

DOCKET No. 6

Number	Term	Year
16	Sept	1926

Petition to vacate road in

Beccaria Twp

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY

TO the honorable the Judge of said Court:

The petition of the undersigned citizens of Beccaria Township respectfully represent: That a Township road has long been laid out, starting at a point on public road leading from Umahville to Gill Hellew near Haverly Woods and extending to Cambria County line has become useless and burdensome and expensive to keep up. That said road is not used by the general traveling public. They therefore pray your honorable Court to appoint viewers to view and vacate the same and make return thereof to said Court. And they will ever pray etc.

P. M. Dillon	July 14	Utahville, Pa.
Joseph Conner	" 14	Utahville Pa
John Lender	" 14	Utahville Pa
J. H. Ball	July 13	Utahville Pa
G. W. McClosay	" 13	" " " "
J. O. Dots	" 13	" " "
S. B. Warwick	" 13	Utahville Pa
Walter Dillon	" 13	Utahville Pa
J. A. Backe	July 15-20	Utahville
C. B. Williams	"	Utahville Pa.
D. N. Dillon	" 13	Utahville
J. G. Dillon	" 13	Utahville
J. B. Nelson	" 13	Utahville
J. G. Caldwell	" 13	Utahville, Pa.
C. B. Doyle	" 13	Utahville Pa
Clayton K. Doyle	" 13	Utahville Pa.
James H. Heverly	" 13	Utahville
H. B. Troell	" 21	Utahville
James Newton	" 24	Utahville
L. B. Miller	" 24	Utahville
Frank Diehl	" 24	Califont Pa
J. H. Willow	July 24	Utahville
W. A. Herdmans	" 24	Utahville Pa
W. Chapman	" 24	Utahville, Pa.
W. C. Conner	July 24-26	Utahville 1/2

J. P. Curran 7-24-26 Watahville Pa
R. V. O'Donnell 7-24-26 Watahville, Pa
Homer O'Donnell 7-24-26 - Watahville Pa
Geo. T. O'Neill 7-30-.. Watahville
John J. O'Neill 7-30 Pennsylvania, Pa

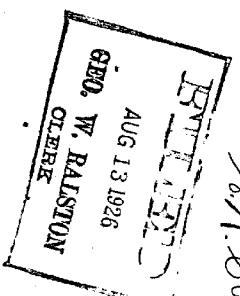
16 Sept 20 1926

Pittore, Broadcast
Pecos River in
Bacone Park -

Now August 13 = 1926

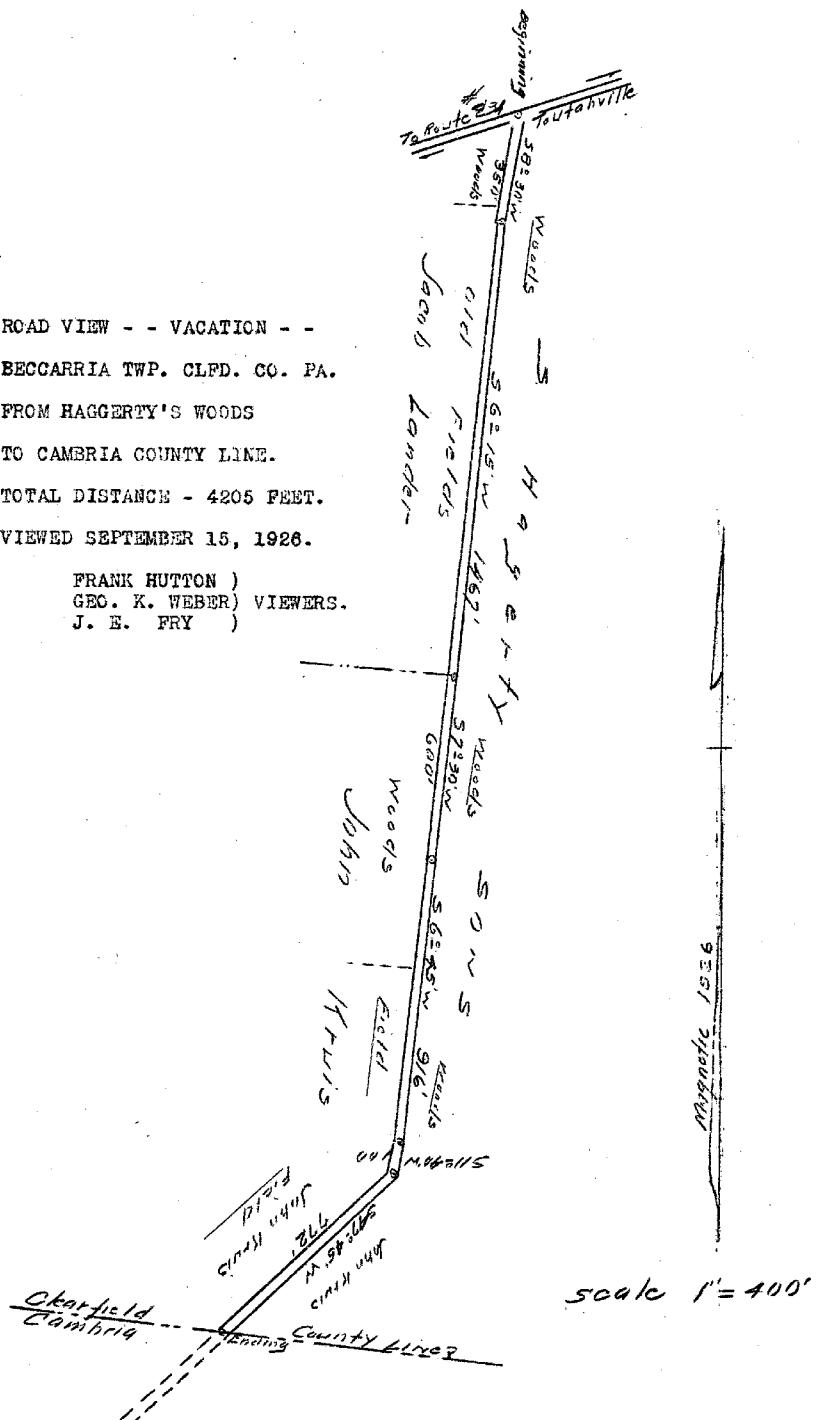
Frank Nuttall Esq.
J. C. Dry Esq. George
Webster are appointed
mines to view and
report. By the court.

H. P. Sharpe
F. P. J.



ROAD VIEW - - VACATION - -
BECCARRIA TWP. CLFD. CO. PA.
FROM HAGGERTY'S WOODS
TO CAMBRIA COUNTY LINE.
TOTAL DISTANCE - 4205 FEET.
VIEWED SEPTEMBER 15, 1926.

FRANK HUTTON)
GEO. K. WEBER) VIEWERS.
J. E. FRY)



TO THE SUPERVISORS OF BECCARIA 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 a point on the Public Road leading from Utahville to Gill Hollow, near Heverly Woods in Beccaria Township to the dividing line between the Counties of Clearfield and Cambria in Beccaria Township, in the County aforesaid will meet at the intersection of said road with the Utahville --- Gill Hollow road on Wednesday the 15th day of September 1926 at ten o'clock A.M. to attend to the duties assigned them. And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa on Friday the 17th day of September 1926 at 9:30 o'clock A.M. when and where all interested parties may attend and be heard.

Lyndell Hill
K. J. F.
Jack Leber

Dubois, Pa. Sept 1st 1926

Viewers

Now Sept. 4 1926 service of the above notice is accepted for the Supervisors of Beccaria Township Road District.

N. A. Hagen
Attn: for Supervisor

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 a point on the Public Road leading from Utahville to Gill Hollow, near Heverly Woods in Beccaria Township to the line dividing the Counties of Clearfield and Cambria in Beccaria Township will meet at the place of intersection of said road with the Utahville — Gill Hollow road on Wednesday the 15th 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 Court House in the Borough of Clearfield, Pa., on Friday the 17th day of September 1926 at ~~nine o'clock~~ 9:30 o'clock A.M. when and where you may attend and be heard if you so desire.

Frank Killin
J E Fry
John Lecher

DuBois Pa. Sept 1st 1926

Viewers

Now Sept. 2, 1926 service of above notice is accepted for the Commissioners of Clearfield County.

L C Morris
Com's. Clerk

road
Deseret Pump
Utahville
to
Gill Hollow.

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 13th day of August in the year of our Lord, one thousand nine hundred and twenty six

A. R. CHASE

By the Honorable ~~Sixty Seven~~ Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Beccaria, in the County aforesaid setting forth that
The petitioners of the undersigned citizens of Beccaria Township respectfully represents: That a township road has long been laid out, strating at a point on public road leading from Utahville to Gill Hollow near Haverly Woods and extending to Cambria County line has become useless and burdensome and expensive to keep up. That said road is not used by the general traveling public

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 George K. Weber 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 Beccaria, 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

15th day of September, A. D. 1936, 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 17th day of September A. D., 1926, at 9:30 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. Mellott, Ashley Dillon, and Emory Nevling Supervisors, and Joseph Kruis, Clifford Nevling, Robert Kruis, C.F. Kruis citizens of Beccaria Township and John Kruis, H.A. Glass and A.J. Glass, citizens of Cambria County and protestants against the vacation proceedings.

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 17th day of September,

A. D. 1926, when the parties interested in the said road were in attendance: W. A. Hagerty Esq., Atty for Supervisors and Cortez Bell, Esq., Atty for protestants, Geo. D. Mullen, W.H. Mellott, John Burchill, Emory Nevling, Ashley Dillon, witnesses favoring vacation and John Kruis, Clyde Kruis, Joseph Kruis, H.A. Glass, A.J. Glass, Earl L. Glass, Peter Riffner and Robert Kruis, remonstrants, who were each severally sworn and examined.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome. Your Viewers found a road leading from what is locally known as the "Ridge Road" to the Cambria County line, a distance of 4205 feet, the grade is not bad or excessive runs mostly along and through woods, apparently abandoned improvements and through and along the farm of John Kruis, occupied by Clyde and Robert Kruis, this farm is in good state of cultivation and is the only occupied improved property on the road and this road is the only outlet (direct) to the Utahville section and its property line is about 1800 feet from the "Ridge" Road. The Road in question intersects the Gill Hollow road in Cambria County ~~line~~, about one half mile from the property line of John Kruis farm, at the Cambria Co. line. The Gill Hollow road is a main highway, with water grade and apparently much traveled and leading to concrete road and to Coalport. There are no children of school age on this farm, or who use this road in question for going to school. The visible mark on the ground occupied by this road indicate that some work has been done on it, not a great deal, that there is a very limited traffic over it, hardly sufficient to justify its maintenance as a Public Highway. After viewing the ground and hearing the testimony the Viewers

are of the opinion the road should be vacated as prayed for. They are also of the opinion that it would be an injustice and unfair to John Kruis and the occupiers of his farm to deprive him or them of an outlet on the Clearfield County side of his farm and therefore have agreed to award him damages as authorized in the Act approved the 13th day of June 1913, P.L. 633.

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 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: No releases

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:

John Kruis, the sum of One Hundred (\$100.00) Dollars

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

Witness our hands and seals this 18th day of Sept. 19, A. D. 1926

Mark Sippitt [SEAL.]

J. E. Fry [SEAL.]

Frank Weber [SEAL.]

Viewers.

No. 16 Sept Term 19 26

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.

ORDER TO VACATE

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

Now Sept Sessions 19 26

read and confirmed Ni. Si.

By the Court.

G. W. Ralston
Now Sept Sessions 19 26
confirmed absolute.

By the Court.

G. W. Ralston
Now Sept Sessions 19 26
confirmed absolute.

Filed 19
Atty, *W. A. Ralston*
Fees \$1.25 paid by

