

DOCKET No.

Number

Term

Year

1

Sept

1925

Petition to vacate road in

Beccaria Twp

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

Re: Public Road in Beccaria Township, :
Clearfield County, Pennsylvania : No. 1 Sept. Sessions 1925
:

To the Honorable A. R. Chase, President Judge:-

To the Honorable Board of Road Viewers:

WHEREAS; to the above number and term there is filed
in said Court a petition for the vacation of a portion of the
public road in Beccaria Township, leading from a point near the
residence of Jos. Adams and ending at the concrete road, Route
No. 234, near Irvona line, and

WHEREAS, said road proposed to be vacated is essen-
tial to the welfare of the citizens of said Township, requires
practically no expense for its up-keep; and for many reasons
should not be vacated,

WHEREFORE, the undersigned petitioners respectfully
protest against the vacation of said road.

John L. Lightner
Individually

Wittmer Land & Coal Co.

A. S. Uhler

John Gabriel Est.

James Berger

W. E. Robinson Est.

Frank B. Harrison

Geo. Berger & Co.

J. A. Adams

R. D. Shank

Chas. Curry

Chas. Shank

E. Berger

Geo. D. Meyer

Roy. M. Berger

W. A. Assen

Geo. D. Smith

Harry E. Sullivan

C. C. Heil

W. J. Jasher

Ellis Sherry

W. B. Heil

C. H. Heil

William Hail

Miss Roby Lightner

James Adams

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

No. 1 Sept. Sessions, 1925

In re: Public Road in
Beccaria Township, Clearfield
County, Pennsylvania.

PROTEST

LIVERIGHT & CHASE
ATTORNEYS AT LAW
CLEARFIELD, PA.

TO:- JESSE, E, DALE, T, R, WEIMER AND B, W, McCRACKEN:

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 view and vacate a portion of the public road leading from a point in the public road near the residence of Joseph Adams in Beccaria Township to a point at the concrete route No 234 near the line of Irvona Borough in Beccaria Township in the County aforesaid; will meet at the house of Joseph Adams in Beccaria Township on Tuesday the ninth (9th) day of June A. D. 1925 at nine (9) o'clock A. M. to attend th the duty assigned them of which time and place all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the 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, either in favor of or opposed to the vacating of the said road will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday June the 10th A. D. 1925 at nine thirty (9.30) o'clock A. M. at which time and place all parties interested, either in favor of or against the vacating of said road may appear and be heard.

A. G. Kramer

H. A. Reese

J. W. Spangle

VIEWERS:

Now May 27, 1925 service accepted for the County Commissioners of Clearfield County. Pa:

L. C. Norris Clerk

TO: Emory, Nevling, G, T, Mullen and William M Malott.

The Supervisors of Beccaria Township, Clearfield County State
of Pennsylvania.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view and vacate a portion of the public road leading from a point in the public road near the residence of Joseph Adams in Beccaria Township to a point at the Concrete route No 234 near the line of Irvona Borough, in Beccaria Township in the County aforesaid; will meet at the house of Joseph Adams in Beccaria Township on Tuesday the ninth(9) day of June A, D, 1925 at nine (9) o'clock A. M. to attend to the duty assigned them of which time and place aforesaid all parties interested will please take notice:--

And that the public hearing as required by the Act of Assembly and the 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, either in favor of or opposed to the vacating of the said road will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday June the tenth (10th) A, D, 1925 at nine thirty (9.30) o'clock A. M. at which time and place all parties interested, either in favor of or opposed to the vacation of said road may appear and be heard.

A. G. Kramer

H. A. Reese

J. W. Spangle.

VIEWERS:

Now May 30 1925 served this notice on Emory Nevling, G T Mullen and William M Mellott the Supervisors of Beccaria Township personally by handing to each of them a true and correct copy of same.

Emory Nevling

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 7th day of May in the year of our Lord, one thousand nine hundred and twenty five

By the Honorable *A. Roy Chase* ~~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 a portion of public road in said Township of Beccaria long since laid out leading from a point near the residence of Joseph Adams and ending at the concrete road Route No. 234 near the Irvona Line has become useless and burdensome to the taxpayers of said 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 A. G. Kramer, Esq., 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 Beccaria; -----, 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

9th day of June; -----, 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 10th day of June; ----- A. D., 1925, at 9.30--- 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 William, M. Malott one of the supervisors of Beccaria Township
in favor of vacating said road and John Bollinger and Harry E Gillingen
property owners along said road to be vacated and opposed to vacating the
same, -----

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 10th,--- day of June -----,

A. D. 1925, when the parties interested in the said road were in attendance: Emory Nevling
William M Malotte. and G. T. Mullen the supervisors of Beccaria Township
with their Attorney W. A. Hagerty Esq their Attorney all in favor of va-
cating said road, There being no appearance of any one opposed to the
vacating of said road; -----

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has ----, become useless, inconvenient and burdensome and therefore recommend that
the same be vacated; to wit: Beginning at a point in a public road leading
from Utahville to the improved state road leading from Irvona to Coalport
Thence running over unimproved land of Joseph Adams the following courses
and distances, to wit; North thirty two (32) degrees, West seven hundred
(700) feet, thence North twenty five (25) degrees West three hundred (300)
feet to property line of Mitchell Fry; Thence over unimproved land of the
said Mitchell Fry the following courses and distances; to wit: North four-
teen (14) degrees West two hundred and eighty four (284) feet; Thence
north thirty two (32) degrees; West four hundred and fifty (450) feet; to
property line of the Bollinger Estate: Thence over unimproved land of the
said Bollinger Estate the following courses and distances, to wit: North
fifty seven (57) degrees West two hundred (200) feet; Thence North sixty
six (66) degrees; West five hundred and fifty (550) feet; Thence North
sixty five (65) degrees, West four hundred and fifty (450) feet, thence
North seventy two (72) degrees, West one hundred and thirty (130) feet,
Thence North fifty six (56) degrees, West two hundred and fifty (250) feet
Thence North fifty six (56) degrees West two hundred and fifty (250) feet
Thence North seventy (70) degrees West two hundred and fifty (250) feet,

Thence North sixty (60) degrees, seventy one (71) feet; thence North seventy nine (79) degrees; North two hundred and fifty (250) feet; Thence North sixty two (62) degrees, West three hundred and twenty (320) feet, to line of land of the Irvona Coal Company; Thence over unimproved land of the said Irvona Coal Company the following courses and distances; to wit: North seventy and one half (70 1/2) degrees, West three hundred (300) feet; Thence North sixty one (61) degrees; West two hundred and seventy four (274) feet; Thence North fifty seven (57) degrees, West six hundred and forty (640) feet; Thence North thirty one (31) degrees, West two hundred and fifty (250) feet; to property line of J. L. Lightner, Thence over unimproved land of the said J. L. Lightner the following courses and distances; to wit: North four and one half (4 1/2) degrees East eighty four (84) feet; Thence North twenty one (21) degrees East one hundred and seventy (170) feet; Thence North twenty two (22) degrees, West one hundred and twenty four (124) feet; Thence North fifty two (52) degrees West three hundred (300) feet; Thence North seventy one and one half (71 1/2) degrees West three hundred and fifty (350) feet; To line of land of Ruby Lightner; Thence over unimproved land of the said Ruby Lightner the following courses and distances; to wit: North seventy five and one half (75 1/2) degrees West two hundred and fifty (250) feet; Thence North fifty three (53) degrees, West three hundred (300) feet; Thence North seventy (70) degrees West two hundred and fifty (250) feet; Thence South along the Catholic Cemetery on the South and land of Ruby Lightner on the north side of the said road, South eighty two (82) degrees West Five hundred and seventy four (574) feet; Thence South eighty nine and one half degrees West (426 ft 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.

Borough of Coalport in Chester County D. C.

Whereas the undersigned Viewers have been appointed by the Board of Assessors of the Borough of Coalport to view and assess the damages to be paid by the owners of the property abutting on the said road, and having viewed the same, and being of opinion that the said road is a public highway, and that the same should be vacated, and that the damages to be paid by the owners of the property abutting on the said road, are as follows:

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 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:

In the opinion of the viewers none of the abutting property owners being damaged therefore no damages are assessed.

and the same are released, released, and conveyed to the owners.

Witness our hands and seals this 17th -- day of June; -----, A. D. 19 25.

A. G. Kramer [SEAL]

W. 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.

	Days	Miles	Am't

No. 1 Sept Term 19 25

ORDER TO VACATE

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

Now ^{Sept} ~~Dec~~ Sessions 1925

read and confirmed Ni. Si.

By the Court.

Now ^{Dec} ~~Dec~~ Sessions 1925

confirmed absolute.

By the Court.

W. H. Hare
P. J.

Filed 19

Atty.

Fees \$1.25 paid by

A. Haggerty, Atty.

FILED

JUL 7 1925

GEO. W. RAISTON

CLERK

CLF

Utahville Penna April 10 1925

To the Commissioners of Clearfield Co

Gentlemen

You are hereby notified tha a petition of the citizens of Beccarat Township, will be presented to the Court of Quarter Sessions of Clearfield County on Thursday the 7th day of May asking for the appointment of viewers to view and vacate that portion of a public road in said Township between a point near the house of Josphe Adams and ending at a point on concrete road known as route No 234 near the Borough of Irфона , at which time you can offer any objections if you so desire .-

N. A. Hagerty
Attorney for petitioners

Now May 6th 1925 service accepted for the County Commissioners

L. C. Travis
Clerk ofr County Commissioners

Utahville Penna April 10th 1925

To the Supervisors of Beccaria Twp

Gentlemen.

You are hereby notified that a petition of the citizens of Beccaria Township will be presented to the Court of Quarter Sessions of Clearfield County on the First Monday in May asking for the appointment of viewers to view and vacate that portion of a public road in said Township between a point near the house of Joseph Adams and ending at a point on concrete road known as route No 234 near the Borough of Irvona At which time you can offer and objections if you so desire

A. H. Hager
Atty for petitioners

Now April 1924 service of above notice accepted
for the Supervisors of Beccaria Township

F. L. Caldwell
Clerk for Supervisors

In the Court of Quarter Sessions of Clearfield County

To the Honorable the Judge of said Court

We the undersigned citizens of the Township of Beccaria

Respectfully represent. - That a portion of Public road
in said Township of Beccaria long since laid out leading from
a point near the residence of Joseph Adams and ending at the
concrete road Route 234 near the Irvona Line has become useless
and burdensome to the taxpayers of said Township, They therefore
Pray your Honorable Court to appoint viewers to view, and
vacate the same, And to make report thereof to the next Term
of Court.

And they will ever pray&c

L. N. Dickson
J. R. Cowen
H. V. Cowen
F. L. Fennell
A. Chaplin
Clayton K. Croyle
Carl E. Kirk
J. R. Croyle
H. A. Croyle
F. A. Shook
G. H. Shook
C. H. Shook
Gleason Flickinger
Irvona Coal & Coke Co.
Wm. A. Martolotto
Chas. Martolotto
Samuel Blakely
Jno. Conbremer
A. R. Powell

George A. Croyle
G. E. Myers
Geo. J. Myers
A. E. Thomas
W. E. Shank
Raymond Casky
A. L. Singlin
Jas. B. Freeman
Geo. A. Sinclair
J. J. Simpkins
Chas. Curry
Jini Beer
Park Beer
J. H. Beer
W. H. Beer

Geo Berger. Jr.

J. A. Nelson

John Churchill

B. E. O'Fall

Amel Johnson.

George O'Fall,

Van McCoy

Gordon I. McCoy

Harry P. Johnson

J. E. Green

William Yates

Wm. Wilson,

J. L. Root,

John Cook

Emory Wilson

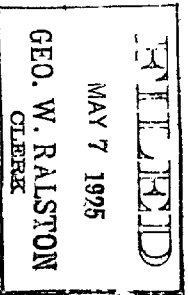
Andrew C. Donnell. Bessie Pa.

No 1 Sept 14 1925
O'Brien & Jacob
O'Brien & Jacob
Receivable 12/1.

New York 7th 1925.

A. H. Warner Esq,
Harry Reed, and James
H. H. Reed, are appointed
trustees, to receive and
report.

By the court
A. H. Warner.
J. J.



W. J. Reed

Know all men by theses presents that we William
E. Goli and George Fitch

of the Township of Beccaria, County of Clearfield and State of Pennsylvania are held and firly bound unto the Commonwealth of Pennsylvania in the sum of one hundred dollars.- lawful money of the United States to be paid to the said Commonwealth its certain Attorneys and assigns, to which payment well and truly to be made and done we bind ourselves, and each of us our and each of our heirs, executors and administrators jointly and severally firmly by these presents

Sealed with our seals and dated the day of April
A D 1925

Whereas a number of citizens of the said Township of Beccaria have petitioned the said Court to appoint viewers to view and vacate a portion of a township road in said Township leading from a point near the residence of Joseph Adams and ending at the concrete road route No 234 near the Borough of Irvona .-

Now the condition of this obligation is such that if the said petitioners shall pay all cost that may be decreed by the said Court at the hearing of said petition then this obligation to be void or else to be and remain in full force and virtue

William Goli (seal)
George Fitch (seal)