

DOCKET No. 6

Number

5

Term

Sept ss

Year

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 village of Amesville and thence
to the farm of Steve Kitko, near Ramey, a distance of about
two and one-eighth- miles, has become useless to the travelling
public and burdensome and expensive to the Township to main-
tain.

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

James M. Alexander
Charles S. Shoff
J. C. Gatehouse
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. P. Corneley.

NOTARY PUBLIC

5 Sept. 22 1926

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

In Re:
BIGLER TOWNSHIP
SUPERVISORS

PETITION FOR VIEWERS TO
VACATE ROAD

*From June 8th 1926,
the following viz: Harry
Weedley, Ed Jack Middle
are appointed viewers to
view & report.
by the Court
W.H. Lane*

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

650 By atty

FILED
JUN 2 1926
GEO. W. BALSTON
CLERK

PUBLIC ROAD IN BIGLERTOWNSHIP
CLEARFIELD COUNTY, PA.
VIEWED AND VACATED AUG. 4 - 1926
BY JOHN SCOLLINS, ESQ
H. A. REESE STEV
J. W. MICHAELS

STEVE KITCO

PENDING

BERWIND WHITE COAL Co

BIGLER

TOWNSHIP.

MORRISDALE COAL CO

HEGERTY EST.

ELI. PRICHARD

TO HOUTDALE STATE ROAD TO MADERA
←
AMESVILLE.

AMESVILLE.

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 be, to, August Sessions, 1926, to view and locate a certain public road in Fidler Township beginning at the cross-roads in the Village of Jacobsville and thence to the farm of Steve Litke, near Fanny, a distance of about two and one-eighth miles, in Fidler Township, in the County aforesaid, will meet at the aforesaid premises in said Township on Wednesday, the 4th 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., as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

Harry Reese
J. S. Michaels
Viewers

Dated, July 22nd, 1926

And now, July 26, 1926, service of the above Notice
Accepted for the Commissioners of Clearfield County, Penn-
sylvania.

L. C. Morris
Clerk

Ward View
Engel's Shop
from
Newville
to
Stone Mountain
Jan 11, 1906

Ward View
Engel's Shop
from
Newville
to
Stone Mountain
Jan 11, 1906

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. 5, September Sessions, 1926, to view and vacate a certain public road
in Bigler Township beginning at the cross-roads in the Village of Amesville
and thence to the farm of Steve Kitko, near Ramey, a distance of about two
and one-eighth miles, in Bigler Township, in the County aforesaid, will meet
at the aforesaid premises in said Township on Wednesday, the 4th 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 oppor-
tunity 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., as soon thereafter as counsel can be heard, at which time and
place all parties interested may attend and be heard.

Harry Reese
J. S. Michaels
Viewers

Dated, July 22nd, 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.

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 17th day of August, A. D. 1926.

John H. McCain [SEAL.]

W. A. Reese [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. 5 Sept Term 1926

ORDER TO VACATE

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

Now Sept Sessions 1926 read and confirmed Ni. Si.

By the Court.

Now Sept Sessions 1926 confirmed absolute.

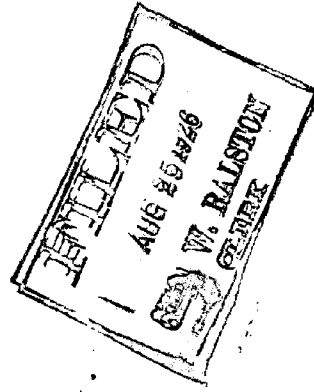
By the Court.

Filed 19

Atty.

Fees \$1.25 paid by

Hartswick, Arnold & Plott,



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 3rd day of June in the year of our Lord, one thousand nine hundred and twenty six

By the Honorable ^{A. R. CHASE} ~~Starkweather~~, 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 village of Amesville
and thence to the farm of Steve Kitko, near Ramey, a distance of about
two and one-eighth miles has become useless to the travelling 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 appoint 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. Rabston
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

4th day of **August**, 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 **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, Chas. S. Shoff and J. C. Gatehouse, Supervisors of Bigler Township; Isaac Packer; and Andrew Kitko,

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, Supervisor, with him John C. Arnold, Esq., of Hartswick, 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 line of intersection of said Road leading to Ramey with right-of-way of State Route #234 leading from Houtzdale to Madera, in the Village of Amesville, thence South 11 degrees West 2175 feet to a post; thence South 5 $\frac{1}{2}$ degrees West 1200 feet to a post; thence South 35 degrees West 300 feet to post; thence South 50 degrees West 300 feet to post; thence South 47 degrees West 960 feet to post; thence South 36 degrees West 70 feet to post; thence South 14 $\frac{1}{2}$ degrees West 904 feet to post, and ending at the line of intersection of said Road with private road leading in to residence and farm buildings of Steve Kitko.