

DOCKET No. 6

Number	Term	Year
8		Sept ss 1927

Petition to vacate road in

Beccaria Twp.

Versus

X

No. 8 Sept Term 19 27

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
J.S. Michaels	3	152	\$30.10
Harry Reese	3	122	\$28.60
John Scollins	3	90	\$27.00

Now 10/2 Sessions 19 27

read and confirmed Ni. Si.

By the Court
P. H. Moore
10/2/27

Now 10/2 Sessions 19 27
confirmed absolute.

By the Court

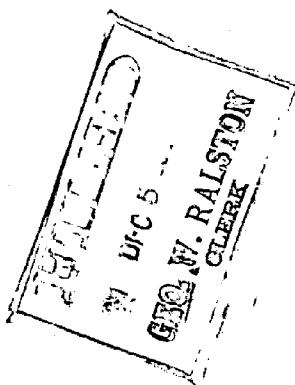
P. H. Moore
10/2/27

Filed 19

Atty,

Fees \$1.25 paid by

W. A Hagertry. Atty.



300 feet; thence thereby North 41 degrees East 600 feet; thence thereby North 39 degrees East 210 feet; thence thereby North 67 degrees East 183 feet; thence thereby North 79 degrees East 300 feet; thence North 84 degrees East 229 feet; thence thereby North 68 degrees East 300 feet; thence thereby North 64 degrees East 201 feet; thence thereby North 50 degrees East 300 feet; thence thereby North 61 degrees East 210 feet; thence thereby North 69 degrees East 300 feet to line of Sam'l Hagerty; thence thereby North 76 degrees East 215 feet; thence thereby North 89 degrees East 224 feet; thence thereby South 82 degrees East 300 feet; thence South $73\frac{1}{2}$ degrees East 300 feet; thence South 67 degrees East 300 feet; thence South $72\frac{1}{2}$ degrees East 106 feet; thence North $82\frac{1}{2}$ degrees East 248 feet; thence North 58 degrees East 300 feet; thence North 61 degrees East 228 to line of Bailey; thence thereby South 31 degrees East 513 feet; thence thereby South 34 degrees East 900 feet; thence thereby South 43 degrees East 519 feet to Glen Hope Borough line. Said road is narrow, of excessive grades and unnecessary for public travel and burdensome of upkeep, and therefore recommended for vacation.

THE THIRD THEREOF:- Beginning at a post on Township Road leading from Hagerty's X Roads to Utahville; thence along lands of Sam'l Hagerty and Fred'k Shoff Estate North 79 degrees West 300 feet to a post; thence thereby North 84 degrees West 1106 feet to post; thence along lands of Fred'k Shoff Estate and Prask Estate 900 feet to post; thence thereby North 74 degrees West 59 feet to post; thence thereby North 38 degrees West 1500 feet to post; thence thereby North 31 degrees West 300 feet to line of Jesse Green; thence thereby North 18 degrees West 300 feet to post; thence along lands of Thos. McGlynn North 43 degrees West 300 feet to post; thence thereby North 54 degrees West 300 feet to post; thence thereby North 58 degrees West 306 feet to post; thence thereby North 54 degrees West 100 feet to line of Cooper Estate; thence thereby North 35 degrees West 600 feet to post; thence thereby North 42 degrees West 300 feet to post; thence thereby North 39 degrees West 300 feet; thence thereby North 27 degrees West 300 feet to post; thence thereby North 33 degrees West 300 feet to post; thence thereby North 25 degrees West 204 feet to post, and ending at the public road leading from Glen Hope to Hagerty's X Roads. Said road has become useless for public travel; is burdensome of upkeep, inconvenient, and therefore recommended for vacation.

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:

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 claimed or assessed.

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

Witness our hands and seals this 28th day of November, A. D. 19 27.

John Seeling [SEAL.]

H. A. Reese [SEAL.]

J. S. Michaels [SEAL.]

Viewers.

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 18th day of July in the year of our Lord, one thousand nine hundred and twenty seven

A. R. CHASE

By the Honorable ~~XXXXXX~~ President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Becaaria, in the County aforesaid setting forth that

portions of various Township roads located in said Township namely:

First that portion of public road commencing at a point on old Tyrone Pike near what is known as Coopers farm and ending on public road leading from Utahville to Smoke Run near the Sam Hagerty place; 2 m.

Second that portion of public road known as the old plank road leading from the Nevling School House and ending on State Route #234 near Borough of Glen Hope at Edwin Smith place; 2 m.

Third that portion of Township road leading from Tyrone Pike near James Patterson land and ending ay Glen Hope Borough line, near line of Bailey. 2 m.

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. Palston
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 16th & 17th day of November, A. D. 19 27, 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,

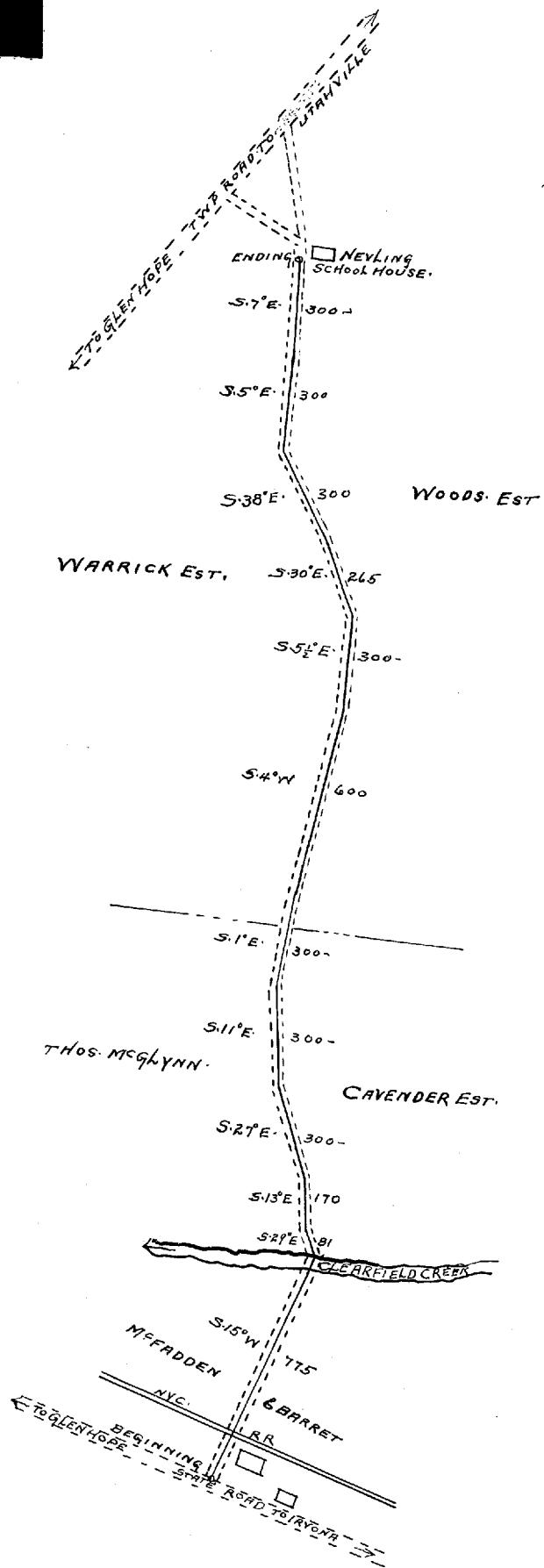
Pa., on the 18th day of November A. D., 19 27 at ten o'clock A.M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view: THE FIRST THEREOF: Daniel McCoy, Ashley Dillen, Emory Nevling, Esty Witherow, McFadden and Barret; THE SECOND THEREOF: Daniel McCoy, Ashley Dillen and Emory Nevling; THE THIRD THEREOF: Ashley Dillen and Emory Nevling,

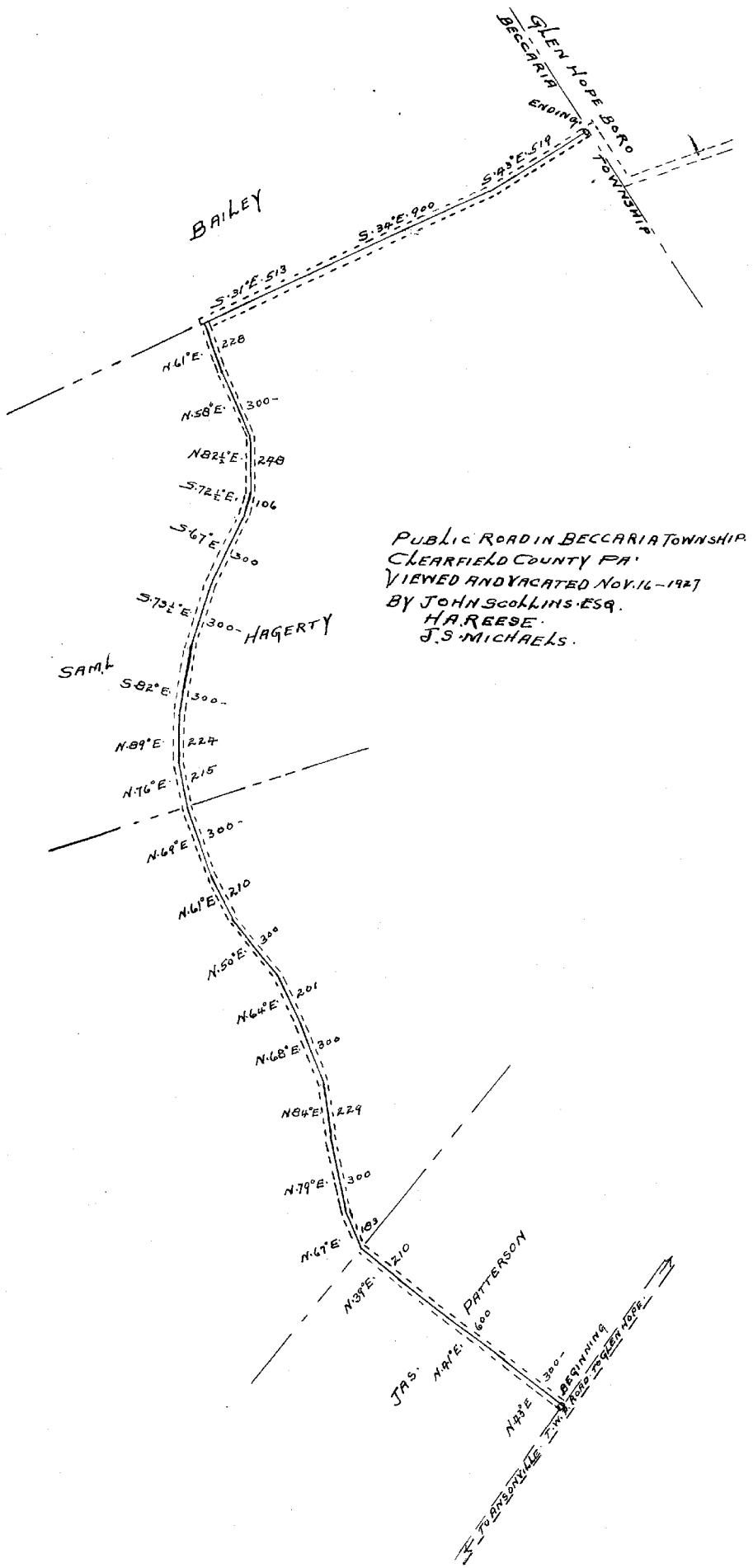
parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 18th day of November, A. D. 19 27, when the parties interested in the said road were in attendance:

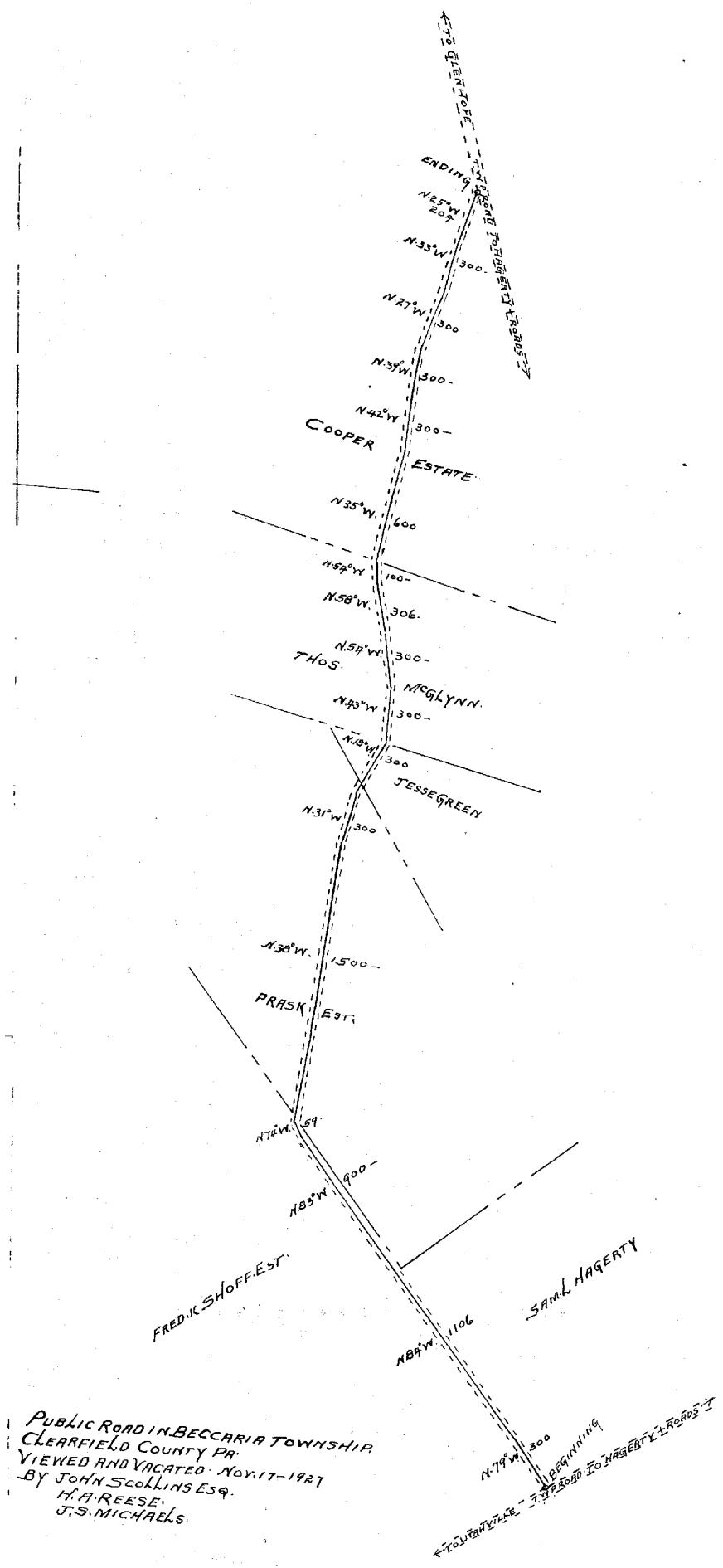
W. A. Haggerty, Esq., for petitioners; W. H. Mellott, Emory Nevling and Ashley Dillon, Supervisors of Beccaria Township. Emory Nevling and Ashley Dillon sworn, examined and cross-examined by counsel and your Board.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road have become useless, inconvenient and burdensome, to wit: THE FIRST THEREOF: Beginning at a post on State Route 56 (formerly 234) leading from Glen Hope to Irvona, at the land of McFadden and Barret; thence thereby South 15 degrees West 775 feet to Clearfield Creek; thence along lands of Thos. McGlynn and the Cavender Estate South 29 degrees East 81 feet to a post; thence thereby South 13 degrees East 170 feet to a post; thence thereby South 27 degrees East 300 feet to a post; thence thereby South 11 degrees East 300 feet to post; thence South 1 degree East 300 feet to post; thence thereby South 4 degrees West 600 feet to post; thence thereby South $5\frac{1}{2}$ degrees East 300 feet to post; thence along lands of Warrick Estate and Woods Estate South 30 degrees East 265 feet to post; thence thereby South 38 degrees East 300 feet to post; thence thereby South 5 degrees East 300 feet to post; thence thereby South 7 degrees East 300 feet to post, and ending at a post at the Nevling School House, near the intersection with the road leading from Glen Hope to Utahville. Said road is unnecessary for public travel, will require a bridge across Clearfield Creek, and in our opinion is burdensome and dangerous and useless, and therefore recommended for vacation.

THE SECOND THEREOF:- Beginning at its intersection with the public road leading from Glen Hope to Ansonville, thence along lands of Jas. Patterson North 43 degrees East







To the County Commissioners of Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 8, September Sessions, 1927, to view and vacate that portion of public road known as the old plank road leading from the Nevling School House and ending on State Route #234 near the Borough of Glen Hope at the Edwin Smith Place, in Beccaria Township, in the County aforesaid, will meet at the Edwin Smith place in said Township on Wednesday, the 16th day of November, A. D. 1927, at ten (10:00) 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 18th day of November, A. D. 1927, 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 Scallions
Harry Reese
J. D. Michaels
Viewers

Dated, November 1st, 1927

CLEARFIELD COUNTY, SS:

Now, this 2nd day of November, A. D. 1927, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk

To the County Commissioners of Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 8, September Sessions, 1927, to view and vacate that portion of Township road leading from Tyrone Pike near James Patterson land and ending at Glen Hope Borough line, near line of Bailey, in Beccaria Township, in the County aforesaid, will meet at the Bailey place in said Township on Wednesday, the 16th day of November, A. D. 1927, at two (2:00) 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 18th day of November, A. D. 1927, 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 Collins
Harry Reese
J. S. Michaels
Viewers

Dated, November 1st, 1927

CLEARFIELD COUNTY, SS:

Now, this 2nd day of November, A. D. 1927, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk

To the County Commissioners of Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned visitors, appointed by the Court of Master Commissioners of Clearfield County to No. 8, September Session, 1927, to view and examine that portion of public road commencing at a point on old Tyrone Pike near what is known as Goeyers Run and ending on public road leading from Ulyssesville to Smoky Run, near the Sam Hagerty place, in Duncansville Township, in the County of Clearfield, will meet at the Sam Hagerty place in said Township on Thursday, the 19th day of November, A. D. 1927, at nine (09:00) o'clock A. M., to attend to the business 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 visitors 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 20th day of November, A. D. 1927, 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 Ballou
Harry Reese
J. D. Michaels
Visitors

Dated, October 31st, 1927.

CLEARFIELD COUNTY, SS:

Now, this 2nd day of November, A. D. 1927, service of the above Notice is accepted for the Commissioners of Clearfield County,

L. C. Morris
Clark

To:- Emory Nevling, Ashley Dillon and William H. Mellott, Supervisors
of Beccaria Township, Clearfield County, Pennsylvania:

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County to No. 6,
September Sessions, 1927, to view and vacate that portion of Township road
leading from Tyrone Pike near James Patterson land and ending at Glen Hope
Borough line, near line of Bailey, in Beccaria Township, in
the County aforesaid, will meet at the Bailey place in said Township
on Wednesday, the 16th day of November, A. D. 1927, at two (2:00) 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 18th day of November, A. D. 1927,
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 Scallion
Harry Reese
J. S. Michaels
Viewers

Dated, November 1st, 1927

CLEARFIELD COUNTY, SS:

Now, this 3d day of November, A. D. 1927, service of
the above Notice is accepted for the Supervisors of Beccaria Township,
Clearfield County, Pennsylvania.

William Mellott
Ashley Dillon
Emory Nevling

To:- Emory Nevling, Ashley Dillon and William H. Mellott, Supervisors
of Beccaria Township, Clearfield County, Pennsylvania:

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County to No. 8,
September Sessions, 1927, to view and vacate that portion of public road
commencing at a point on old Tyrone Pike near what is known as Coopers Farm
and ending on public road leading from Utahville to Smoke Run, near the Sam
Hagerty place, in Beccaria Township, in the County aforesaid, will meet at
the Sam Hagerty place in said Township on Thursday, the 17th day of November,
A. D. 1927, at nine (9:00) 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 18th day of November, A. D. 1927,
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 Collins
Harry Reese
J. J. Michaels
Viewers

Dated, October 31st, 1927.

CLEARFIELD COUNTY, SS:

Now, this 3d day of November, A. D. 1927, service of
the above Notice is accepted for the Supervisors of Beccaria Township,
Clearfield County, Pennsylvania.

W. H. Mellott
Ashley Dillon
Emory Nevling

To:- Emory Nevling, Ashley Dillon and William H. Mellott, Supervisors
of Beccaria Township, Clearfield County, Pennsylvania:

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County to No. 6,
September Sessions, 1927, to view and vacate that portion of public road
known as the old plank road leading from the Covling School House and ending
on State Route 4234 near the Borough of Clear Repo at the Marvin Smith place,
in Beccaria Township, in the County of Clearfield, will meet at the Marvin Smith
place in said Township on Wednesday, the 16th day of November, A. D. 1927,
at ten (10:00) 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 18th day of November, A. D. 1927,
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 Sagline
Harry Reese
J. S. Michaels
Viewers

Dated, November 1st, 1927

CLEARFIELD COUNTY, SS:

Now, this 3d day of November, A. D. 1927, service of
the above Notice is accepted for the Supervisors of Beccaria Township,
Clearfield County, Pennsylvania.

William H. Mellott
Ashley Dillon
Emory Nevling

Know All men by these presents that we, Gordon McBoy and
Emanuel Goode of the County of Clearfield and State of Pennsylvania are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of One Hundred (\$100.00) Dollars, lawful money of the United States to be paid unto the said Commonwealth, its certain attorneys or assigns.

In Witness whereof we have hereunto set our hands and seals this 11th day of July A. D. 1927.

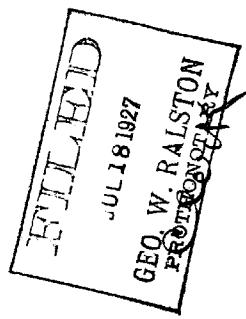
Whereas the citizens of Beccaria Township have petitioned the Court of Quarter Sessions of Clearfield County for the vacation of three portions of Township roads in said Township.

Now the condition of this obligation is such that in case said vacation that is refused and any portion of the costs occurring in said proceedings/are assessed to the petitioners are paid, then this obligation to be null and void or else to be and remain in full force and virtue.

Gordon McBoy (SEAL)
Emanuel Goode (SEAL)

Yours

I
Galloway
1st road in
December 20th



Hagerty

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD CO.

TO THE HONORABLE THE JUDGE OF SAID COURT:

We, the undersigned citizens of Beccaria Township respectfully represent:

That portions of various Township roads located in said Township namely: First that portion of public road commencing at a point on old Tyrone Pike near what is known as Coopers farm and ending on public road leading from Utahville to Smoke Run near the Sam Hagerty place; Second that portion of public road known as the old plank road leading from the Nevling School House and ending on State Route #234 near Borough of Glen Hope at Edwin Smith place; Third that portion of Township road leading from Tyrone Pike near James Patterson land and ending at Glen Hope Borough line, near line of Bailey.

That all of said roads have become useless and burdenson to the taxpayers of Clearfield County. They therefore pray your Honorable Court to appoint viewers to view and vacate the same.

And they will ever pray

Emmeychelley
John Burchill
Mike Walts
J. B. Root
Bordon McElroy
Emanuel Gladis
Tom McElroy
John Cook
Chas. S. Stoff
S. S. Stoff

L. D. Root
J. C. Fitch
Geo. Fitch
Joe G. Liskay
Sam McIver
Clifford Newling
Geo. Davis
H. B. Burchill