

DOCKET No. 6

Number Term Year

1

Feb ss 1928

Petition to vacate road in Lawrence Twp  
near foot of Hogback Hill

Versus

X

TO; GEORGE..MINNS, J, C, GATEHOUSE, AND, W. E. TOBIAS.  
THE COUNTY COMMISSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA..

YOU are hereby notified, that the undersigned viewers of the County Board of viewers of Clearfield County have been duly appointed by the Court of Quarter Sessions of Clearfield County, the viewers to view and vacate a section of a public road, leading from at or near the Residence or property of Fred Brown Now occupied by Wayne Peoples in Lawrence Township to the River road at or near the foot of Hogback Hill in Lawrence Township in the County aforesaid, will meet at the house of Fred Brown now occupied by Wayne Peoples in Lawrence Township on Tuesday the seventeenth (17th) day of January, A, D. 1928 at one thirty (1.30) o'clock P. M. to attend to the duty assigned them; of which time and place all parties interested will please take notice..

And that the public hearing as required by the Act of Assembly and the 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 vacation of said road either in favor of or opposed to the vacation of the said roads a chance to appear and be heard, with their witnesses if any by the viewers before the filing of their report in Court will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday the 18th day of January A, D. 1928 at nine o'clock A. M. at which time and place all parties interested in any way may appear and be heard.

A. G. Krasser,  
E. D. Billotte  
J. S. Mackel

VIEWERS.

Now January 9 A, D. 1928 service accepted for the County Commissioners of Clearfield County and personal service waived..

H. C. Minns

Clerk.

TO; Lee, Peoples, Jos, W, Young Jr, and A. D. Goss, the Supervisors of Lawrence Township, Clearfield County and State of Pennsylvania.

You are hereby notified, that the undersigned viewers of of the County Board of viewers of Clearfield County and State aforesaid have been duly appointed by the Court of Quarter Sessions of of the County aforesaid viewers to view and vacate a section of a public road leading from at or near the Residence or property of Fred Brown now occupied by Wayne Peoples in Lawrence Township to the River road at or near the foot of Hogback Hill, in Lawrence Township in the County aforesaid, will meet at the house of Fred Brown now occupied by Wayne Peoples in Lawrence Township on Tuesday the seventeenth (17th) day of January, A. D. 1928, at one thirty (1.30) o'clock P. M. to attend to the duty assigned them of which time and place all parties interested will please take, notice.

And that the public hearing as required by the Act of Assembly and the 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 vacation of said road either in favor of or opposed to the vacation of the said roads a chance to appear and be heard with their witnesses if any by the viewers before the filing of their report in Court, will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday the 18th day of January A. D. 1928 at nine o'clock A. M. at which time and place all parties interested in any way appear and be heard.

A. J. Kramer  
E. W. Billotte  
J. L. McClellan  
VIEWERS.

Now, January the 17th A. D. 1928 the above notice served on me by copy.

Lee Peoples  
A. D. Goss  
Jos W Young Jr

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 December in the year of our Lord, one thousand nine hundred and twenty seven

By the Honorable <sup>A. R. CHASE</sup> ~~Singlemunch~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Lawrence, in the County aforesaid setting forth that ..... a section of the public road in the township of Lawrence, Clearfield County, said road beginning at the residence of Fred Brown, occupied by Wayne Peoples and extending north west to River Road, near foot of Hogback Hill, has become worthless for the purpose intended

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 A.G. Kramer, Esq., Ed Billotte 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. Palatou  
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 Lawrence; -----, 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

17th day of January, ----, A. D. 1928, 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 January, ----- A. D., 1928, at nine 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

No one except the viewers and Lee Peoples one of the Supervisors of Lawrence Township; -----  
which were all the parties that seemed to have any interest in the said road; -----

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 January, --,

A. D. 1928, when the parties interested in the said road were in attendance: to wit Lee, Peoples and Joseph W. Young two of the Supervisors of Lawrence Township with their Attorney W. A. Hagerty their Attorney which being all the parties interested in the said road in attendance; -----

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has ----- become useless, inconvenient and burdensome and being of no further use or benefit to the benefit of the traveling public and having therefore ~~no use or benefit~~ useless, inconvenient and burdensome to the taxpayers of the township to keep up would therefore recommend that the same be vacated.

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, ~~release in writing of all claims for damages sustained by reason of the vacation thereof, and~~ <sup>the viewers are fully convinced that the vacation thereof in any way damages any of the land owners along said road</sup> ~~no claim for damages sustained from~~ <sup>Therefore no damages are claimed and no damages awarded or assessed to</sup> any of the property owners along the said road vacated.

And that the following persons having, in the opinion of the Viewers, <sup>been</sup> ~~been~~ damaged by the vacation of said road, and having ~~refused~~ <sup>refused</sup> 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:

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

Witness our hands and seals this 20<sup>th</sup> day of January, A. D. 1928.

A. G. Kramer..... [SEAL.]

E. B. Blatto..... [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
A. H. Kramer See No. 2		
E. D. B. B. B. See No. 2		
J. S. Michael See No. 2		

No. 1 Feb. Term 19 28

## ORDER TO VACATE

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

Now Feb Sessions 1928 read and confirmed Ni. Si.

By the Court  
Now May 3 Sessions 1928 confirmed absolute.

By the Court.

*A. H. Kramer*  
*P. J.*

Filed 19

Atty,

Fees \$1.25 paid by

JAN 31 1928  
GEO. W. RALSTON  
CLERK

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