

DOCKET No. 6

Number	Term	Year
1	Sept	1926

Petition to vacate 6 short roads
in Bradford Twp

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

To the Honorable the judge of said Court:

The undersigned citizens of Bradford Township respectfully represent,

That there are six short pieces of road leading from the main road that extends from Woodland to Shiloh all of said roads starting from main road at or near the Shiloh School House. The first thereof leading from the J. E. Livergood lane to the Bald Hill fording, a distance of 190 rods. The second, a piece of road extending from Alfred Grahams' house to the Ruselo fording, a distance of 340 rods. The Third a piece of road extending from the William Livingston Hill to the Lafe Conoway farm, a distance of 278 rods. Fourth a piece of road extending from William Swoopes' lane to the Galles harbor, a distance of 244 rods. Fifth, a piece of road extending from Harry Klines' farm to the Harrier fording. ^{356 rods.} Sixth a piece of road extending from William Livingstons' hill ending at the farm of Eligah McDowell, a distance of 296 rods.

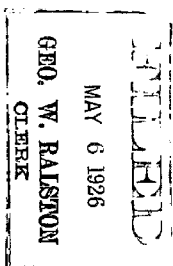
That said roads have become useless and are burdonsom to the tax payers of said Township, whereas they respectfully pray your honorable Court to appoint viewers to view and vacate the same and they will ever pray,

W. H. Kephart Supervisor
A. B. Lansberry Supervisor
R. E. Dab Supervisor

F. L. Woodling
Paul Harrier.

Loren M. Muelken
J. R. Harrier
L. S. Lester
A. A. Wallace
F. B. Kephart
Joseph Highman
G. L. Wilson

1 Sept 20 1926



Now May 6th 1926
with petition annexed.
Thank Hutton Esq.
J. E. Fry and James
Hampel are appointed
to view and report
By the Court
Attest
P-J

To The 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 for Vacation a road leading from the William Livingston Hill in Bradford Township to the farm of Elijah McDowell in Bradford Township, in the County of Clearfield aforesaid, will meet at the intersection of said road, with the Road leading from Woodland to Shiloh in Bradford Township on Tuesday the 25th day of May 1926 at ten o'clock A.M. to attend to the duties assigned them,

And that the Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Tuesday the first day of June 1926 at nine o'clock A.M., when you may attend and be heard if you so desire.

Mark Linton
J. E. Fry
James Spangler
Viewers

DuBois, Pa. May 10th 1926

Now, May 12 1926 service of the above notice is accepted
for the County Commissioners of Clearfield County.

L. C. Morris
Clerk

To The SUPERVISORS OF BRADFORD TOWNSHIP ROAD DISTRICT.

You and each of you are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions, of Clearfield County, Pa. to view for Vacation a Road leading from the William Livingston Hill in Bradford Township, to the farm of Elijah McDowell in Bradford Township, in the County aforesaid, will meet at the intersection of said Road, with the Road leading from Woodland to Shiloh in said Bradford Township on Tuesday the 25th day of May 1926 at ten o'clock A.M. to attend to the duty assigned them.

And that the required Public Hearing will be held in the Court House, in the Borough of Clearfield, Pa. on Tuesday the first day of June 1926 at nine o'clock A.M.. At which time and place all interested parties may attend and be heard.

Mark Hullin
J. E. Fry
James Spangler
Viewers

DuBois, Pa. May 10th 1926

Now, May 1926 service of above notice is accepted for the Supervisors of Bradford Township Road District.

A. B. Lansberry

61
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 6th day of May in the year of our Lord, one thousand nine hundred and twenty six

A. R. CHASE
By the Honorable ~~Singleton Bell~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Bradford, in the County aforesaid setting forth that

there are six short pieces of road leading from the main road that extends from Woodland to Shiloh all of said roads starting from main road at or near the Shiloh School House. The sixth a piece of road extending from William Livingstons ' Hill ending at the farm of Eligah McDowell, a distance of 296 rods.

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 James Spangle who, have been duly appointed by the said Court on the County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft, or plot, aforesaid. In which said reports they shall state that they have been sworn, or affirmed, according to law, and that due and legal notice was given of the time when and the place where they would meet, to view said road and the time and place of hearing.

By order of the Court.

Geo M Palatore
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 **Bradford**, 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

25th day of **May**, A. D. 19**26**, 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 **first** day of **June** A. D., 19 **26**, 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 **A.B.Lansberry and W.H.Kephart, Supervisors of Bradford Twp.**

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 **first** day of **June**,

A. D. 19 **26**, when the parties interested in the said road were in attendance:

**W.A.Hagerty Esq., Atty for the Supervisors of Bradford Twp, and
A.B.Lansberry and W.H.Kephart, Supervisors**

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has ~~###~~, become useless, inconvenient and burdensome and that it should be vacated as prayed for in said petition and they so recommend.

The conditions on the ground as found by your Viewers are as follows:- From the intersection of this road with the **Shaloh - Conway** farm road to the **Woodland Road** the road asked to be vacated is **4634** feet in length, and extends mostly through cleared lands that apparently have been abandoned, no one residing along the said road at the present time and no buildings on any of the abutting lands save in one instance where quite pretentious farm house and barn are standing unoccupied. Most of the lands through which the road passes belongs to the **Elijah McDowell Estate**. The road gives no indication of having been used for a period of years, a portion of it is steep and none of it has been worked and kept in any condition

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: no releases required in opinion of the
viewers

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:

no damages

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

Witness our hands and seals this second day of June, A. D. 1926

James Hutton..... [SEAL.]

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

James W. Spangle..... [SEAL.]

Viewers.

#6

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. 1 Sept Term 19 26

ORDER TO VACATE

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

Now *Sept* Sessions 19*26* read and confirmed Ni. Si.

By the Court *A. McPherson*
Now *Dec* Sessions 19*26* P. J.
confirmed absolute.

By the Court
A. McPherson
P. J.

FILED
JUN 4 1926
GEO. W. RALESTON
CLERK

Filed 19

Atty.

Fees \$1.25 paid by

W. A. Hagerty. Atty.

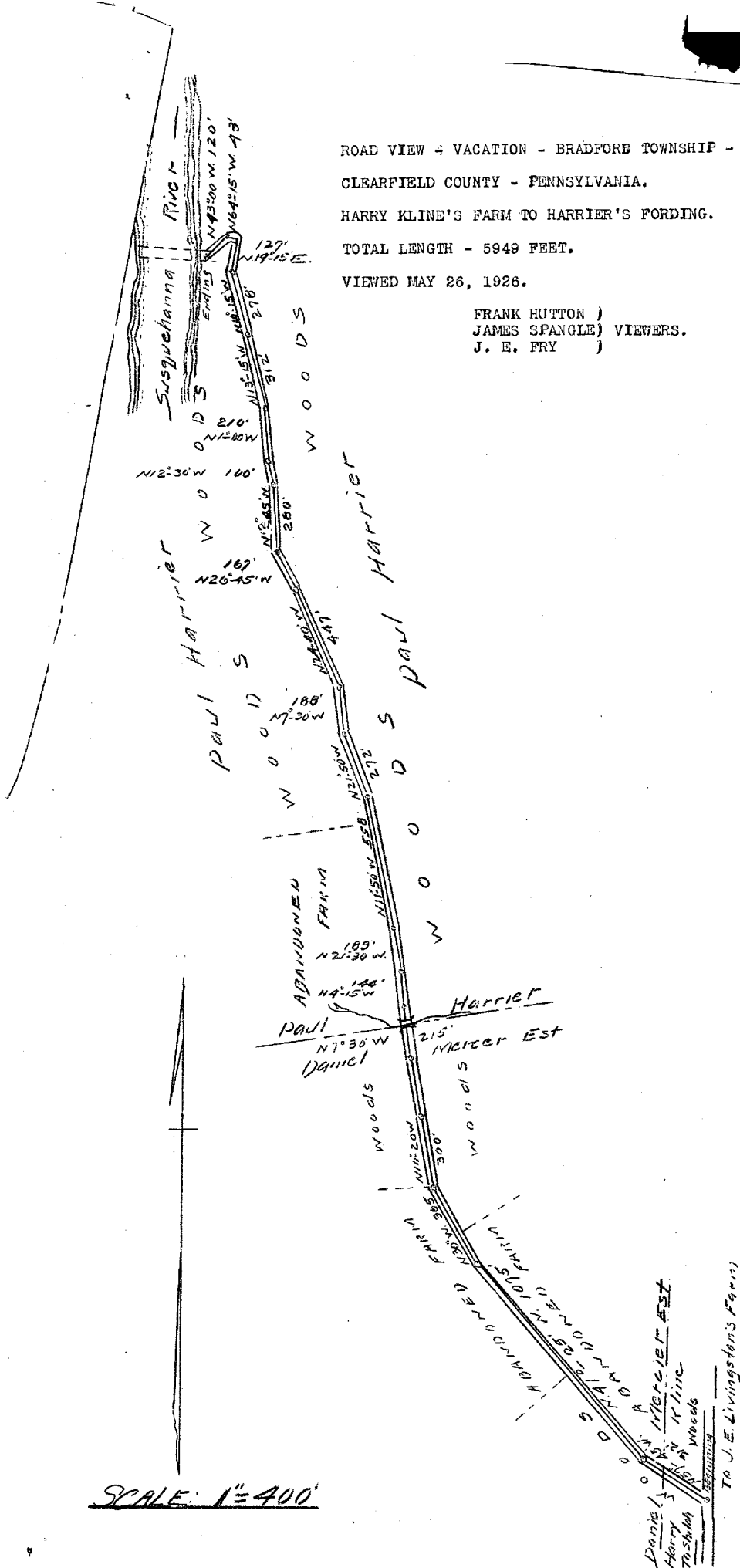
ROAD VIEW - VACATION - BRADFORD TOWNSHIP -
CLEARFIELD COUNTY - PENNSYLVANIA.

HARRY KLINE'S FARM TO HARRIER'S FORDING.

TOTAL LENGTH - 5949 FEET.

VIEWED MAY 26, 1926.

FRANK HUTTON)
JAMES SPANGLE) VIEWERS.
J. E. FRY)



To The SUPERVISORS OF THE ROAD DISTRICT OF BRADFORD 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 for Vacation a Road leading from HARRY KLINES' Farm, in Bradford Township to the HARRIER FORDING in Bradford Township in the County aforesaid, will meet at the intersection of said Road with the Woodland - Shiloh Road in Bradford Township on Wednesday the 26th day of May 1936 at two o'clock P.M. to attend to the duty assigned them.

And that the Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Tuesday the first day of June 1936 at ten o'clock A.M. when and where all parties interested may attend and be heard.

DuBois, Pa. May 10th 1936

Emet Mutton
J. E. Fry
James Spangle
Viewers.

Now, May 1936 service of the above notice is accepted for
the Supervisors of Bradford Township Road District.

A. B. Langherry

To The 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 for Vacation a Road leading from HARRY KLINES' Farm in Bradford Township to the HARRIER FORDING in Bradford Township, in the County aforesaid, will meet at the intersection of said Road with the Woodland - Shiloh Road in Bradford Township on Wednesday the 26th day of May 1926 at two o'clock P.M. to attend to the duty assigned them,

And that the Public Hearing will be held in the Court House in the Borough of Clearfield on Tuesday the 1st day of June 1926 at ten o'clock A.M. when and where all interested parties may attend and be heard.

DuBois Pa. May 10th 1926

Mark Sutton
J. E. Fry
James Spangler
Viewers

Now, May 17 1926 service of above notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk

To The COUNTY COMMISSIONERS OF CHESTERFIELD COUNTY, PENNSYLVANIA.

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Chesterfield County, Pennsylvania,

desires to view for location a road leading from HARRY KILMER'S

farm in Bradford Township to the HARRIS FORDING in Bradford Township, in the County aforesaid, will meet at the intersection

of said road with the Woodland - Shiloh Road in Bradford Township on Wednesday the 28th day of May 1938 at two o'clock

P.M. to attend to the duty assigned them,

And that the Public Hearing will be held in the Court

House in the Borough of Chesterfield on Tuesday the 1st day of June 1938 at ten o'clock A.M. when and where all interested parties may attend and be heard.

Viewers

Deborah B. May 10th 1938

'Now, May 1938 service of above notice is accepted for

the Commissioners of Chesterfield County.

6
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 6th day of May in the year of our Lord, one
thousand nine hundred and twenty six

A. R. CHASE

By the Honorable ~~Singleton Ball~~, President Judge of the said Court: Upon the petition of sundry
inhabitants of the Township of Bradford, in the County aforesaid setting forth that
there are six short pieces of troad leading from the main road that
extends from Woodland to Shiloh all of said roads starting from main
road at or near the Shiloh School House. The fifth a piece of road
extending from Harry Klines' farm to the Harrier fording, 356 rods.

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 Frank Hutton, Esq. J. E. Fry

and James Spangle

who have been duly appointed by the said Court on the
County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the
County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their 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 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 Bradford, 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

26 day of May, A. D. 19 26 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 1st day of June A. D., 1926, 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 W.H.Kephart, Supervisor of Bradford Twp Road District

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 first day of June,

A. D. 1926, when the parties interested in the said road were in attendance: W.A.Hagerty, Esq.,
Atty for Bradford Township Road District. A.B.Lansberry and W.H.Kephart
Supervisors

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has ~~####~~, become useless, inconvenient and burdensome the survey shows this road to be 5949 feet long and the viewers found it to be the best grade of any of the roads viewed on this petition. From the Shiloh Road toward the river for a distance of some 2500 feet, there were indications that it had been driven over, we were informed that the lumber from a building that was being razed had been hauled out over the road; the remaining portion to the river gave no appearance of being used. This road as to the whole comes more nearly being passible than any of the others. There are no buildings along it or near it that are occupied; what cleared lands abutt on it seem to have been abandoned and do not show indications of any recent cultivation. We are informed that this road formerly connected with one in Girard Twp across the river and which run up the river and to the Bald Hill section; that the N.E.C.R.R. appropriated and destroyed this road and that the Girard road is not now in use. So far as your viewers could determine the road has long been abandoned by the general public nor can we see any prospect of its general use. We are of one mind that it should be vacated and so recommend.

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: No Releases required.

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:

No Damages to assess

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

Witness our hands and seals this 3rd day of June, A. D. 1926

Frank Hutton [SEAL.]

R. F. ... [SEAL.]

James M. Shangle [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. 1 Sept Term 19 26

ORDER TO VACATE

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

Now Sept Sessions 19 26
read and confirmed Ni. Si.

By the Court.
Alphase
Now Dec Sessions 19 26
confirmed absolute.

By the Court.
Alphase
P. J.

Filed 19

Atty.

Fees \$1.25 paid by

W. A. Hagerty. Atty.

