

DOCKET No. 

| Number | Term | Year |
|--------|------|------|
| 1 | Sept | 1925 |

Petition to vacate road in

Beccaria Twp

Versus

12

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 essential 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.

| | |
|--|-----------------------------|
| <u>John L. Lighter</u> (individually) | <u>E. Cooper</u> |
| <u>Miller Land Co. Co.</u> | <u>Geo Berger or son</u> |
| <u>A. S. Weller</u> | <u>Geo D. Myers</u> |
| <u>John Gabriele est.</u> | <u>Roy M. Berger</u> |
| <u>Geo Berger</u> | <u>H. Austin</u> |
| <u>W. O. Pollock est.</u> | <u>Geo. W. Knott</u> |
| <u>Frank Gabriele</u> | <u>Carry & Gilligan</u> |
| <u>Geo Berger Jr.</u> | <u>C. R. Heil</u> |
| <u>J. A. Adcock</u> | <u>W. J. Jasher</u> |
| <u>R. D. Shunk</u> | <u>Ellis Sherry</u> |

| | |
|--------------------|-----------------------------------|
| <u>Chas. Bury</u> | <u>W. B. Heil</u> |
| <u>Chas. Shunk</u> | <u>C. H. Heil</u> |
| | <u>William Huldr</u> |
| | <u>Mrs. Roby Lighter orangina</u> |

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

No. 1 Sept. Sessions, 1925

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

PROTEST

LIVERIGHT & CHASE
ATTORNEYS AT LAW
CLEARFIELD, PA.

TO:- JESSE, E, DALE, T, R, WEIMER AND B, W, McCACKEN:
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 to 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 Morris 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 Iriona 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.

H G Kramer
H A Reesl
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 ~~Singleton Bell~~ *J. Roy Chase*, 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 ap-

point 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 vacating 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 fourteen (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 sev-
enty 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 un-
improved land of the said J. L. Lightner the following courses and distanc-
es; 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 cour-
ses and distances; to wit: North seventy five and one half (75-1/2) degr-
ees 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 Sout 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 prop-
erty the said road passes, is hereto attached and made a part hereof.

And that the following persons having, in the opinion of the Viewers, been damaged by the vacating of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacating 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 ~~and a copy of the notices obtained and copy of the notices~~

Witness our hands and seals this **17th** -- day of **June**; **1925**, A. D. 19 25.

A. G. Krauser [SEAL.]

..... W. A. Reese [SEAL.]

James W. Spangle [SEAL.] View

Viewers.

✓
No. 1 Sept. Term 19 25

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 |
|-------|-------|-------|-------|
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To view and vacate road situate in the Township of Beccaria

Clearfield County.

Sept Now Sept Sessions 1925

read and confirmed Ni. Si.

By the Court.

Now Dec Sessions 1925

confirmed absolute.

By the Court.

St. B. Hause

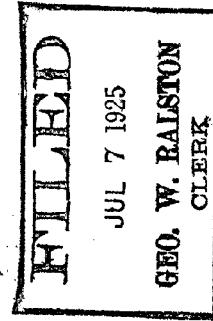
Filed

19

Atty,

Fees \$1.25 paid by

A. Haggerty, Atty.



CLERK

Utahville Penna April 10 1925

To the Commissioners of Clearfield Co

Gentlemen

You are hereby notified tha a petition of the citizens of Beccarai 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 Joseph Adams and ending at a point on concrete road known as route No 234 near the Borough of Irfona , at which time you can offer any objections if you so desire .-

M. A. Haagerty

Attorney for petitioners

Now May 6th 1925 service accepted for the County Commissioners

L. C. Morris.

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 Irvinia At which time you can offer and objections if you so desire

A. J. Haggerty

Atty for petitioners

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

J. 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 Iriona 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 thereoff to the next Term
of Court.

And they will ever pray &c

D. N. Dickey
J. R. Conner
H. T. Cowen
F. J. Franklin
A. Chapman
Clayton K. Croyle
Carl C. Hart
J. E. Knobell, Jr.
H. C. Miller
F. J. Stinson
H. H. Stinson
C. H. Wilson
Gebhard Flickinger
Irrona Coe & Co.
Mrs. A. Martolotto
Chas. Martolotto
Samuel Blakely
Geo. Embrey
C. H. Powers

George Abbott
G. C. Rogers
Geo. Jaggar
A. E. Thomas
W. E. Shank
Raymond Carky
a. L. S. Johnson
J. A. B. Greenman
Geo. A. Simola
St. Christopher
Brad Lawrence
T. J. T. Lee
Parker Beer
Sloff Beer
W. M. Mol.

Geo Berger, Jr.

J. A. Collier

John Churchill

B. E. Ophell

Amel Johnson

Maryell Dallas

Tom McCay

Gordon Imbroy

Harry Patterson

J. G. Green

Malone Hayes

W. B. Wilson

J. G. Root

John Cook

Emory Walker

Andrew O'Donnell. Baccala Pa.

Mo 1 May 1925
Letter to Socie
Public Power an
Reconin Corp.

Dear May 7th 1925.

A. S. Blamee Esq.
Harry Rose and James
Langston are authorized
to make any
report.

By the com
A. S. Blamee
S. J.

| |
|-----------------|
| FILED |
| MAY 7 1925 |
| GEO. W. RALSTON |
| CLERK |

16 copy

Know all men by these presents that we William
E. Galt and Geo. Galt
of the Township of Beccaria, County of Clearfield and State of
Pennsylvania are held and firmly 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
Irvington. -

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 Galt (seal)

George Galt (seal)