

DOCKET No. 6

Number Term Year

4

Sept ss 1926

Petition to vacate road in Bigler

Twp

Versus

To the Honorable A. R. Chase, President Judge of the Court of Quarter Sessions of Clearfield County.

The petition of the undersigned Supervisors of Bigler Township, Clearfield County, respectfully represents;

That a certain public road in Bigler Township, Clearfield County, Penna., beginning at the intersection of No. Eighteen road and the Morgan Run Road, and thence to the Woodward Township line, a distance of about two miles, has become useless to the travelling public and burdensome and expensive to the township to maintain.

Your petitioners therefore pray that viewers may be appointed to view and vacate each of said roads, and they will ever pray, etc.,

James H. Alexander
Charles S. Hoff
J. C. Gatchhouse

SUPERVISORS BIGLER TOWNSHIP

Clearfield County, SS:

Chas. S. Shoff, Secretary of the Supervisors of Bigler Township, being duly sworn says the facts set forth in the foregoing petition are true and correct as he verily believes.

Sworn & Subscribed before me :

this 24 day of May 1926 :

Charles S. Shoff, Secy

W. H. Cornely.

NOTE: PUBLIC
My Commission Expires March 25, 1926

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY

4 Sept 20 1926

In Re:

BIGLER TOWNSHIP
SUPERVISORS

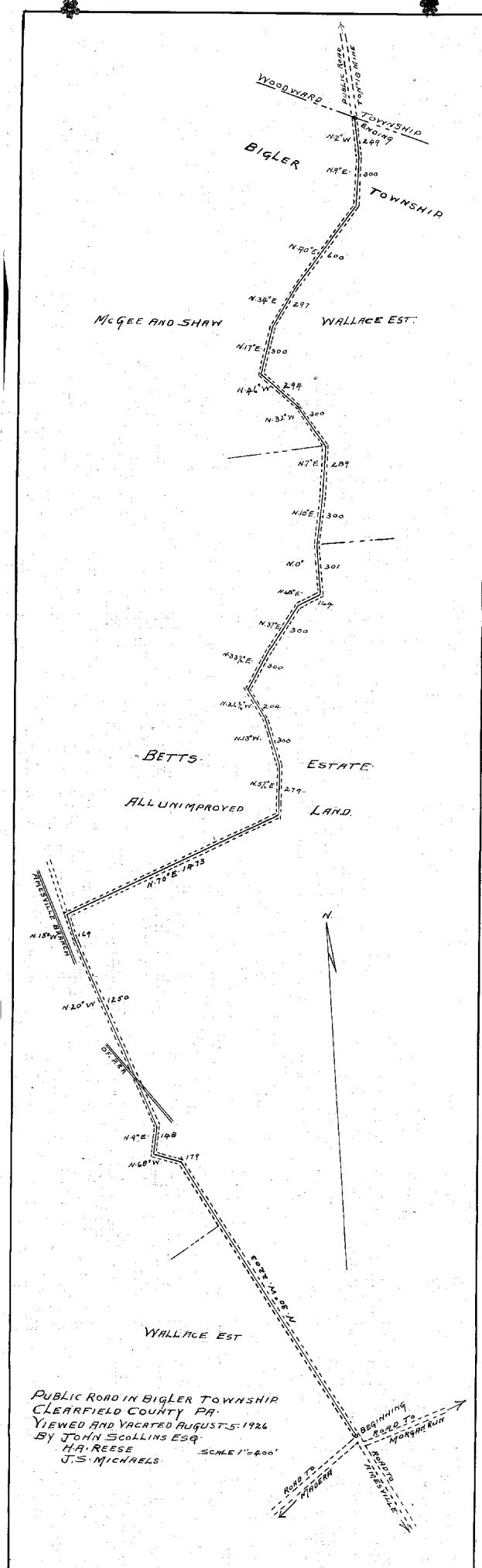
PETITION FOR VIEWERS TO
VACATE ROAD

For June 3rd 1926
John Fackler by Harry
Fackler, Jacob Indus.
These 3rd, Facklers
are entitled herein
to remuneration
By the court
H. W. Mac

HARTSWICK,
ARNOLD & PLATT
ATTORNEYS AT LAW
CLEARFIELD, PA.

JUN 2 1926
CLERK
W. RALSTON

650 by atty



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:

No damages assessed.

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

Witness our hands and seals this 19th day of August, A. D. 19 26.

John Geeris Jr. [SEAL.]

T. A. Reese [SEAL.]

J. B. Michaels [SEAL.]
Viewers.

No. 4 Sept Term 19 26

ORDER TO VAC

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

Also, viewers will carefully note the number of days employed and set the amount out at the root 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.

Now left Sessions 19-26

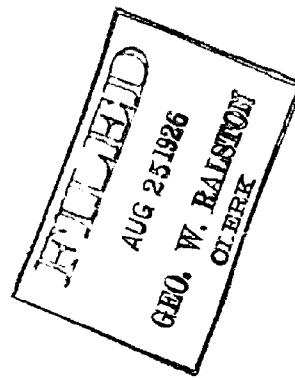
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By the Court

A. H. Davis
P. J.

Filed

Atty, Hartswick, Arnol
& Platt.
Fees \$1.25 paid by



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 Thir d day of June in the year of our Lord, one thousand nine hundred and twenty six

A. R. CHASE

By the Honorable ~~John Scollins~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Bigler, in the County aforesaid setting forth that
a certain public road in Bigler Twp. beginning at the intersection of No.
Eighteen Road and the Morgan Run Road, and thence to the Woodward Township
line, a distance of about two miles, has become useless to the traveling
public and expensive 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 ap-

point from and among the County Board of Viewers John Scollins, Esq., Harry Reese
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 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. Rakston
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 Bigler, 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

5th day of August, A. D. 1926, 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 6th day of August A. D., 19 26, at 10:00 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 James N. Alexander and J. C. Gatehouse, Supervisors of Bigler Township.

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 6th day of August,

A. D. 19 26, when the parties interested in the said road were in attendance: James N. Alexander of the Board of Supervisors, with John C. Arnold, Esq., of Hartwick, Arnold & Platt, Attorneys for petitioners; but no protestants.

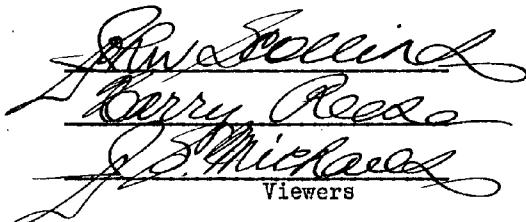
James N. Alexander sworn, examined and cross-examined by Counsel and your Board.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome, to wit: Beginning at the intersection of said Road with the Roads leading to Madera, Morgan Run and Amesville, thence North 30 degrees West 2203 feet to a post; thence North 68 degrees West 179 feet to a post; thence North 9 degrees East 148 feet to a post; thence North 20 degrees West 1250 feet to a post; thence North 15 degrees West 169 feet to a post; thence North 70 degrees East 1473 feet to a post; thence North $5\frac{1}{2}$ degrees East 279 feet to a post; thence North 13 degrees West 300 feet to a post; thence North $26\frac{3}{4}$ degrees West 204 feet to a post; thence North $33\frac{1}{2}$ degrees East 300 feet to a post; thence North 68 degrees East 164 feet to a post; thence North 0 degrees 301 feet to a post; thence North 10 degrees East 300 feet to a post; thence North 7 degrees East 289 feet to a post; thence North 32 degrees West 300 feet to a post; thence North 46 degrees West 294 feet to a post; thence North 17 degrees East 300 feet to a post; thence North 34 degrees East 297 feet to a post; thence North 40 degrees East 600 feet to a post; thence North 9 degrees East 300 feet to a post; thence North 2 degrees West 249 feet to a post, and ending, in the line of Woodward Township.

TO the COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA:

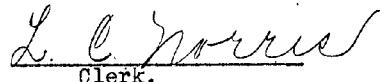
You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 4, September Sessions, 1926, to view and vacate a certain public road in Bigler Township beginning at the intersection of No. Eighteen Road and the Morgan Run Road, and thence to the Woodward Township line, a distance of about two miles, in Bigler Township, in the County aforesaid, will meet at the aforesaid premises in Bigler Township on Thursday, the 5th day of August, A.D. 1926, at eleven (11:00) o'clock A. M., to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly and 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 an opportunity to be heard will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 6th day of August, A.D. 1926, at ten (10:00) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.



Dated, July 23rd., 1926

And now, July 26, 1926, service of the above Notice accepted for the Commissioners of Clearfield County, Pennsylvania.



TO: J. C. GATEHOUSE, CHARLES S. SHOFF AND JAMES N. ALEXANDER, Supervisors
of the Township of Bigler, Clearfield County, Pennsylvania:

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania
to No. 4, September Sessions, 1926, to view and vacate a certain public road
in Bigler Township beginning at the intersection of No. Eighteen Road and the
Morgan Run Road, and thence to the Woodward Township line, a distance of about
two miles, in Bigler Township, in the County aforesaid, will meet at the A.D.
1926, at eleven (11:00) o'clock A.M., to attend to the duties assigned them
all parties interested will take notice.

And that the public hearing as required by Act of
Assembly and 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 an opportunity to be heard will be held in the Arbitration Room in the
Court House in Clearfield on Friday, the 6th day of August, A.D. 1926, at
ten (10:00) o'clock A.M., or as soon thereafter as counsel can be heard, at
which time and place all parties interested my attend and be heard.

John Boccino
Berry Read
J. S. Michaels
Viewers

Dated, July 23rd, 1926

County of Clearfield, ss:

And now, July 26, 1926, service of the above Notice
accepted for the Board of Supervisors of the Township
of Bigler, Clearfield County, Pennsylvania.

James N. Alexander
Charles S. Shoff
J. C. Gatehouse

Supervisors.