

~~REDACTED~~
No. 13 Sept 1926
Term 191 A. D.

Petition to vacate
road in Chest Twp

vs.

MEMORANDA

Prothonotary Office

Clearfield County, Pa.

No 13 Sept 2nd 1926

In re petition to vacate certain fines
I doow in Court 2nd.

A. H. Haggerty atty for petitioner
now this. The time for the receiver to make
the report to same to extend to
December 1st. -

A. H. Haggerty

Atty for petitioner

Sept 2nd 1926

Now Sept 3rd 1926 time for
report extended as prayed for.

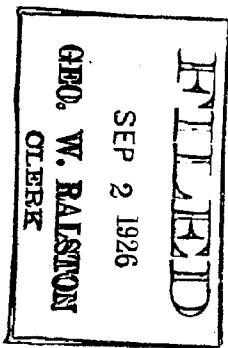
By the Court

A. R. Blase

P. J.

Mo 13 Sep 1926

In a set of feathers
A dove in center
feathers were in
Chest dark



In Re Vacation of certain Township roads in Chest Township.

To the Honorable the Judge of said Court:

The petition of the Supervisors of Chest Township respectfully represents that on the 9th day of July 1926 said Supervisors, together with other citizens, presented a petition to the said Court asking that Viewers be appointed to vacate certain pieces of roads running through Chest Township the same being supplied by the new State road. That said petition set out, among other descriptions, a stub of a road starting near the residence of Joseph Kitchen in Chest Township, running along the side of the Penn'a. Rail.Road about one mile South and connecting no road. That said viewers viewed the road leading from Joseph Kitchen and ending the Welchdale school house which was vacated on the condition that it be supplied by the above mentioned road. Your petitioners therefore pray your honorable Court to amend said petition so as to include the old original road which had been opened and traveled, extending from Joseph Kitchen and ending at the Welchdale school house and also that road which had been laid out to supply the same, when the original road was vacated so that the Viewers can view on the necessity of vacating ~~all~~^{one} of said roads. The Viewers have viewed the wrong road set out in the original petition. And they will ever pray.

Frank M. Woods

John G. Duhl

CLEARFIELD COUNTY SS:

Frank Wood of the Township of Chest, deposes and says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Sworn & subscribed to
before me this 30th
day of July 1926
Geo W. Alston
Notary

Frank M. Woods

Aug 3 1926

Specimen Stamps

Mon August 3rd 1926
within petition
received and considered
and amendment
allowed as proposed

for.
By the court

A. W. Ralston

FILED

AUG 9 1926

GEO. W. RALSTON
CLERK

To The Hon. A. R. Chase, President Judge,
Clearfield County.

We, the taxpayers and citizens of Chest Township, Clearfield County, petition you to appoint viewers to vacate pieces of roads running thru Chest Township formerly supplied by State Road and now completed. Starting at Newburg Boro running south four miles to the residence of Solomon Dunbar. A blue print hereto attached showing the exact pieces and stubs to be vacated.

And also a stub of a road starting near the residence of Joseph Kitchen in Chest Township running the side of P.R.R. about one mile south, in the woods, and connecting no road. And was laid out several years ago; was never opened or worked on by the supervisors of Chest Township.

No one lives along said stub. We the taxpayers of Chest Township ask to have said stub of road vacated, as the said stub of road is worthless to the public and would very expensive and burdensome to open. And we ever pray:

For to be laid
said

For to be laid

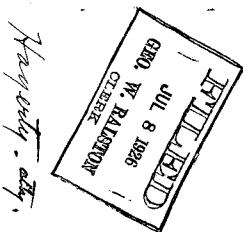
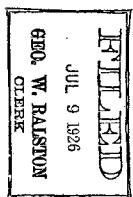
For to be laid</



GILBERT I. TOZER
JUSTICE OF THE PEACE
LA JOSE, PENNA.

13 Sept 20 1926

Permitting 2nd 154
Frank Miller, 2nd
George E.
Jack Daniels are
affidated
and repeat
Affidated
Geo. W. Raison
GEO. W. RAISON
CLERK



Permitting 2nd



GILBERT I. TOZER
JUSTICE OF THE PEACE
LA JOSE, PENNA.

NO. 13 Sept TERM, 1926
Wm Haggerty
Per CAB.

NO. TERM, 19

NO. TERM, 1925
Wm Haggerty
Per CAB.

NO. 8-9-10 TERM, 1925

NO. 9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26 TERM. 1926
66 9/36 Ramsey

NO. _____ TERM. 19_____

NO. _____ TERM. 19_____

12 Doc 2-16-26 NO. 12 Doc 2-16-26 TERM. 1925

The petition of the Supervisors of Chest Township respectfully represents
that on the 9th day of July 1926 said Supervisors, together with other citizens
presented a petition to the said Court asking that Viewers be appointed to
vacate certain pieces of roads running through Chest Township the same being
supplied by the new State road. That said petition set out, among other
descriptions, a stub of a road starting near the residence of Joseph Kitchen
in Chest Township, running along the side of the Penn'a. Railroad about
one mile South and connecting no road. That said viewers viewed the road
leading from Joseph Kitchen and ending the Welchdale School House which
was vacated on the condition that it be supplied by the above mentioned
road. Your petitioners therefore pray your honorable Court to amend
said petition so as to include the old original road which had been opened
and traveled, extending from Joseph Kitchen and ending at the Welchdale
School House and also that road which had been laid out to supply the same,
when the original road was vacated so that the Viewers can view on the
necessity of vacating both of said roads. The viewers have viewed the
wrong road set out in the original petition.

[Redacted]

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 residence of Joseph Kitchen, in Chest Township to a point at or near the Welchdale School House in Chest Township, in the County aforesaid, will meet at the residence of Joseph Kitchen in Chest Township, on Thursday the 2nd day of September 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, on Friday the 3rd day of September the third day of September A.D. 1926 at ten o'clock A.M. when and where all interested parties may attend and be heard.

Frank Luttm
Joe Foy
J. J. Michaels
Viewers

DuBois, Pa. Aug 18th 1926

Now, Aug. 21, 1926, service of the above notice is
Accepted for the Commissioners of Clearfield County.

L. C. Morris, Clerk

TO THE SUPERVISORS OF CHEST TOWNSHIP ROAD DISTRICT.

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 residence of Joseph Kitchen in Chest Township to a point at or near the Welchdale School House in Chest Township, in the County aforesaid, will meet at the residence of Joseph Kitchen on Thursday the second day of September 1926 at 10 o'clock A.M. to attend to the duties assigned them. And that the Public Hearing will be held in the Borough of Clearfield, Pa., on Friday the 3rd day of September 1926 at ten o'clock A.M., when and where all interested parties may attend and be heard.

Frank Shuler
Ed Fry
J. S. Michaels

Viewers.

Dubois, Pa. Aug. 18th 1926

Now, Aug. 19 1926, Service of above notice is accepted for
Supervisors of Chest Township Road District.

W. M. Agar

LOGISTICS

Map showing roads and survey data in the area of Michael's, Nelsdale, and Wincle. The map includes the following survey points and notes:

- To Harmony: Beginning S9415'E 170' and S10°E 75'.
- To Michael's: S26°-15'W 41' and S26°-15'W 264'.
- To Wincle: S29°-30'W 246' and S31°-30'W 200'.
- To South: S13°-15'W 256' and S12°-30'W 255'.
- To Co: S17°-30'W 172' and S18°-30'W 134'.
- To Co: S14°-00'W 200' and S9°-00'W 110'.
- To Co: S10°-00'E 200' and S18°-00'E 250'.
- To Supply: S19°-00'E 121' and S19°-00'E 09'.
- To Co: S45°-00'E 230' and S46°-00'E 100'.

Note. Old road plotted from notes by J. E. F. X. Survey of July 27, 1926. Supply road plotted from notes taken from E. P. Billings' map - survey of 1917.

THIS road viewed for Supply road in 1917. Not yet opened.

SCALE: 1" = 400'

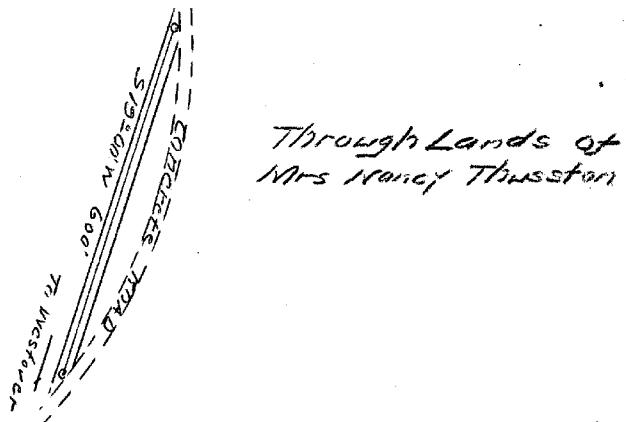
TWELVE PIECES OF ROAD IN
CHEST TWP., CLEARFIELD CO., PA.
VIEWED FOR VACATION - JULY 27, 1926.

FRANK HUTTON)
JACK MICHAELS) VIEWERS.
J. E. FRY)

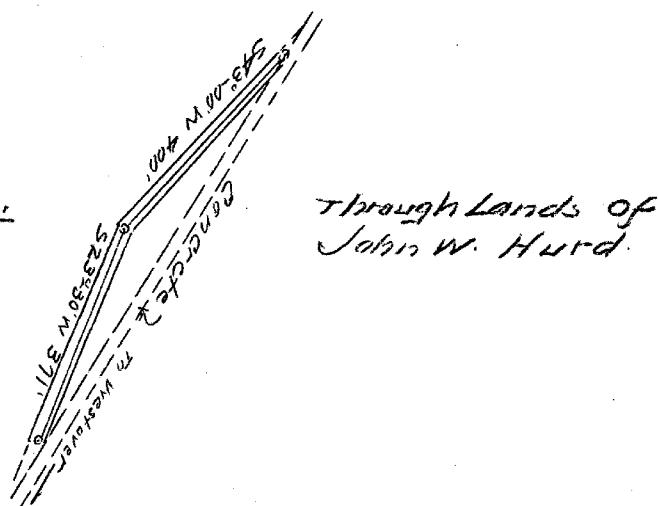
No 1.



No 2.



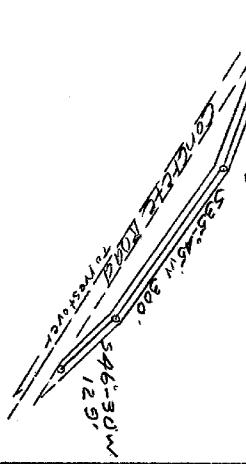
No 3.



Scale: 1" = 200'

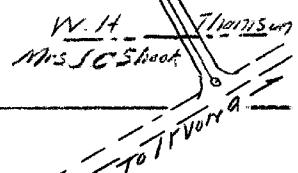
No 4.

Through Lands
of John W. Lurd



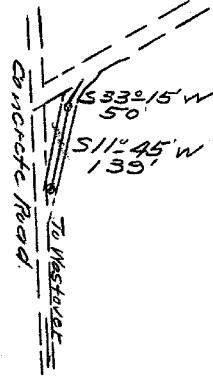
No 5.

Through Lands of
W. H. Thompson and Mrs. J. C. Shook



No 6.

Through Lands of
Mrs. J. C. Shook.



Scale 1=200'

N° 7.

Through Lands of
J. W. Michaels

No. 8.

Through Lands of Hugh Irvin

Nº 9

Through Lands of
Hugh Iruim

IV^o. 10.

Through Lands of
W. H. Thompson—
Clair Jeff and
Mrs. State Barber.

Scale: 1" = 200'

N^o 11

Through Lands of
Mrs A. C. Michalek
Twp 16th Range 16th
Section 16th 479:00 E 202^{ft}

N^o 12

Mrs. Solomons
Twp 16th Range 16th
Section 16th 563:15 E 445^{ft}
C. W. Dumber
C. W. Dumber

Through Lands of
J.W. Juniper and Mrs. Solomons Dumber

Scale: 1" = 200'

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 9th day of August in the year of our Lord, one thousand nine hundred and twenty six

A. R. CHASE

By the Honorable ~~Singletown~~ Ball, President Judge of the said Court: Upon the petition of ~~supervix~~
Supervisors
inhabitants of the Township of Chest, in the County aforesaid setting forth that

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

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 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 *Chest*, 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

2nd day of *September, 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 *3rd* day of *Sept* A. D., 1926, at *10 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 *J. M. Woods, John C. Diehl, John Stephen, Supervisors and Ross Curry, Harry Kitchen & Simeon Trickey, Clydes*

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 *3rd* day of *Sept* A. D. 1926, when the parties interested in the said road were in attendance.

at the hearing Sept 3, 1926, Cortez Bell Esq. appeared for Exceptants and McWayne Esq. for Supervisors and at adjourned hearing Dec 1, 1926 no appearances were made.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has *not*, become useless, inconvenient and burdensome.

your Viewers after going over the road most we use and that the road used and for supply in 1912 but never opened and the road used to be located more than half way between fermont over long majority ground that agreeably is under water. In fact your Viewers followed much of it under water on the day of view. It is a road that would be difficult to obtain properly and expensive to properly construct and maintain. Only one family that occupies one of the few remaining houses in blockdale have need for this road. Another family (Trickey) does not inhabit on it but has access to it. but does mostly another road. While your Viewers are in accordance of the opinion that the road is a burden should be vacated. That the proposed road should not be required to maintain it for all the traffic there

is over it, yet we find that in the family of
Jas. ~~Alton~~ Kitchen, who occupies an old Miners House
in Welsh Valley, but not in vicinity of village, has some five
or six Chilcreys School age ~~books~~ and have no
other public road to get to school, but they are more
than the legal distance from a school, and have to
be transported to and from school by the school
district of Chest Leop. and to vacate the road by
precept of law, leave no public thoroughfare
or such transportation
Our viewers are of opinion that the interest
of these children of school age are paramount
and for this reason, no other, they do not report
in favor of vacating the road in question
Concerning those parts of road lying within the Borough
line of Newberry and Solomon Barber and which the State Highway
abutted, the viewers report in favor of the vacating of the
several sections of the old public road and as set forth
in Drafts hereto attached

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 vacating of said road, or over whose properties said road passes, or in any way damaged by the vacating 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: None 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 be assessed

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

Witness our hands and seals this 3rd day of December A. D. 19 26

Frank Weston [SEAL.]

J. E. Fry [SEAL.]

J. S. Michaels [SEAL.]

Viewers.

No. 13 Sept Term 19

ORDER TO VACATE

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
.....
.....
.....
.....

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

By the Court

S. M. Haggerty
Now Dec Sessions 1926

confirmed absolute.

By the Court

A. Haggerty
P. J.

Filed 19

Atty, W. A. Haggerty

Fees \$1.25 paid by

