

DOCKET No. 6

Number	Term	Year
2	May	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 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 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. J. Hurd

Kate McMasters	Newbury Borough
M. J. Hurd	"
Gladys Tozer	"
Mrs. Newell Hurd	"
J. S. M. Frederick	"
Al Mayne	"
Miles Hurd	"
Robert M. Koff	"
Harry Hurd	"
E. D. Michaels	"
Gilbert Tozer	"
Clair Hurd	"
G. R. Rainey	"
Edw. Rainey	"
Mrs. Russell M. S. Fadden	"
Mrs. Gilla Michaels	"
W. H. Thompson	"
A. M. Woods	"
Mrs. A. M. Woods	"

A. Hurd " " " "
Mrs. J. W. Hurd. "
J. W. Hurd "
Mrs. A. G. Hurd "
Ruth E. Hallman "
El Dorado "
Mrs. A. Womery "
Mrs. Mary H. Marble "
Grace Marble "
Mrs. Kathie Hurd "
Mrs. C. H. Blankenbicker "
Edna M. Hurd "
C. H. Blankenbicker "
169 Pennington "
Jacob Pennington "
Mrs. H. H. Thompson "
Virginia Clair Putra "
H. D. Yingling "
Mrs. Effie Yingling "
Mr. H. H. Hurd "
Dorothy Snyder Runside Township
Mrs. H. H. Hurd of Jose
Gerald McDonald Jose
Weswan Jose
Fred Woods Jose

Russell McFadden
L. C. Smith
E. W. Scott
Mrs. H. E. Swan.
H. P. Thompson.
Mrs. H. D. Thompson
Bess McFadden
Mrs. J. S. McFadden
Harvey L. Hutton
Mrs. H. L. Hutton
Agnes Markle
Mrs. H. H. Beam.
Mrs. W. C. Beam.
W. C. Beam
Mrs. Gerald McDavid
A. W. McFadden
Mrs. A. W. McFadden
John Woods
Mrs. John Woods
Holt Robbins
J. A. Dutra
Leatherj Kopp
H. C. Wood
Oisal Gill
Mrs. H. L. Wood,
J. A. Dutra
Mrs. J. A. Dutra,
Mary S. Dutra.

Mrs Oral Gill.

La Jost

Mrs E Dhegarn

Miller Hilliard

✓ G P Tager.

Mrs. D. W. ~~McGinn~~
Blair Yingling

✓ J van Lee "

William Tager

✓ G. W. Miller

✓ W. D. ~~Miller~~

✓ J. S. Michael ~~McGinn~~ Yingling

✓ H. T. Palmer ~~McGinn~~

✓ H. S. ~~McGinn~~ ~~Miller~~

✓ J. Ralph & Burton Burnside Twp.

Rosa Snyder Burnside Township

State of Pennsylvania,
County of Clearfield. ss.

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

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

R. C. Marshall

*Rec'd
MARCH 27 1925*

No. 5 May Sessions 1925.

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

Recoppliance from Newburg Bor-
ough.

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Grey.

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 LaJosa 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.

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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.

H B Mitchell

Emma Eyley
Glenn R Rorabough
Howard, Mahaffey
Mrs James S. Gallagher
Mrs Chas Wilson
Chas. Wilson

E V Mitchell — — —
H^{rs} Mahaffey — — —
Carl C Riddle
Mrs. T. R. Mahaffey
Mrs E. V. Mitchell
Emily Mitchell
J W Riddle

Mrs J. R. Riddle
Mrs J. W. Gallagher
Ada R. Gallagher
Mrs. Eyley C. Mitchell
Eyley C Mitchell
Mrs Mary Trostle
John H Palmer

New Washington

New Washington
Mahaffey R. D.
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 Pa

New Washington Pa

"

"

T. E. Smart Burnside Twp.
 H. E. Yingling " " "
 Dorothy King " " "
 Leonard Lovell " " "
 S. E. Lovell " " "
 Clarence King " " "
 W. S. Mardis " " "
 Mrs. Wm. Troxell " " "
 Wm. Troxell " " "
 John H. Weaver " " "
 Jno. H. Cummings New Washington
 Margaret Cummings " " "
 Eva Weaver Burnside Twp.

Hulda Byers " " "
 J. B. Byers " " "
 G. C. McClintey " " "
 Ray Byers " " "
 Walter Riddle " " "
 Farmer Riddle " " "
 Maggie Riddle " " "
 Lillian Neff " " "
 Russell Neff " " "
 Mary Troxell " " "
 F. E. Mulholland " " "

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P. F. Beck
Frank Riddle
John Ivory
Harold Wilson
Jas R. Gallaher
Mrs Luella Riddle
Jerry Ivory
Alonzo W. Finner
John Hutton
Mrs P. L. O'Donnell
By R. F. Neelings
Mrs Rose G. Corbelle
by R. F. Neelings. 82 names

Burnside Troop.
New Washington
Burnside Troop
Burnside Troop
New Washington
New Washington
Burnside Troop
New Washington
New Washington
Clearfield Pa
" "

State of Pennsylvania,
County of Clearfield. ss.

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

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

John S. Lillquist, J.P.
By Commission issued 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 Newbury Borough.

Remonstrance from New Washing-
ton Borough.

Urge.

persons hereinbefore mentioned shall at all times save when except in
less 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 S. Mitchell Jr.*
and *Elizabeth E. Mitchell* are held and firmly bound
unto the Commonwealth of Pennsylvania toxxxxxxxxx*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 bounded,

..... *at all times come and bear witness*

No May 55. 1925

BOND

David F. Mitchell
E. H. Mitchell

TO

Commonwealth
of Pennsylvania

Public Road in Bensalem Township
Philadelphia County Pennsylvania

Ref 16 ^{ca} 1925 -

Bond approved
By the Court
Attala
Attala

FILED

FEB 10 1925

ATT. W. RAISTON
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 -

Name	Township or Borough
D. T. Mitchell	Burnside Twp.
A. W. Jones	Burnside Twp.
Harvey Rainey	Burnside Twp.
Robert Rainey	New Washington
Clarence Hutton	New Burg
David Kauffman	Burnside Twp.

John Hutton	New Washington
Clayton McCaughan	Burnside Ranch
E. J. Gepp	Burnside Twp.
R. P. Hurd	Bell "
A. W. Jones	Burnside Twp.
J. R. Beam	New Washington
R. F. Meekley	Burnside
J. W. Sylvan	La Jose
Alfred Buckley	Burnside Twp.
J. E. Trumpton	New Washington
George Kauffman	Burnside Twp.
Harry Rhodes	Burnside Twp.
Ivan Lee	La Jose
Mike Buckley	Burnside Twp.
Edward Hawon	New Washington
Matt Molosky	Burnside Twp.
Milton Lee	Burnside Twp.
Burt Hutton	" "
Timothy Lee	" "
Isaac H. Lee	Burnside Twp.
Jesse H. Lee	Burnside Twp.
Sam E. Gorin	Burnside Twp.

Jesse L. Hutton	Burnside Twp.	
J. H. Mitchell	Burnside Twp.	
J. Ralph Hutton	"	"
J. Snyder	Bell	"
Arthur Snyder	"	"
Merle Snyder	"	"
Arthur Roalaugh	Burnside	"
Gladys Roalaugh	"	"
J. Snyder	Bell	"
J. R. Weaver	Burnside	"
J. J. Marshall	"	"
Jas. D. Neff	"	"
Ernest Riddle	"	"
W. H. Mutton	": "	"
R. C. Bruce	"	"
Frank Beck	"	"
Percy F. Beck	"	"
James Weaver	"	"
J. B. Breth	Bell	"
D. T. Mitchell, Sr.	Burnside	"
W. A. Johnson	"	
James Lee	Burnside	"
J. J. Meckley	Burnside	"
John Hutton	"	"
Z. 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

before me this 14th day
of ^{February} ~~January~~, A. D. 1925.

Elizabeth E. Mitchell

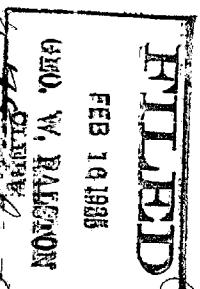
NOTARY PUBLIC
My Commission Expires March 6, 1927

Jessie C. Dailey

10. May Session, 1925

I. re: Motion to Vacate and
Reopen a Public road in Burnside
to Ship, from Washington Borough
and Newburgh through.

Mar 16th 1925
Sam S. Lane, J. S.
Nichols & S. Hyde.
One hundred members
to sign and report.
By the Comt
S. S. Lane



to be kept safely

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. 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 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
E. F. Dry

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. J. Michaels,
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.

D. 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. J. 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 Gray
J S Michaels

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.

D 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, 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 Ralston
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 Hutton 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 Gallaher, 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 Stone 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 pinches 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 extend 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 extend, 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 barely 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 noe thirteen mills for street purposes and even that is not sufficient to keep the streets they now have in proper repair besides have noe 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 under the authority of said road to be vacated stating the courses and distances and over whose property the said road passes and in whose behalf

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacating 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 vacating thereof, and that they procured such release from:

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:

Witness our hands and seals this

25th day of March , A. D. 19²⁵

A. G. Keasler [SEAL.]

John Michaels [SEAL.]

J. C. Foy [SEAL.]

Viewers.

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for

No. 2 May Term 19 25

ORDER TO VACATE

To view and vacate/road supply

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

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.

By the Court.

A. H. Moore
1911

Filed 19

Atty:

Fees \$1.25 paid by

Walter Welch, Atty.