

DOCKET No. 6

Number	Term	Year
12	Sept	1925

Petition to vacate road in Huston

Two

**Versus**

In the Court of Quarter Sessions of Clearfield County, Pennsylvania  
Petition to vacate road in ) No. 12 September Sessions, 1925.  
Huston Township. ) Exceptions to Report of Viewers.

The exceptions filed to the Report of Viewers, as shown by the records, are: First, the petitioners in this case admit that the said road extends into two Townships, which is also shown by the original road record and has asked to vacate in Brady Township alone. Second, the proceedings in this case shows that only that part of the road which is in Brady Township and the part vacated ends at the Brady Township line and not a public road or public place. Third, if this part of this road is vacated it will leave the public road in Bell Township with one terminus in a cul-de-sac.

As to the first exception it is sufficient to refer to the Act of Assembly creating the power of vacation of roads, to realize there is no force in this exception. The general Act of Assembly governing the vacation of roads provides, in part, that the Quarter Sessions has power to change or vacate the whole or any part of any public road or private road which may have been laid out by authority of law, etc. The petitioners may select a portion of a road as a subject of vacation and the proceedings may be had on the question thus presented, but the authority of the Court to inquire as to a part is conferred by the petition and the report of viewers. That is to say, the Court has only powers to deal with the subject set out in the petition for vacation. See Plainfield and Washington Township road, 56 Superior Court 479.

At this point, although it was not raised in the exceptions filed but was raised at the time of the argument, the exceptants contended that inasmuch as this portion of the road in Bell Township, which was not vacated or not asked for to be vacated in the

petition and over which the Viewers in no way attempted to make any report because they had no jurisdiction, was never opened in accordance with the Court order and therefore that this proceedings should have been brought under the Act of Assembly governing roads wished to be vacated which may have been laid out by authority of law and opened only in part, should govern. Although that question is not before the Court on the exceptions raised, nevertheless if it was properly raised and the Court ~~was~~ to consider the question, we feel that in view of the circumstances in this case that the petitioners were only seeking to vacate the portion of the road in Brady Township and in no way attempting to interfere with the portion of the road in Bell Township, that the general Act as to vacation would control. It is only in cases, as we view the Act of Assembly of May 3, 1855, P. L. 422, where the petition seeks the vacation of a road part of which has been opened and part of which has not been opened that this particular Act applies, and in view of the fact there is no attempt to vacate that part of the road in Bell Township, which it is stated by the contestants hereto has never been opened, that the Act of May 3, 1855 has no application.

Again, we call attention to the Act of Assembly on this question of roads which have been ordered opened and laid out and the same shall not be physically opened within the period of five years, which Act both the petitioner and exceptants seem to have overlooked, said Act being Act No. 70, Pamphlet Laws 1925, page 100, wherein it is provided by Act of Assembly that failure to open roads within five years next after the entry of the final decree confirming said road, that the proceedings are void and the land reverts to the original owners. As we understand the road in question, the final decree and confirmation was made many

years ago and therefore the road became vacated and the land reverted to the original owner because of the effect of this Act. The said Act providing that in all proceedings heretofore had and in which the final decree shall have been made for a period of four years and upwards prior to the passage of the Act, then in that case the proceedings shall not be deemed void for a period of one year from the approval of the Act, said Act being approved the first day of April, 1925. Therefore, the land reverted to the original owner by virtue of this Act of April 1st, 1926.


As to the second and third exceptions, both in effect raise the same question whether or not a road may be vacated so as to leave one termini in a cul-de-sac. The Superior Court in the case of Big Run road, 47 Superior Court 166, through Justice Rice, says: "This question was authoritatively determined in Stowell's Appeal, 1 W. N. C. 383, where the road left unvacated terminated in a cul-de-sac against a fence with no outlet" and exceptions were taken to the confirmation of the vacation because of this fact, the exceptions were overruled and report confirmed. On certiorari it was argued, as it is here, that it is the settled rule of this State that a public road must begin and end in a public highway or a place of public resort and that as a road could not terminate where it did if newly opened neither should that result be brought about by vacating a portion of it. This contention was not sustained and the Supreme Court, in affirming the order of the Quarter Sessions, said: "In what shape or condition the part not vacated will remain after the vacation of the other part is a question we cannot inquire into. This is a matter solely for the judgment of the Court of Quarter Sessions from which there is no appeal. We can conceive of many reasons why a road may be vacated to a particular line and no further."

As we view the facts which have been presented to the Court

in this argument and examination of the matter as to the termination and the report of the Viewers on the subject, there is no good reason in our judgment why this road should not be vacated in spite of the termini and because of the findings of the Viewers as to its uselessness and being burdensome to the taxpayers and in view of the admitted facts that the remaining portion of the road not vacated has never been opened, we feel that the Report of the Viewers should be confirmed.

Now, January 15th, 1927, the exceptions to the Viewers Report are overruled and the Report of the Viewers is confirmed absolutely. The costs of this proceedings to be paid by the Exceptant. Exception noted and bill sealed for Exceptant.

By the Court,

A handwritten signature in cursive script, appearing to read "A. R. Chase".

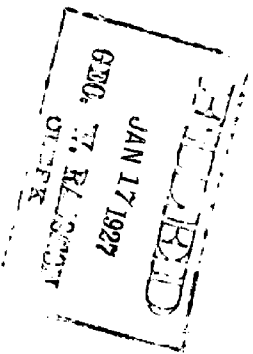
P. J.

No. 12 September Sessions, 1925.

In Re. Petition to vacate road  
in Huston Township.

OPINION and DECREE.

*E. H. Barrett*  
1.5  
60



TO THE HONORABLE THE JUDGE OF THE COURT OF QUARTER SESSIONS  
OF CLEARFIELD COUNTY

The petition of the undersigned, Supervisors of  
the Township of Huston, Clearfield County, respectfully repre-  
sents:

That a certain public road beginning on the  
highway leading from the Mountain Run Road through to the road  
leading from Home Camp to said highway at the Pennsylvania Rail-  
road Station on the Pennsylvania Railroad; thence extending South-  
easterly to the Union Township Line in Huston Township, Clearfield  
County, known as the "Hickeyville Road" has become useless, in-  
convenient and burdensome to the taxpayers of the Township of  
Huston.

Your petitioners therefore pray your honorable  
court to appoint viewers to view and vacate said road agreeably  
to the Act of Assembly in such case made and provided.

And they will ever pray, etc.,

Wm Payne  
J E Kirby  
J Thomas

STATE OF PENNSYLVANIA

SS:

COUNTY OF CLEARFIELD

..... J. E. Ripley ..... being duly sworn according to law, deposes and says that he is one of the Supervisors of the Township of Huston and that the facts contained in the foregoing Petition are correct and true.

J. E. Ripley

Sworn and subscribed  
before me this 21/  
day of July, 1925.

Ross H. Putz

NOTARY PUBLIC  
MY COMMISSION EXPIRES  
MAR. 2, 1928



TO THE HONORABLE THE JUDGE OF  
THE COURT OF QUARTER SESSIONS  
OF CLEARFELD COUNTY  
12 Sept 1925

In re: Road in Huston  
Township

P E T I T I O N

July, 24, 1925; with  
written need for  
improvement of  
road in Huston  
Township  
for Report of  
Highway Commission  
by the County  
Commissioners

RENTZ & RENTZ  
ATTORNEYS AT LAW  
PUNTSVILLE, PA.

FILED  
JUL 24 1925  
P. R. RENTZ  
CLEARFELD COUNTY

Clearfield Pa. July 24 " 1925  
Service accepted by the County Commissioners  
By: L. C. Morris.  
Clear.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY,

RE; Vacation of Public Road : Of Sept. Sessions,  
in Huston Township. : 1925.  
Exceptions to Report of Viewers: No. 12.

EXCEPTANT'S BRIEF.

FIRST EXCEPTION; The petition fails to show how the road vacated became a public road;

"A petition to vacate a road must set forth how it became a public road in order to give the court jurisdiction"

"The petition having failed to show that this road is such a one as this court has power to vacate, we think it is fatally defective and invalidates all subsequent proceedings"

Drumore Township Road  
32 County Rep. 105.

SECOND EXCEPTION; The petition fails to show that the road vacated was not layed out by an act of Assembly.

In the case of the Road in Salem Township, reported in Vol. 23 Dist Reports at page 140, Judge Williams said in part; in referring to the 1st Section of the Act of Apr. 21, 1846, P. L. 416; which excepts from the jurisdiction of the court the power or authority to vacate roads layed out by act of assembly, said in part;

" In other words said section enumerates three kinds of public roads: (1) those layed out by aothority of law; (2) those existing by prescription or lapse of time; (3), those layed out by act of assembly. The jurisdiction of the Court of Quarter Sessions to vacate roads is extended to the first and second classes, while such jurisdiction or power is expressly withheld from the third class. Whether the road here in question is within the first, second or third class enumerated in said section cannot be determined by the petition. If the road was layed out by act of assembly, the court has no power to vacate it. Whether it was so layed out, the petition does not state; hence the jurisdiction of the court to vacate it does not appear, and cannot, therefore, be exercised. The petition leaves the question in doubt, and we are of the opinion it is fatal the the proceedings before us".

THIRD EXCEPTION;- The petition fails to show the situation and circumstances of the road.

In the case of Shaler Township Road, reported in 5 Sup. Ct. Rep. page 270, the court held that a petition which averred that a road sought to be vacated as burdensome, was "inconvenient impracticable, expensive, and difficult to open, and would be burdensome and expensive to maintain should the same be opened" because that "the said unopened portion in traversing a distance along its own route, of less than one-half mile, makes five right angles in its course, runs through a swamp, and at points is steep, thereby greatly increasing its length and making it inconvenient, impracticable and difficult to open, and burdensome and expensive to maintain" was a sufficient compliance with the act.

In the case of the Hamiltonban Township Road reported in Vol. 19, County Court Reports, page 648, Judge Stewart refers approvingly to the above cited decision, and in dealing with a petition before him which simply avers that the road "has become useless, inconvenient and burdensome", the learned judge said that Section 23 of the Act of June 13, 1836 requiring applicants to set forth in a clear and distinct manner the situation and other circumstances of such road or highway, of the part thereof which the applicants may desire to have vacated, was mandatory.

The court held that "The application shall be in writing, signed by the applicants, and shall set forth in a clear and distinct manner, not only that the road is useless, inconvenient and burdensome, but the situation and other circumstances which render it so".

In the case of the Road in Curtin and Boggs Townships in Centre County, reported in 23 County Ct. Rep. at page 328, Judge Love set aside proceedings to change a route and criticised the petition because that "The portion of the road indicated to be changed between the points designated is near about four miles in length. The condition of the road whether through swampy ground or steep grades-towarrant a change does not appear".

The case of Abington Road reported in 3 Dist., 226 is in point. There Judge Weand discussing exception to the report of viewers to view and vacate a road, referring to the Act of Assembly above referred to, said;- "In order that the Court may act intelligently, in the first instance, #23 of the Act provides, that "every application to vacate a road, as aforesaid, shall be in writing and signed by the applicants; it shall set forth in a clear and distinct manner, the situation and other circumstances of such road or highway, or the part thereof which the applicants may desire to have vacated as aforesaid" The object of this requirement is apparent;-that the court may, before appointing the viewers, be informed of the circumstances which render the road unnecessary. It is an essential part of the petition to enable the court to act".

FIFTH EXCEPTION; The viewers failed to comply with the order of court in that no releases were obtained or damages awarded.

The order of the Court in this case directed the viewers to either obtain releases of damage from parties through which the vacates road runs, or failing in procuring such release, then to proceed to assess damages. (See order)

If release had been obtained from the exceptant, such release would be in writing and a matter of record. The record discloses no such release and in fact none was obtained.

Failing to obtain the release from damage which the exceptant would naturally suffer by reason of depriving him of a road, the duty devolved upon the viewers to assess damages, but the record discloses no such assessment. None were assessed. There is therefore an entire failure on part of the viewers to comply with this very material part of the order of court.

The same question was involved in the matter of the exceptions filed in the case of the Road in Cogan House Township, reported in Vol. 7, W. N. C. page 257. There Judge Cummins said in part; "The report of the viewers in this case is fatally defective in this, that it does not appear that releases were obtained from the land owners, nor that the viewers considered the question of damages". Again, in the same opinion the learned judge said further; "The order to the viewers in this case plainly set forth the duties of the viewers under the Act of Assembly. The report of the viewers is silent on the subject of damages and releases, and in this is fatally defective, and is therefore set aside".

In the matter of Road in York Township, reported in Vol. 11, Dist Reports, page 706, the Court said that it had been held that "the report of the viewers must show that they had made an effort to procure releases of damages from the parties injured" and quotes the Act of May 14, 1874, P. L. 164.

IN THE COURT OF QUARTER SESSIONS  
-of-  
CLEARFIELD COUNTY.  
Of September Sessions. 1926  
No. 12.

RE; Exceptions to Report of  
Viewers.

EXCEPTANT'S BRIEF.

EARLE G. BOOSE  
DUBOIS, PA.

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

RE; Petition to vacate road : Of September Term, 1925.  
in Huston Township. : No. 12.

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Now comes Peter Gallagher into court, and as a citizen of Huston Township and a land owner through which the said road lays in part and takes exceptions to the absolute confirmation of the report of the viewers in the above cited case, for the following reasons, to wit;

FIRST; Because the petitioners for the vacation of the said road failed to file bond as in such case required by law.

SECOND; Because the petition upon which the vacation proceedings was had, fails to aver or set out that the road was not layed out by an Act of Assembly.

THIRD; Because the petition upon which the vacation proceedings was had, failed to aver or set forth how the road in question became a public road;

FOURTH; Because the petition failed to show the situation or circumstance by reason of which the road should be vacated;

FIFTH; Because the report of the Viewers fails to show any compliance with the Order of Court as to securing releases from the persons through whose land the road is layed or in awarding to them or to your exceptant any damages which they or he would suffer by reason of the vacation of the said road.

SIXTH; Because the piece of public road recommended for vacation is only a part of a long established highway between Home Camp and the Penfield road and the character of the unvacated part is changed practically from a public to a private road, ending in a cul de sac.

  
-----  
Atty. for Exceptant.

Clearfield County,     )  
Pennsylvania.            ) SS.

On the 21<sup>st</sup> day of November, 1925, before me, a Justice of the Peace duly commissioned in and for Clearfield County, personally came Peter Gallagher, the exceptant named in the foregoing exceptions and he being by me duly sworn according to law deposes and says that the said within exceptions are not taken for the purpose of delay, and that the several matters therein set forth are true and correct to the best of the knowledge and belief of the said deponent.

J. P. Peter Gallagher

Sworn to and subscribed  
before me the 21 day of  
November, 1925.

J. T. Dps. etc. J. P.  
My Commission Expires Jan 2, 1928

ATTORNEY'S CERTIFICATE.

Now, this 21<sup>st</sup> day of November, 1925, Earle G. Boose, attorney for Peter Gallagher, the within named exceptant, certifies to the Court that in his opinion and judgment, the order of Court confirming Ni. Si. the report of the Viewers in the above cited action should not be made absolute, for good and sufficient reasons legal as are herein recited.

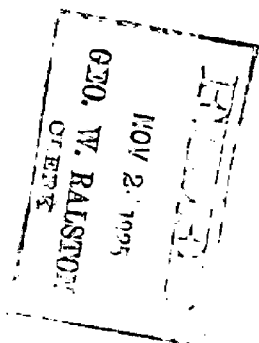
  
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IN THE COURT OF QUARTER SESSIONS  
Of September Sessions, 1925,  
No. 12.

RE; Vacation of Public Road  
in Huston Township.

EXCEPTIONS



EARLE G. BOOSE  
DUBOIS, PA.

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 24th day of July 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  
undersigned Supervisors  
~~inhabitants~~ of the Township of Huston, in the County aforesaid setting forth that .....  
a certain public road beginning on the highway leading from the Mountain  
Run Road through to the road leading from Home Camp to said highway at the  
Pennsylvania Railroad Station on the Pennsylvania Railroad; thence extending  
southeasterly to the Union Township Line in Huston township. Clearfield  
County, known as the "Hickeyville Road" has become useless, inconvenient and  
burdensome

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 Kramer, Esq. J. E. Fry and  
Jack Michaels

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 appoint-  
ment, 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 trans-  
mit 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 Rakturn*  
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 Huston, -----, 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

6th day of August -----, 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.

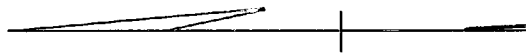
Pa., on the 7th day of August----- A. D., 1925, at nine o'clock A. M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view William Payne and J. A. Bixby two of the Supervisors of Union Township in favor of vacating said road and Peter Gallagher opposed to having said road vacated.-----

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 7th day of August ,

A. D. 1925, when the parties interested in the said road were in attendance: to wit William Payne and J. A. Bixby two of the supervisors of Union Township,

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has -----, become useless, inconvenient and burdensome to the taxpayers of Huston

Township; -----  
to wit: Beginning at the Winterburn Station on the low grade Division of the Pennsylvania Railroad, Thence running over cleared land of Craig and Blanchard in a South Easterly Direction the various courses and distances as shown on the draft attached as part of the report to past the residence of Peter Gallagher a distance of four thousand eight hundred and thirty five (4835) feet: Thence over unimproved woods land of the said Craig and Blanchard in a South Westerly direction the various courses and distances as shown on the draft attached as part of the viewers report sixteen thousand seven hundred and fifty (16750) feet to the township line of Union Township where the same connects with Huston Township. The entire distance or length of the part of the road recommended to be vacated as useless, inconvenient and burdensome to the taxpayers of the Township to keep up as there is no improvement or settlement along said road is Twenty one thousand four hundred and



DISTANCE: 4000-347 FT

TO: JESSE. E. DALE, T. R. WEIMER, AND B. W. McCracken. County  
Commissioners of Clearfield County Pennsylvania.

You are hereby, notified; that the undersigned viewers appointed  
by the Court of Quarter Sessions of Clearfield County Pennsylvania to  
view and vacate a public road, leading from a point in the public road,  
known as the Mountain Run road; in Huston Township to and across the  
Pennsylvania Railroad, to a point in the public road leading to the home  
camp water dam; where the said road crosses the line between Union and  
Huston Township's in the county aforesaid, will meet at the intersection  
of said road with the Mountain Run road in Huston Township on Thursday  
the sixth (6th) day of August 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 Assem-  
bly 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 vacation of said road, a chance  
to be heard by the viewers before the filing of their report in court  
will be held by the viewers in the Arbitration Room in the Court House in  
Clearfield Pa, on Friday August the seventh (7th) A. D. 1925 at nine (9)  
o'clock A. M. at which time and place all parties in any way interested  
or concerned in the said road either in favor of or opposed to the same  
being vacated may appear and be heard.

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

Now July 29, 1925 service accepted for the County Commissioners of  
Clearfield County Pennsylvania and personal service waived.

L. C. Norris, Clerk

TO: William Payne, J, E, Bixby and L, W, Thomas, the Supervisor-  
s of Huston 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 and vacate, a public road leading from a point in the public road  
known as the Mountain Run road, in Huston Township to and across the  
Pennsylvania Railroad, to a point in the public road leading to the Home  
camp water dam; where the said road crosses the line between Union and  
Huston Townships in Huston Township in the County aforesaid, will meet at  
the intersection of the said road with the Mountain Run road in Huston  
Township on Thursday the sixth (6th) day of August A. D. 1925 at nine (9)  
oclock 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 vacation of said road a chance  
to be heard by the viewers before the filing of their report in court  
will be held by the viewers in the Arbitration Room in the Court House  
in Clearfield Pa on Friday August the seventh (7th) A. D. 1925 at nine  
(9) o'clock A. M. at which time and place all parties in any way interes-  
ted or concerned in the said road, either in favor of or opposed to said  
road being vacated may appear and be heard.

A. G. Kramer,  
J. E. Fry,  
J. S. Michaels,  
VIEWERS.

Now July 30 1925 served this notice on William Payne, J, E, Bixby  
and L, W. Thomas the Supervisors of Huston Township Clearfield County  
Pennsylvania personally by handing to each of them a true and correct  
copy of same.

Wm Payne

and sixty seven (21467) feet or four (4) mile and three hundred and forty seven (347) feet.

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:

and we herewith return ~~herewith~~ a copy of the notices.

Witness our hands and seals this 18th day of August -----, A. D. 19 25.

..... S. A. Kramer ..... [SEAL.]

..... J. E. Fay ..... [SEAL.]

..... J. S. Michaels ..... [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. 12 Sept Term 19 25

## ORDER TO VACATE

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

Now *Appx* Sessions 19 *25*  
read and confirmed Ni. Si.

By the Court.

Now *Appx* Sessions 19 *25*  
confirmed absolute.

By the Court.

Filed 19

Atty,

Fees \$1.25 paid by

Pentz & Pentz. Attys.

