

DOCKET No. 5

Number	Term	Year
4	May	1925

Petition to vacate road in

Union Twp

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNA.
No. December Sessions, 1924.

IN RE: PETITION TO VACATE

PUBLIC ROAD IN UNION TOWNSHIP:

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

The petition of the undersigned, residents of
the Township of Union in said County, respectfully represents:-

That a road has been long since layed out in said
Township, beginning at a point in the Public Road leading from
Home Camp to Rockton, said point being near the Northeastern
corner of what is known as the Eri Fletcher Farm; thence in a
Northeasterly direction crossing the reservoir of the water
system of the City of DuBois and traversing lands known as
Alfred Bailey, Joseph E. Hummel, Elizabeth La Borde and J. A.
Parrish, and apparently terminating at a point in lands of said
J. A. Parrish, said road being approximately four thousand
(4,000) feet in length;

Your petitioners believe that said road has now
become useless, inconvenient and burdensome to maintain;

Your petitioners therefore pray the Court that the
said road may be vacated agreeably to the Act of the General
Assembly in such case made and provided;

And they will ever pray, etc.

NAME	ADDRESS	Occupation
E. Doolee	Rockton Pa	Italian aglar
C. Begney	Rockton	Libare
A. R. Lehnser	Rockton	Labourer
P. M. Holzhuter	Rockton	Labourer
E. W. Holzhuter	Rockton	Labourer
P. E. Holzhuter	Rockton	Labourer
M. C. Punt	Rockton	"
H. M. Labouche	Rockton	Farmer.
E. M. Spicher	Rockton	Labourer

NAME	ADDRESS	OCCUPATION
H W Hollister	Rockton	Farmer
J W Taylor	Rockton	Farmer
W W Kirk	Rockton	Miller
Clarence Jacob	Rockton	Farmer
Andy	Rockton	Farmer
Everett Kelly	Rockton Pa	Farmer

4 May 20 1925

IN THE COURT OF CHANCERY
SESSIONS OF CHANCLERY
COUNTY PENNSYLVANIA
No. Dec. 33. 1924.

IN RE: PETITION TO VACATE
PUBLIC ROAD IN UNION TOWNSHIP.
SHIP.

P E T I T I O N.

Now June 18th 1925

Frank Nelson Boy,
J. E. Boy and Geo.
H. Cecil, are applicants
whereof are and
report. By the Court

FILED
APPROVED
D. J.

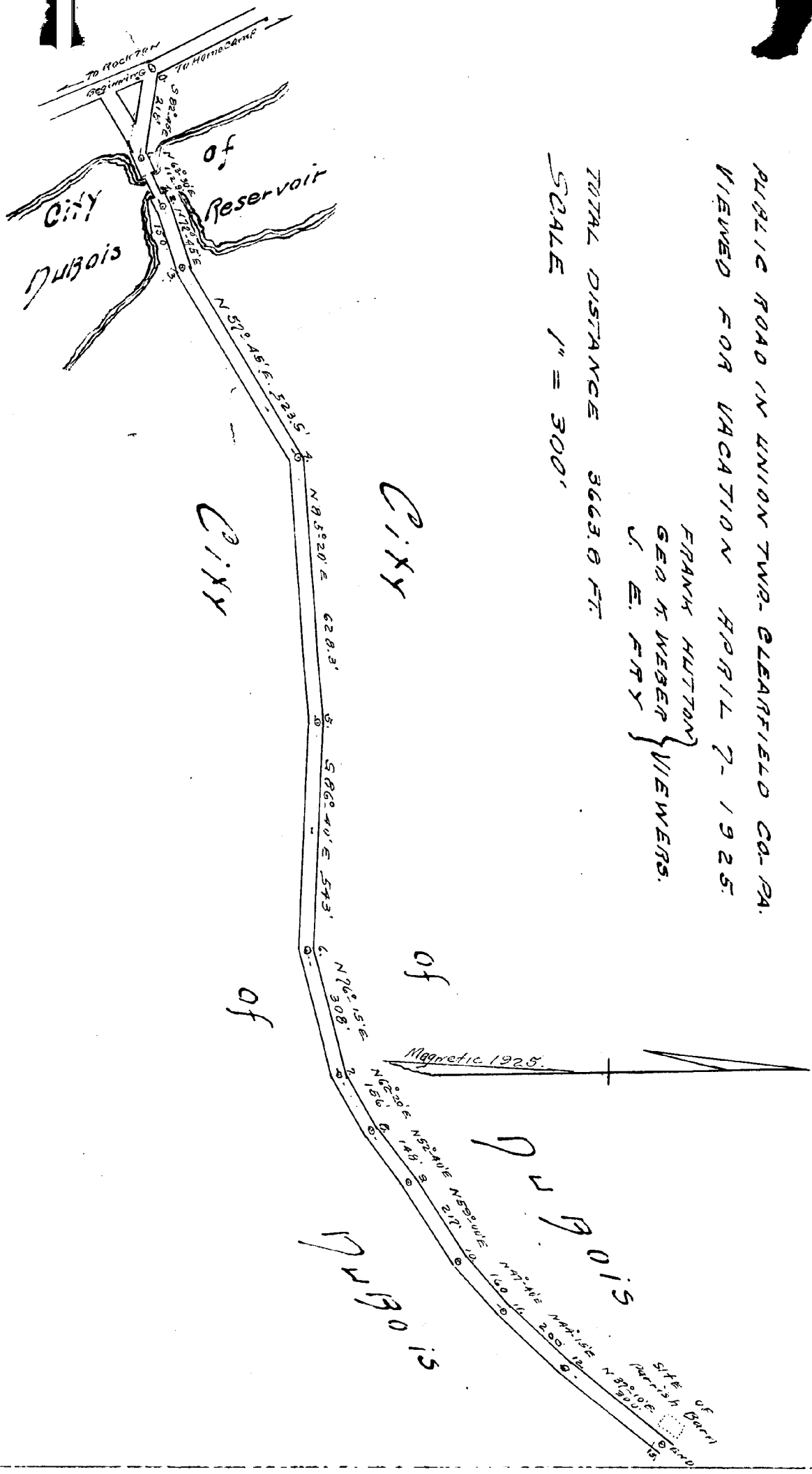
MAR 13 1925

JO. W. RAYMOND E. BOYER
ATTORNEY AT LAW
DUBOIS, PA.

215 Equity

FRANK HUTTON }
GEORGE WEBER } VIEWERS.
J. E. FRY }

SCALE 1" = 300'



TO The ROAD SUPERVISORS OF UNION TOWNSHIP, CLEARFIELD COUNTY,

PENNSYLVANIA

You and each of you are hereby notified that the undersigned Viwers, appointed by the Court of quarter Sessions of Clearfield County, Pennsylvania, to view for vacation a public road leading from a point in the Home Camp to Rockton road near the Northeastern corner of what was formerly known as the Eri Fletcher farm, thence in a North-easterly direction, crossing the Reservoir of the Water System of the City of DuBois, and traversing lands known as the Alfred Bailey, Joseph E. Hummel, Elizabeth LaBorde and J. A. Parrish in Union Twp. to a point in lands of said J. A. Parrish, a distance of approximately 4000 feet in Union Township, in the County aforesaid, will meet at the place of intersection of said road with the Home Camp to Rockton road in Union Township, on Tuesday the 7th day of April 1925 at 8:30 o'clock A.M. to attend to the duties assigned them.

And that the required Public Hearing will be held in the Court House, in the Borough of Clearfield, Pa. on Thursday the 9th day of April 1925 at 9:30 o'clock A.M. at which times and places you, and all interested parties may attend and be heard if you so desire.

DuBois, Pa. March 19th 1925

Frank Lutton
J. E. Fry
George H. Weber
Brewer

Now, March 20 1925 service of the above notice is accepted for to Road Supervisors of Union Township.

A. H. Woodward
Atty for Union Twp.

TO THE COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

Notice is hereby given you that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view for Vacation a Public Road leading from a point in the Home Camp to Rockton road near the Northeastern corner of what formerly known as the Eri Fletcher farm, thence in a Northeasterly direction, crossing the Reservoir of the Water System of the City of DuBois and traversing lands known as the Alfred Bailey, Joseph E. Hummel, Elizabeth LaBorde and J.A. Parrish in Union Township, to a point in lands of said J.A. Parrish, a distance of approximately 4000 feet, in Union Township, in the County aforesaid, will meet at the place of intersection of said road with the Home Camp to Rockton road in Union Township, on Tuesday the 7th day of April 1925 at 8:30 o'clock A.M. to attend to the duties assigned them.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Thursday the 9th day of April 1925 at 9:30 o'clock A.M. of which times and places you will take notice and may attend and be heard if you so desire.

DuBois, Pa. March 19th 1925

Frank Huston
J. E. Fry
George A. Weber
Viewers

Now March 19 1925 service of the above notice is accepted for the Commissioners of Clearfield County, Pa.

L. C. Morris

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 thirteenth day of March 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 Union, in the County aforesaid setting forth that a road has been long since layed out in said Twp. beginning at a point in the public road leading from Home Camp to Rockton, said point being near the Northeastern corner of what is known as the Eri Fletcher Farm; thence in a Northeasterly direction crossing the reservoir of the water system of the City of Du Bois and traversing lands known as Alfred Bailey, Joseph E. Hummel, Elizabeth La Borde and J. A. Parrish, and apparently terminating at a point in lands of said J. A. Parrish, said road being approximately four thousand (4,000) feet in length;

Your petitioners' Believe that said road has now become, useless, inconvenient and burdensome to maintain.

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 Frank Hutton, Esq., J. E. Fry and

Geo. K. Weber 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 H. Palestine
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 **UNION**, 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

seventh day of **April**, A. D. 19**5**, 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 **ninth** day of **April**, A. D., 19**25**, at **ten** 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 Jesse E. English and M.E. Milliron

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 **ninth** day of **April**, A. D. 19**25**, when the parties interested in the said road were in attendance: **(no appearances)**

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome and recommend that the same be vacated as petitioned for to wit:- from a point in the Public Road leading from Home Camp to Rockton, near the North Eastern corner of what is known as the "Eri Fletcher Farm" thence extending across the Reservoir of the City of DuBois to a point near where the barn of J.A. Parrish, formerly stood, a distance of some 3643.5 feet and as shown by the draft or survey, hereto attached and made part of this return.

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from: _____

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up of the said road, we, the undersigned Viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof, as follows: **To** _____

The City of DuBois One Dollar _____

and we herewith return releases obtained, and copy of the notices.

Witness our hands and seals this **11th** day of **April**, A. D. 19 **35**

James J. [illegible] [SEAL.]

J. E. [illegible] [SEAL.]

George K. [illegible] [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. 4 May Term 19 25

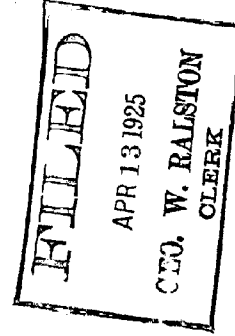
ORDER TO VACATE

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

Now May Sessions 1925
read and confirmed Ni. Si.

By the Court
Now Sessions 1925
confirmed absolute.

By the Court
Attest
P. J.



Filed 19

Atty,

Fees \$1.25 paid by