

DOCKET No. 6

Number  
6

Term  
Dec

Year  
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.

J. Ralph Hutton  
Sworn to and subscribed before me this 13<sup>th</sup> day of October, 1924

A. C. Morkle

DEED BOOK EXPIRES  
JANUARY 1ST, 1925

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 administrators firmly by these presents. Sealed with our seals and dated the .....day 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, beginning 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)

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.

Mrs September 28. 1924 the  
 within relation presented and  
 French translation ~~Sept 28~~ 1924  
 Henry there as James  
 H. G. G. never to  
 press and create and  
 work as charged for.

RECEIVED  
1924

OCT 11 1924

GEO. W. RALSTON  
CLERK

**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 9.30 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

H. D. Reese

James Spangh

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. 6<sup>th</sup> 1924

Service accepted by County Commissioners  
of Clearfield County

Per L. C. Morris  
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 <sup>vacate</sup> 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.

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George K. Weber

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Viewers

November 4th 1924

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

[illegible]



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 appoint 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. 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 *15th* day of *November* A. D., 192*4*, 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 Ed 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. 192*4*, when the parties interested in the said road were in attendance: *viz*

*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 of no use to the traveling public and we therefore vacate the same.*

*Burnside Township and is of no use 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 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 15<sup>th</sup> day of November, A. D. 1924

*Geo. K. Weber* ..... [SEAL.]

*H. A. Reese* ..... [SEAL.]

*James W. Spangle* ..... [SEAL.]

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.

<del>George H. Weber</del>	Days	Miles	Am't
H. U. Reese	3	56	\$25.30
James D. Baugh	2	80	19.00
Geo. H. Weber	2	52	17.60

No. 6 Dec Term 19 24

## ORDER TO VACATE

To view and vacate road situate in the Township of Burnside

Clearfield County.

Now 1923<sup>rd</sup> 1824 Sessions 19

read and confirmed Ni. Si.

By the Court.

*H. H. Miller*  
Now February Sessions 1923<sup>rd</sup>

confirmed absolute.

By the Court.

*H. H. Miller*  
*R. J.*

Filed 19

Atty,

Fees \$1.25 paid by

Miller & Hartswick, Atty's,

