duthoy

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 **27th** day of **October** 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 **Supervisors** ~~Inhabitants~~ of the Township of **Burnside**, in the County aforesaid setting forth that a certain public road in Burnside Twp. which begins at a point at or near the James Riddle residence and extends to a point at or near New Washington Borough, in said Twp. has become useless and is expensive to maintain and a burden to the township

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 GEO. K. Weber, Harry Reese and James Spangle 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.

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 Burnside, 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 14th day of November, 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 15th day of November A. D., 1924, at 10 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 J. Ralph Hutton Frank Beck and A. Young
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 15th day of November,

A. D. 1924, when the parties interested in the said road were in attendance: Frank Beck of the Board of Supervisors of Burnside Township

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome to the taxpayers of Burnside Township and is a nuisance to the traveling public and we therefore Vacate the same.

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 15th day of November, A. D. 1924

Frank Haber [SEAL.]

H. A. Reese [SEAL.]

James W. Spangler [SEAL.]
Viewers.

No. 6 Dec 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
George Reed	56	25.30	
W. H. Reed	3		
James Shantz	2	19.00	
Geo. C. Walker	2	52.1760	

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

Now Dec 3rd 1924 Sessions 19
read and confirmed Ni. Si.
By the Court.
W. H. Shantz
Now February 1925
Sessions 19
confirmed absolute.

By the Court.

W. H. Shantz

Filed 19

Atty, Fees \$1.25 paid by
Miller & Hartwick, Atty's,

