

Road DOCKET No. 6

Number Term Year

4 Dec ss 1927

Petition to vacate road in Brady

Twp.

Versus

X

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

TO HON. A. R. CHASE, President-Judge of said Court.

The petition of the undersigned, citizens and tax payers of the Township of Karthaus, in said County and State, respectfully represents:

FIRST. That a public road has been long since laid out and opened in said Township of Karthaus from a point on Miners Hill where said road intersects with the main highway running from Karthaus to Pottersdale, thence extending in a northerly direction a distance of about three miles to a point on the David Maines farm at the intersection of the same with the same road leading from Karthaus to Pottersdale, which said road is known as the Salt Lick Road.

SECOND. That said road has now become useless, inconvenient and burdensome to said Township. X

THIRD. That there is a large mileage of public roads in the Township of Karthaus, and owing to the financial condition of said Township the Supervisors thereof are unable to keep and maintain all of said roads in a reasonably safe condition.

Your petitioners, therefore, pray the Court that the said road may be vacated, agreeably to the Act of the General Assembly in such case made and provided. And they will ever pray, etc.

Alfred Polley  
J. S. Flegal  
J. J. Biegel  
Alf. Snider  
J. D. Biegel  
Samuel Rees  
James Wagon  
A. L. Shope

Alfred Polley, Supervisor  
P. P. Pauch  
W. G. Steffer  
J. S. Flegal  
J. H. McSorren  
J. L. Moore  
H. R. Wagon

State of Pennsylvania, : SS:  
s  
County of Clearfield. :

Frank A. Coudriet, one of the petitioners above named, being duly sworn according to law, deposes and says that he is one of the Supervisors of the Township of Karthaus, in the County of Clearfield, and State of Pennsylvania, and that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

## Grabau's

Sworn and subscribed to before me  
this 14th day of December, A.D. 1928.

Geo W. Palstoy  
Dorothy

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD CO., PA.  
No. 4 Feb. Term, 1929.

IN RE:

Vacation of Public Road  
in Karthaus Township.

P E T I T I O N.

Now, Dec. 23 <sup>1928</sup>, the  
within petition having been  
read and considered <sup>in</sup> ~~in~~  
*John B. Hause and*  
*Gene E. Hale and*  
are appointed viewers to view  
the road sought to be vacated  
in the within petition and  
to make report and recommenda-  
tions as required by law.

By the Court

*H. H. Hause*  
FILED

DEC 27 1928

GEO. W. BANISTER, JUREY  
PROTHONOTARY ATTAW  
CLEARFIELD TRUST COMPANY BUILDING  
CLEARFIELD, PA.

*4 ac by aty*

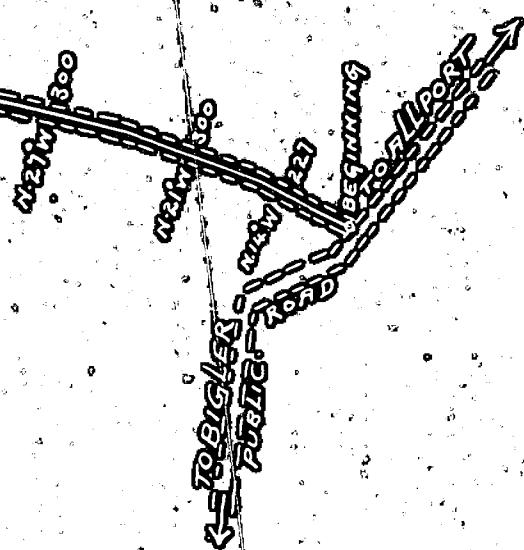
In Re. road situate in Karthaus ) No. 4 February sessions 1929.  
Township. )

Now, May 9th, 1929, on the request of various citizens, the Court having made investigations as to the vacating of the road involved in this proceedings, and upon representations of citizens interested that the road will be maintained at the expense of those who are interested in having the road maintained as a public road, due to the fact that under normal conditions the road should be maintained as a public road because of the importance of the same to the citizens and the State, the report of the viewers will not be confirmed absolutely by the Court, and if the citizens desire, upon request the Court will appoint re-viewers in order that the testimony may be taken in this case to determine whether there should be a vacation.

By the Court,

*A. P. Chase.*  
P. . .

REBELLION IN THE STATE  
OF PENNSYLVANIA  
CLERK'S OFFICE  
WANTED AND LOCATED  
ONE HUNDRED AND TWENTY  
GOOSEES  
ONE HUNDRED AND TWENTY  
GOOSEES  
A. P. DOWLER  
SOLD 100



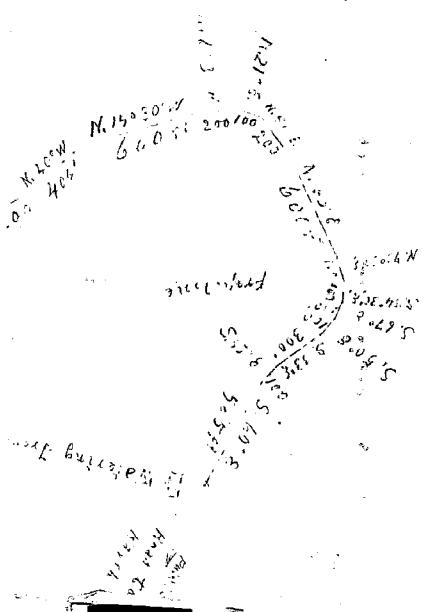
By the under, viz., Jessie E. Dill, Jan. 25th, 1911.

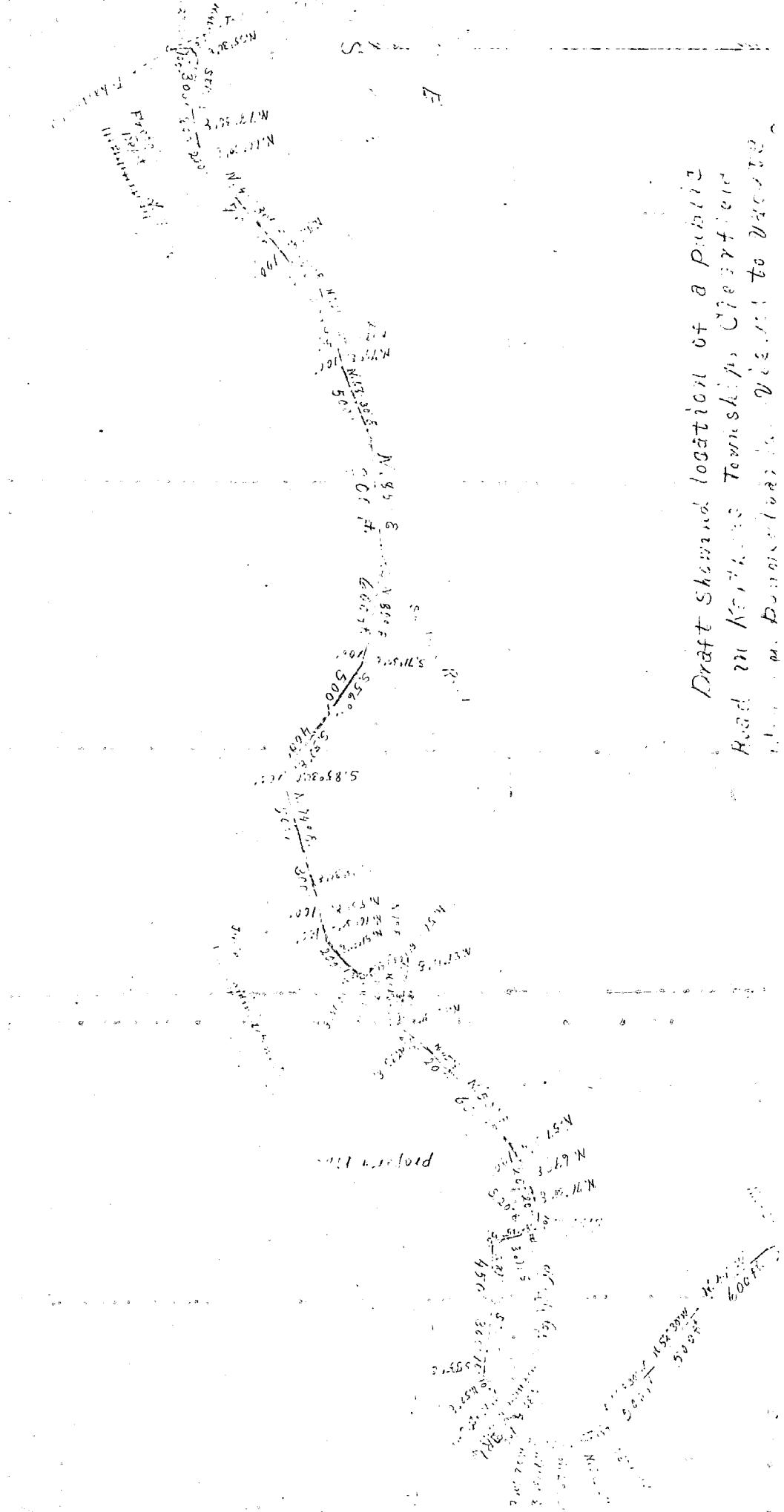
John Scollins,

S. J. Dill,  
Jessie E. Dill,

Viz.,

Scale  $\frac{1}{8}$ " to 100'  
Total length of line  
6.5 S. + 0.6  
Portion back to Shing  
by first line, 10,400 ft. v.





To:- D. F. Moore, Frank A. Couteret and Raymond Rauch, Supervisors  
of the Township of Karthaus, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers,  
appointed by the Court of Quarter Sessions of Clearfield County to No. 4  
February Sessions, 1929, to view and vacate a public road which has long  
since been laid out and opened in the Township of Karthaus from a point on  
Miners Hill where said road intersects with the main highway running from  
Karthaus to Potterdale, thence extending in a northerly direction a distance  
of about three miles to a point on the David Maines farm at the intersection  
of the same with the same road leading from Karthaus to Pottersdale, which  
said road is known as the Salt Lick Road, in Karthaus Township, in the County  
aforesaid, will meet at the point where said road intersects with the main  
highway running from Karthaus to Pottersdale in said Township on Friday, the  
25th day of January, A. D. 1929 at 1:00 o'clock P. 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 1st day of February, A. D. 1929 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.

John Scollins  
Edward Billotte  
Jesse E. Dale  
Viewers

Dated, January 5th, 1929.

Karthaus, Pa.,  
Jan. 5, 1929.

I hereby accept service and waive personal service of this  
notice for; D.T. Moore, Frank A. Couteret, and Raymond Rauch,  
Supervisors of Karthaus Twp., Clearfield County, Pennsylvania.

Jas. M. Arley  
Secretary, Board of Supervisors  
Karthaus Township Road Dist.

To:- The Commissioners of Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned vicars, appointed by the Court of Master Lessons of Clearfield County to No. 4 February Lessons, 1929, to view and vacate a public road which has long since been laid out and opened in the Township of Earthaus from a point on Miners Hill where said road intersects with the main highway running from Earthaus to Potterdale, thence extending in a northerly direction a distance of about three miles to a point on the "Old" Mine farm at the intersection of the same with the same road leading from Earthaus to Potterdale, which said road is known as the Salt Lick Road, in Earthaus Township, in the County aforesaid, will meet at the point where said road intersects with the main highway running from Earthaus to Potterdale in said Township on Friday, the 25th day of January, A. D. 1929 at 1:00 o'clock P.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 vicars 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 1st day of February, A. D. 1929 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.

John Beallins  
Edward Billatto  
Leise E. Dale  
Vicars

Dated, January 5th, 1929.

CLEARFIELD COUNTY, SS:

Now, this 8th day of January, A. D. 1929, service of the above Notice is hereby accepted for the Commissioners of Clearfield County.

L. L. Morris  
Clerk

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 27th day of December in the year of our Lord, one thousand nine hundred and twenty eight

A. R. CHASE  
By the Honorable ~~John Scollins~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Karthaus, in the County aforesaid setting forth that . . . . .  
a public road has been long since laid out and opened in said Township of Karthaus from a point on Miners Hill where said road intersects with the main highway running from Karthaus to Potterdale, thence extending in a northerly direction a distance of about three miles to a point on the David Maines farm at the intersection of the same with the same road leading from Karthaus to Pottersdale, which said road is known as the Salt Lick Road

That said road has now become useless inconvenient and burdensome to said Township

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., Edward Billotte  
and Jesse E. Dale 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 Karthaus, 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 January, A. D. 1929, 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 February A. D., 19 29, at ten 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 : William Leitzinger, R. I. Fulton, W. J. McGovern, Geo. B. Lucas, E. J. Cole, Isaac Shoden, W. G. Moore, Wm. Peevey and John Kirkwood

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 1st day of February, A. D. 19 29, when the parties interested in the said road were in attendance: Raymond Raugh, Supervisor of Karthaus Twp., with him John Coudriet and Paul Woodling, witnesses, John M. Urey, Esq., Attorney for the Board of Supervisors; Frank G. Smith, Esq., Attorney and I. W. McGonigal, Jasper Cole, Isaac Shoden, George B. Lucas, H. B. Powell, R. I. Fulton, A. E. Leitzinger, Mrs. Lola Murray, M. T. Bowman, L. C. Hetrick, Henry Van Valzah, John Kirkwood, W. N. Peevy, W. J. McGovern, remonstrants; witnesses 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 point on Miners Hill where said road intersects with the main highway running from Karthaus to Pottersdale; thence North 2 degrees West 100 feet to a post; thence North 40 degrees 30 minutes East 50 feet to a post; thence North 85 degrees 30 minutes East 50 feet to a post; thence North 81 degrees 50 minutes East 300 feet to a post; thence North 78 degrees 30 minutes East 200 feet to a post; thence North 60 degrees 30 minutes East 200 feet to a post; thence North 48 degrees 30 minutes East 700 feet to a post; thence North 52 degrees East 100 feet to a post; thence North 40 degrees East 200 feet to a post; thence North 75 degrees East 200 feet to a post; thence North 81 degrees 30 minutes East 50 feet to a post; thence North 69 degrees 30 minutes East 50 feet to a post; thence North 75 degrees East 100 feet to a post; thence North 68 degrees 30 minutes East 500 feet to a post; thence North 85 degrees East 800 feet to a post at the Shedeck Road; thence North 80 degrees East 600 feet to a post; thence South 71 degrees 30 minutes East 100 feet to a post; thence South 56 degrees East 500 feet to a post; thence South 52 degrees East 400 feet to a post; thence South 85 degrees 30 minutes East 100 feet to a post; thence North 74 degrees East 500 feet to a post; thence North 73 degrees 30 minutes East 300 feet to a post; thence North 83 degrees East 100 feet to a post; thence 76 degrees 30 minutes

East 100 feet to a post; thence North 51 degrees 30 minutes East 200 feet to a post; thence North 37 degrees 15 minutes East 100 feet to a post; thence North 7 degrees East 50 feet to a post; thence North 37 degrees West 50 feet to a post; thence North 41 degrees 30 minutes West 150 feet to a post; thence North 1 degrees East across a stone bridge 50 feet to a post; thence North 56 degrees East 50 feet to a post; thence North 87 degrees 15 minutes East 150 feet to a post; thence South 80 degrees 30 minutes East 305 feet to a post; thence North 88 degrees 30 minutes East across the Shedeck Inclined Plane 30 feet to a post; thence North 38 degrees East 270 feet to a post; thence North 45 degrees East 200 feet to a post; thence North 50 degrees East 600 feet to a post; thence North 57 degrees 30 minutes East 100 feet to a post; thence North 69 degrees East 200 feet to a post; thence North 76 degrees 30 minutes East 200 feet to a post; thence South 87 degrees East 100 feet to a post; thence South 20 degrees East crossing at grade the New York Central Railroad 100 feet to a post; thence South 16 degrees East 200 feet to a post; thence South 89 degrees 58 minutes East 450 feet to a post; thence South 82 degrees East 300 feet to a post; thence South 85 degrees East 100 feet to a post; thence North 52 degrees East 100 feet to a post; and thence North 68 degrees 30 minutes East and ending at the right of way of the New York Central Railroad at Belford Station.

That the Road aforesaid described is built along a steep hill-side, is too narrow, and for a considerable distance traverses a dangerous mud-slide and is unfit for public travel. That there are no residents along the proposed vacated portion, and those employed at the Shaddock Mine have access thereto by a private road leading from the Pottersdale road on top of the mountain; the remaining residents in that portion of the Township have inlet and outlet over the Pottersdale-Karthaus road built on the plateau on the mountain. To make and maintain the aforesaid described road in a reasonably safe

condition with a proper guard railing would be a burden on the tax-payers.

And after the view and hearing above mentioned the undersigned Viewers do agree that that portion of said road has not become useless, inconvenient and burdensome, to wit: Beginning at a point on the right-of-way of the New York Central Railroad (at Belford Station) Crossing; thence North 39 degrees East 100 feet to a post; thence North 22 degrees 30 minutes East 100 feet to a post; thence North 10 degrees 30 minutes East 100 feet to a post; thence North 2 degrees 30 minutes East 200 feet to a post; thence North 22 degrees 30 minutes West 100 feet to a post; thence 88 degrees 30 minutes West 100 feet to a post; thence North 47 degrees 30 minutes West 500 feet to a post; thence North 52 degrees 30 minutes West 500 feet to a post; thence North 40 minutes West 600 feet to a post; thence North 28 degrees 30 minutes West 200 feet to a post; thence North 40 degrees West 400 feet to a post; thence North 15 degrees 30 minutes West 600 feet to a post; thence North 6 degrees 30 minutes West 200 feet to a post; thence North 21 degrees East 100 feet to a post; thence North 51 degrees East 200 feet to a post; thence North 63 degrees East 600 feet to a post; thence North 73 degrees 30 minutes East 100 feet to a post; thence South 84 degrees 30 minutes East 100 feet to a post; thence South 67 degrees East 100 feet to a post; thence South 50 degrees East 100 feet to a post; thence South 33 degrees East 300 feet to a post; thence South 45 degrees East 100 feet to a post; thence South 60 degrees East 585 feet and ending at a post opposite the public watering trough near the Leitzinger Farm House.

That the aforesaid portion of said road is of uniform grade, giving an out-let at the Belford Station of the New York Central Railroad. At the hearing on this proceeding much testimony was produced and great stress by the remonstrants as to the value of the mineral deposits under the various tracts of land over which this road passes, and of the necessity for an out-let therefor. Your Board has taken this into consideration, as well as the view of the premises, and is of the opinion that all of the remonstrants and the traveling public can be sufficiently served by railroad facilities in the region of Belford Station, there being ample room for sidings, freight and passenger depots, and legal provisions for obtaining same, the occasion arises therefor.

..... [SEAL]

Viewers.

No. 4 Feb 19 29

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 considera-  
tion the advantages as well as the disadvantages  
of the road, they will report to that effect.

	Days	Miles	Amt
E. D. Billotte	4	67	\$33.35
Jesse Dale	5	79	\$26.45
John Scollins	4	90	\$34.50

Now May 19 1929 Sessions 19 27  
read and confirmed Ni. Si.  
By the Court  
*J. M. Urey*  
Sessions 19  
confirmed absolute.

By the Court

Now May 19 1929 Sessions 19 27  
read and confirmed Ni. Si.  
Court is requested to  
affix seal to this  
document and to file  
in re re.

Filed

19

Atty. John M. Urey

Fees \$1.25 paid by John M. Urey

MAY 3 - 1929

GEO. W. RAISTRICK  
CLERK