

DOCKET No. 6

Number
2

Term
May

Year
1925

Petition to vacate and supply road.

Burnside Twp Newburg Boro, New Washing
Boro

Versus

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

In re: Petition to vacate and
supply a Public Road in Newburg
Borough, New Washington Borough
and Burnside Township.

(No. 5 May Sessions 1925.
)
(Remonstrance.
)

To Hon. A. R. Chase, President Judge of said Court and to A.
G. Kramer, J. S. Michaels and J. E. Frye, viewers;

Whereas a petition has been presented to the Court of Quarter
Sessions of said County and filed to No. 5 May Sessions 1925, praying
that the present road extending from a point in Newburg Borough near
the LaJose Junction to a point near the store of the Roberta Supply
Company in Burnside Township be vacated and that the same be supplied
by a new road between said points in a different location, and the
said A. G. Kramer, J. S. Michaels and J. E. Frye have been appointed
to view the same and make report to the said Court.

Therefore the undersigned citizens, residents and tax payers
of the Boroughs of Newburg and New Washington in said County respect-
fully remonstrate against the vacation of the said road and the laying
out and supplying of a new road between said points for the following
reasons;

First: Because the present road accommodates all traffic
between said points, and the residents of the community and the trav-
eling public suffer no inconvenience on account of its location.

Second: Because all of said road, except a short part thereof,
lies within the Boroughs of Newburg and New Washington, it is located
for the greater part on high ground, and the cost of maintenance is
much less than it would be if the road should be changed to a new lo-
cation for the purpose of reducing the grade on the hills.

Third: Because there are no large industries in the locality
and the value of taxable property in said Boroughs is so small that
it is a burden on the property owners to maintain the present roads

and highways therein, and if said road is changed to a new location the construction of the new road will impose an additional burden upon the tax payers which they will be unable to bear.

Fourth: Because the part of the new road in New Washington Borough would be located through wet, swampy ground and would be very expensive to construct and maintain.

Fifth: Because there is no necessity for the change of location of said road.

S. S. Hurd

<i>Kate M. Masters</i>	<i>Newburg Borough</i>
<i>M. J. Hurd</i>	" "
<i>George J. Jozes</i>	" "
<i>Mrs. Nona H. Hurd</i>	" "
<i>J. S. M. F. Hurd</i>	" "
<i>A. C. M. Hurd</i>	" "
<i>Walter H. Hurd</i>	" "
<i>Robert M. Koff</i>	" "
<i>Harry H. Hurd</i>	" "
<i>E. D. Michael</i>	" "
<i>Gilbert Jozes</i>	" "
<i>Clair Hurd</i>	" "
<i>G. A. Rainey</i>	" "
<i>Edw. Rainey</i>	" "
<i>Mrs. Russell M. Fadden</i>	" "
<i>Mrs. Ella Michael</i>	" "
<i>W. H. Thomson</i>	" "
<i>A. M. Woods</i>	" "
<i>Mrs. A. M. Woods</i>	" "

A. Hurd

Mrs J. W. Hurd.

J. W. Hurd

Mrs A. G. Hurd

Ruth E. Hallman

Clara Worsing

Grace Worsing

Mrs Mary H. Markle

Grace Markle

Mrs Lillian Hurd

Mrs C. H. Blankenbicker

Edna M. Hurd

C. H. Blankenbicker

W. J. Cunningham

Jacob Cunningham

Mrs A. H. Thomson

Virginia Clair Dutra

H. C. Youngling

Mrs E. J. Youngling

Mr H. H. Hurd

Percey Snyder

Mrs H. H. Hurd

Gerald McDonald

W. E. Swan

Fred M. Oots

Burnside Township

of 1873

to 1874

to 1875

to 1876

Russell M^c Fadden
 L. C. Smith
 E. W. Scott
 Mrs M. E. Swan.
 H. P. Thompson.
 Mrs H. D. Thompson
 Bess M^c Fadden
 Mrs. J. S. McFadden
 Harry C. Hutton
 Mrs H. C. Hutton
 Agnes Markle
 Mrs H. H. Beam.
 Mrs W. C. Beam.
 W. C. Beam
 Mrs Gerald W. David
 A. W. McFadden
 Mrs A. W. McFadden
 John Woods
 Mrs John Woods
 Hoyt Robbins
 J. A. Dutra
 Luther J. Kopp
 H. C. Wood
 Orla Silk
 Mrs. H. C. Wood,
 John R. Postmort
 Mrs. J. A. Dutra.
 Mary L. Dutra.

La Jere.

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Mrs Carol Gill

Mrs E Dhiqart

Mrs Hilliard

es P. Tover

Mrs. D. W. Dyer

Blair yingling

x J van Lee

William Tover

John Miller

Mrs. Dyer

H. S. Blackwell

H. J. Palmer

Mrs. J. Dyer

x J. Ralph & Button Burnside Twp.

Rosa Dyer Burnside Township

La Jost

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State of Pennsylvania,
County of Clearfield. SS.

J. S. McFadden, one of the signers to the
above remonstrance, being duly sworn according to law says that the
facts therein stated are true and correct to the best of his knowledge
and belief.

J. S. McFadden

Sworn and subscribed before me
this 23 day of March, A. D.
1925.

A. C. Markle

NOT PUBLIC
JANUARY 1ST, 1925

No. 5 May Sessions 1925.

In re: Petition to Vacate and
Supply a Public Road in Durnside
Township, New Washington Borough
and Lewburg Borough.

Remonstrance from Newburg Bor-
ough.

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

In re: Petition to vacate and
supply a Public Road in Newburg
Borough, New Washington Borough
and Burnside Township.

(No. 5 May Sessions 1925.

(Remonstrance.
)

To Hon. A. R. Chase, President Judge of said Court and to A.
G. Kramer, J. S. Michaels and J. E. Frye, viewers;

Whereas a petition has been presented to the Court of Quarter Sessions of said County and filed to No. 5 May Sessions 1925, praying that the present road extending from a point in Newburg Borough near the LaJose Junction to a point near the store of the Roberta Supply Company in Burnside Township be vacated and that the same be supplied by a new road between said points in a different location, and the said A. G. Kramer, J. S. Michaels and J. E. Frye have been appointed to view the same and make report to the said Court.

Therefore the undersigned citizens, residents and tax payers of the Boroughs of Newburg and New Washington in said County respectfully remonstrate against the vacation of the said road and the laying out and supplying of a new road between said points for the following reasons;

First: Because the present road accommodates all traffic between said points, and the residents of the community and the traveling public suffer no inconvenience on account of its location.

Second: Because all of said road, except a short part thereof, lies within the Boroughs of Newburg and New Washington, it is located for the greater part on high ground, and the cost of maintenance is much less than it would be if the road should be changed to a new location for the purpose of reducing the grade on the hills.

Third: Because there are no large industries in the locality and the value of taxable property in said Boroughs is so small that it is a burden on the property owners to maintain the present roads

and highways therein, and if said road is changed to a new location the construction of the new road will impose an additional burden upon the tax payers which they will be unable to bear.

Fourth: Because the part of the new road in New Washington Berough would be located through wet, swampy ground and would be very expensive to construct and maintain.

Fifth: Because there is no necessity for the change of location of said road.

H B Mitchell

Emma Deely
Glen R Rorabough
Howard Mahaffey
Mrs James K. Gallacher
Mrs Chas Wilson
Chas. Wilson

E N Mitchell —
Y^m Mahaffey —
Earl C Riddle
Mrs J. R. Malaffey
Mrs E. V. Mitchell
Emily Mitchell
J W Riddle.

Mrs J. R. Riddle
Mrs J. R. Gallacher
Ada P. Gallacher

Mrs. Lyle C. Mitchell
Hale C Mitchell
Mrs Mary Trustle
John H Palmer

New Washington

New Washington
Mahaffey R. J.
New Washington
New Washington
New Washington

New Washington
New Washington
New Washington
New Washington Pa
New Washington

New Washington, Pa
New Washington
New Washington
New Washington
New Washington

New Washington Pa
New Washington Pa
"
"

Mrs John Palmer	New Washington.
Mrs Nancy Mitchell	New Washington - Pa
Jas W. Byers	" " " " " "
Mrs Jas W. Byers	New Washington Pa
C R Bartlebaugh	New Washington Pa
E L Curry	Burnside Twp
C L Korabough	Burnside Twp
Wm Korabough	Burnside Twp
Mrs. R. H. Furhead	New Washington
L. H. Lawhead	" " " "
John D. Gallagher.	New Washington.
Mrs E. A. Gallagher.	New Washington.
E. A. Gallagher	New Washington.
John Higgs	New Washington
Many M. Higgs	" " "
Orvis Lee	" " "
Grace Lee	" " "
Grant Gowin	New Washington
Grace Gowin	New Washington
Harry Sunderlin	" " "
Minnie Sunderlin	Chest Twp.
William Sunderlin	New Washington.
Andrew G. Bell	New Washington
Mrs Andrew Bell	New Washington
John Campbell	New Washington
Anna Campbell	New Washington
Mrs C. R. Bartlebaugh	New Washington
John Hoag	New Washington

F. E. Smith	Burnside Twp.	
H. E. Girding	"	"
Anthony King	"	"
Leonard Troxell	"	"
S. E. Troxell	"	"
Clarence King	"	"
W. S. Mardin	"	"
Mrs. H. E. Troxell	"	"
Wm. Troxell	"	"
John H. Weaver	"	"
Geo. H. Cummings	New Washington	
Margaret Cummings	"	"
Eva Weaver	Burnside Twp.	
Hulda Byers	"	"
J. B. Byers	"	"
G. C. McClintey	"	"
Ray Byers	"	"
Walter Riddle	"	"
James Riddle	"	"
Maggie Riddle	"	"
Lillie Neff	"	"
Russell Neff	"	"
Mary Troxell	"	"
J. E. Mulhollan	"	"

P. F. Beck.
 Frank Riddle.
 John Mowry
 Harold Wilson
 Jas H. Gallaher
 Mrs Luella Riddle
 Jerry J. Gray
 Alonzo W. Finer
 John Hutton
 Mrs R. L. O'Daniel
 By R. F. Newling
 Mrs Rose L. Corbille
 by R. F. Newling. 82 names

Burnside Troop.
 New Washington
 Burnside Troop
 Burnside Troop
 New Washington
 New Washington.
 Burnside Troop.
 New Washington
 New Washington
 Glenford Pa
 " "

State of Pennsylvania,
County of Clearfield. SS.

E. V. Mitchell, one of the signers to the
above remonstrance, being duly sworn according to law says that the
facts therein stated are true and correct to the best of his knowledge
and belief.

E. V. Mitchell

Sworn and subscribed before me
this 20 day of March, A. D.
1925.

John H. Gilchrist, J.P.
My Commission expires Jan 1-1928.

No. 5 May Sessions 1925.

In re: Petition to Vacate and
Supply a Public Road in Burnside
Township, New Washington Borough
and Newburg Borough.

Remonstrance from New Washing-
ton Borough.

Urey.

persons hereinbefore mentioned shall at all times save and keep harmless the said County of Clearfield from any costs incurred in the above proceeding, other than the costs of View, then this obligation to be null and void, otherwise to be and remain in full force and effect.

In presence of

David T. Mitchell Jr.



Elizabeth E. Mitchell



Know all Men by these Presents,

THAT we, *David T. Mitchell Jr.*
and *Elizabeth E. Mitchell* are held and firmly bound
unto the Commonwealth of Pennsylvania ~~to xxxxxxxxxxxx heirs, executors, ad-~~
~~ministrators or assigns, in the sum of Fifty~~

*Dollars, lawful money, for the payment of which
sum, well and truly to be made, we do bind ourselves, our and each of our heirs, ex-
ecutors and administrators, jointly and severally, firmly by these presents; and we
do hereby confess judgment for the above sum, without stay of execution or appeal,
waiving the right of exemption and appraisement, and the right of inquisition on
real estate, with five per cent. added as Attorney's commission for collection. Sealed
with our seals and dated this 16th day of February*
A. D., One Thousand Nine Hundred and twenty-five.

THE CONDITION OF THIS OBLIGATION IS SUCH, That
whereas a petition has been presented in the Court of Quarter
Sessions of Clearfield County, Pennsylvania, for the appointment of
Viewers to vacate and supply a public road in Burnside Township,
New Washington Borough and Newburgh Borough and fully described in
petition filed herewith.

Now Know All Men By These Presents, that if the above bounden,
shall at all times come and keep

No May S.S. 1925

BOND

David H. Mitchell
E. H. Mitchell

TO

Commonwealth
of Pennsylvania

Public Road in Berks Co. Pa.
near Reading Pa. Newburg Pa.

Feb 16th 1925

Bond approved

By the Court

Attest

p. l.

FILED

FEB 16 1925

GEO. W. RALSTON

CLERK

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

In re: Petition to vacate :
and supply a Public Road :
in Newburg Borough, New :
Washington Borough and :
Burnside Township. :

To the Honorable A. R. Chase, President Judge of said Court:

The petition of the undersigned, citizens and residents of Burnside Township, Newburg Borough, New Washington Borough and Bell Township, respectfully represents:

That a public road leading from LaJose Junction in Newburg Borough towards Burnside, by way of the Roberta Coal Company mines, and extending through Newburg Borough, New Washington Borough and Burnside Township, on account of heavy grades and excessive costs of maintenance, be vacated and supplied by a new road of better grade and less expense in maintaining, beginning at a point in Newburg Borough near LaJose Junction and extending less than three-fourths of a mile through Newburg Borough, New Washington Borough and Burnside Township, to a point on the first mentioned road near the store of the Roberta Supply Company in Burnside Township; and your petitioners respectfully pray that viewers be appointed to view the premises and report to the Court.

And they will ever pray, etc.

Signatures -

<i>Name</i>	<i>Township or Borough</i>
<i>D. T. Mitchell</i>	<i>Burnside Twp.</i>
<i>A. W. Jones</i>	<i>Burnside Twp.</i>
<i>Harvey Rainey</i>	<i>Burnside Twp.</i>
<i>Robert Rainey</i>	<i>New Washington</i>
<i>Clarence Hutton</i>	<i>Newburg</i>
<i>David Kauffman</i>	<i>Burnside Twp.</i>

John Hutton New Washington
Clay McLean Barrington

E. J. Sheff Burnside Twp

R. W. Hurd Bell "

A. W. Linn Burnside Twp

J. R. Beam New Washington

R. F. Mackley Burnside

J. W. Sykes La Jara

Lyfe Buckley Burnside Twp

J. E. Trumpton New Washington

George Kauffman Burnside Twp

Harry Rhodes Burnside Twp.

Ivan Lee La Jara

Michael Buckley Burnside Twp.

Edward Gowen New Washington

Matt Moslosky Burnside Twp.

Milton Lee Burnside Twp.

Burt Hutton " " " "

Timothy Lee " " " "

Isaac H. Lee Burnside Twp

Jesse H. Lee Burnside Twp

Shirley E. Gorin Burnside Twp

Jerre L. Hutton	Burnside Twp.	
J. W. Mitchell	Burnside Twp.	
J. Ralph Hutton	"	"
L. J. Snyder	Bell	"
Arthur Snyder	"	"
Maude Snyder	"	"
Arthur Rorabough	Burnside	"
Gladys Rorabough	"	"
L. J. Snyder	Bell	"
J. R. Weaver	Burnside	"
F. J. Marshall	"	"
Jos. D. C. Jeff	"	"
Ernest Riddle	"	"
W. H. Mutton	"	"
R. C. Bruce	"	"
Frank Beck	"	"
Percy F. Beck	"	"
Harry Weaver	"	"
J. B. Breth	Bell	"
D. T. Mitchell Sr.	Burnside	"
W. A. Johnson	"	"
James D. Lee	Burnside	"
J. J. Meckley	Burnside	"
Joan Hutton	"	"
E. E. Mitchell	"	"

State of Pennsylvania,)
County of Clearfield,) SS:

On the 14th day of ^{February} ~~January~~, A. D. 1925, before me, a ^{Notary} ~~Justice~~
~~Public~~ of the Peace in and for said County and State, personally came

Elizabeth E. Mitchell

who being duly sworn according to law doth depose and say that the
facts set forth in the foregoing petition are true to the best
of ^{her} ~~their~~ knowledge, information and belief.

Sworn and subscribed to

Elizabeth E. Mitchell

before me this 14th day

of ^{February} ~~January~~, A. D. 1925.

Jessie E. Bailey

NOTARY PUBLIC

My Commission Expires March 6, 1927

103. May Sessions, 1925

In re: Motion to Vacate and
Dismiss a Public Road in Burdette
Township, New Washington Borough
and Newburgh Borough.

Done Feb 16th 1925
Hiram B. Thomas, J.S.
Specials vs J.S. Hyde.
are appointed referees
to hear and report.

By the Court
J. M. Kane

FILED
FEB 19 1925
CHAS. W. BALESON
CLERK

Wm. B. Bailey

J. J. Michaels

Now March 12 1925 service accepted for the County Commissioners
of Clearfield County Pa.

L. C. Morris
Clerk.

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 vacate and supply a part of a public road from the LaJose Junction in the Borough of NewBurg and extending through New Washington Borough to at or near the store of the Roberta Supply Company in Burnside Township in the County aforesaid and supply the same by laying out a new road between said points, from Newburg Borough through New Washington Borough to at or near the Store of the Roberta Supply Company in Burnside Township in the County aforesaid will meet at the LaJose Junction in NewBurg Borough on Tuesday the 24th day of March 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 vacating and supplying the same or opposed thereto a chance to be heard; will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday March 25th A. D. 1925 at nine thirty (9.30) o'clock A. M. when and where all parties interested in said road either in favor of vacating and supplying the same or opposed thereto may attend and be heard.

A. G. Kramer
J. E. Fry

TO. H. C. Wood, Burgess and the members of the town council of the Borough of Newburg in the County of Clearfield and State of Pennsylvania.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view, vacate and supply a part of a public road from the La'Jose junction in the borough of Newburg and extending through New Washington Borough to at or near the store of the Roberta Supply Company in Burnside Township in the County aforesaid, and supply the same by laying out a new road between said points, from Newburg Borough through New Washington borough to at or near the store of the Roberta Supply Company in Burnside Township in the County aforesaid, will meet at the La'Jose Junction in Newburg borough on Tuesday the 24th day of March 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 vacating and supplying the same or opposed thereto a chance to be heard; will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday March 25th A. D. 1925 at nine thirty (9.30) o'clock A. M. when and where all parties interested in the said road, either in favor of vacating and supplying the same or opposed thereto may attend and be heard.

A. G. Kramer,
J. E. Fry,
J. L. Michells,
J. A. Dutra VIEWERS.

Now March 16th 1925 served this notice on ~~H. C.~~ Wood Burgess of the Borough of Newburg in Clearfield County Pa personally by handing him a true and correct copy of same.

L. G. Mitchell Jr

TO. H. B. Mitchell Burgess and members of the town Council of the Borough of New Washington in the County of Clearfield and State of Pennsylvania

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view, vacate and supply a part of a public road from the La'Jose Junction in the borough of Newburg and extending through New Washington Borough to at or near the store of the Roberta Supply Company in Burnside Township in the County aforesaid, and supply the same by laying out a new road between said points, from Newburg Borough through New Washington borough to or near the store of the Roberta Supply Company in Burnside Township in the County aforesaid, will meet at the La'Jose Junction in Newburg borough on Tuesday the 24th day of March 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 vacating and supplying the same; or opposed thereto a chance to be heard; will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday March 25th A. D. 1925 at nine thirty (9.30) o'clock A. M. when and where all parties interested in the said road, either in favor of vacating and supplying the same or opposed thereto may attend and be heard.

A. G. Kramer
J. E. Fry
J. L. Michaels.
VIEWERS.

Now March 16th 1925 served this notice on H. B. Mitchell the Burgess of the Borough of New Washington personally by handing him a true and correct copy of same.

H. B. Mitchell Jr.

TO: STANLEY, YOUNG, J. RALPH. HUTTON. AND, FRANK. BECK.

Supervisors of Burnside Township, Clearfield County, Pennsylvania.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania to view vacate and supply a part of a public road from the La'Jose Junction in the Borough of Newburg and extending through New Washington Borough to at or near the store of the Roberta Supply Company in Burnside Township in the County aforesaid, and supply the same by laying out a new road between said points, from Newburg Borough through New Washington Borough to at or near the store of the Roberta Supply Company in Burnside Township in the County aforesaid, will meet at the La'Jose Junction in Newburg Borough on Tuesday the 24th day of March 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 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 vacating and supplying the same or opposed thereto a chance to be heard; will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday March 25th A. D. 1925 at nine thirty (9.30) o'clock A. M. when and where all parties interested in the said road either in favor of vacating and supplying the same or opposed thereto may attend and be heard.

A. G. Kramer.
J. E. Fry,
J. L. Michalls.
VIEWERS.

Now March 16th 1925 served this notice on Stanley Young, J. Ralph, Hutton and Frank Beck the Supervisors of Burnside Township Clearfield County Penn'a personally by handing to each of them a true and correct copy of same.

W. T. Mitchell Jr
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 16th day of February in the year of our Lord, one thousand nine hundred and twenty five

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Burnside/^{Newburg Boro and New Washington Boro & Bell Twp}, in the County aforesaid setting forth that
a public road leading from Lajose Junction in Newburg Boro. towards Burnside, by way of the Roberta Coal Co. mines, and extending through Newburg Boro. New Washington Boro. and Burnside Twp. on account of heavy grades and excessive costs of maintenance be vacated and supplied by a new road, beginning at a point in Newburg Boro. near Lajose Junction and extending less than three fourths of a mile through Newburg Boro. New Washington Boro. and Burnside Twp. to a point on the first mentioned road near the store of the Roberta Supply Co in Burnside Twp

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 Aaron G. Kramer, J. S. Michaels
and J. E. Fry 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. Palstan
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 Six ----- notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

24th day of March -----, 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 25th day of March, ----- A. D., 1925, at nine 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. A. Dutra Burgess of the Borough of Newburg and a number of the other citizens and taxpayers of the Borough of Newburg and Ralph Hutten and Frank Beck two of the Supervisors of Burnside Township and several of the citizens and taxpayers of the Borough of New Washington all opposed to the change in the road-----

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 25th day of March ,

A. D. 19 25, when the parties interested in the said road were in attendance: J. K. Dutra the Burgess of Newburg Borough. J. S. McFadden Filmer Riddle, Harry Thompson, Wm Mahaffey, Hyle Mitchell, James Callahan, Hugh Mitchell, including a lot more from the Borough of Newburg and also from the Borough of New Washington all opposed to vacating and supplying the said road leading from LaJose Junction to at or near the Store of the Roberta Supply Company in Burnside Township County and State aforesaid.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has not , become useless, inconvenient and burdensome for the following reasons, to wit: Because it is located on high dry ground and is in a fair condition and an easy road to keep in repair and with the exception of two short steep benches or hills not over two or three hundred feet in length where the grade is rather steep but can easily be reduced by going around the hill to a certain extent whereby the said grade can be reduced to at least five degrees and made a very good road at a very reasonable expense and without increasing the distance to any great extent, while the location of fully half the distance of the intended or proposed new road intended to supply the present road if vacated fully on half of it is on low wet swampy ground and would be an expensive road to build and keep up. That 2705 feet of the new road proposed a little over half a mile in length is in the limits of the borough of New Washington and that 2692 feet over half a mile in length is within the borough limits of the borough of Newburg two adjoining boroughs and only 562 two feet in the Township of Burnside and according to the information furnished the viewers at the hearing the principal part of the the taxable property of each of said borough is composed of farm land and will not bear heavy taxes and bearily able to raise sufficient money to keep their streets in proper repair, that the road taxes in New Washington Borough is twelve mill and of New-

burg Borough is now thirteen miles for street purposes and even that is not sufficient to keep the streets they now have in proper repair besides have now borrowed money on an election to the Constitutional limit of seven cents on their assessed valuation so have gone to the limit and will be unable to raise sufficient funds if said road is laid out to construct their portion of it and the only parties from Burnside Township appearing at the view were Mr Beck and Mr Hutton two of the Supervisors of the Township who expressed themselves as opposed to the change of the road.

The viewers therefore after having viewed the present road asked to be vacated and the road proposed to be laid out to replace the road to be vacated do not see sufficient reason for making the change. They therefore report against the vacating of the present road between the points stated in the petition and therefore report against the vacating of said road and of course if said road is not vacated there exists no necessity for a new road so they report against the laying out of the proposed new road.

~~And that the 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 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 do hereby return releases obtained and copies of the notices.~~

Witness our hands and seals this

25th day of March, A. D. 1925

A. G. Kramer [SEAL]

J. G. Michaels [SEAL]

J. E. Fry [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. 2 May Term 19 25

ORDER TO VACATE

To view and vacate/road ^{supply} situate

in the Township of Burnside,
Newburg Boro. New Washington Boro
and Clearfield County. Bell Twp

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

By the Court.

Now Sept 1925 Sessions 19 25
confirmed absolute.

By the Court.

Filed _____ 19 ____

Atty, _____

Fees \$1.25 paid by _____

Walter Welch, Atty.