

DOCKET No. ⁶.....

Number Term Year

2 Feb ss 1928

Petition to vacate road in Lawrence

Twsp near Coal Hill

Versus

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

You are hereby notified, that the undersigned viewers of the County Board of Road Viewers of the County of Clearfield having been duly appointed by the Court of quarter Sessions of said County to view and vacate a part of that certain highway situate in Lawrence Township County and State aforesaid leading from the residence of Andrew Powell to at or near the residence of Frank Copenhaver, leading to the public road known as the coal Hill road which said road leading to the Borough of Clearfield.

You are therefore hereby notified, that the said Viewers will meet for the performance of the duties of their appointment at the Residence of the said Andrew Powell on said road in Lawrence Township on Tuesday January the 17th A. D. 1928 at nine (9) o'clock A. M. of which time and place all parties interested in said road, either in favor of or opposed to the vacation of the part of said road stated. 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 thereof a chance to appear with their Witnesses if any and be heard, will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa, on Wednesday January the 18th A. D. 1928, at nine o'clock , A. M. At which time and place all parties interested may appear and be heard.

A. H. Kramer
E. D. Billotte
J. J. Michaels
Viewers.

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

L. C. Morris
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 the County Board of Road Viewers of Clearfield County have
been duly appointe by the Court of Quarter Sessions viewers to
view and vacate that certain highway situate in Lawrence Townsh-
ip County and State aforesaid leading from the residence of
Andrew Powell to at or near the residence of Frank Copenhaver
leading to the public road known as the Coal Hill road which
said Coal Hill leading to the Borough of Clearfield .

You are therefore hereby notified that the said viewers
will meet for the performance of the duties of their appointment
at the residence of the said Andrew Powell on said road in
Lawrence Township on Tuesday January the 17th 1928 at nine
(9) o'clock A. M. of which all parties interested in said road
either in favor of or opposed to the vacation of the part of
said road stated 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 thereof a chance to appear with their
witnesses if any and be heard. will be held by the viewers in
the Arbitration Room in the Court House in Clearfield Pa on
Wednesday January the 18th 1928 at nine o'clock A. M. at which
time and place all parties interested may appear and be heard.

H. H. Kramer
E. D. Billotte
J. S. Muelick
Viewers.

Now January the 7th 1928
service accepted of the said notice

Lee Peoples
A. D. Goss
Jos W Young
Supervisors

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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 ^{A. R. CHASE}~~Stoughton Bell~~, 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 Andy Powell, and extending North
to residence of Frank Copenhaver, near Coal 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 ap-

point from and among the County Board of Viewers A. G. Kramer, Esq. Jack Michaels and Ed Billotte

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 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 G. L. Norris, L. R. Gulich Jerrie. Copenhaver, Mrs. Frank Copenhaver. Charles. Copenhaver. -----

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: Leo, Peoples and Joseph, W. Young, two of the supervisors of Lawrence Township with their Attorneys William A. Hagerty and ----- in favor of the vacation of said road, and G. L. Norris, L. R. Gulich Russell, Shaw Jer Copenhaver, Thomas B. Bard, and Andrew Powell with their Attorney Ramoy opposed to the vacation of said road opposed to the vacation of said road. -----

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

for the following reasons, That there is one family living at the lower the lower end of the part of the road desired to be vacated that have six children of school age who have to travel over said road to school which would make their distance at least one and a half mile further to school and a further distance than the law requires them to travel to get to school unless transported and makes the distance if said road is vacated for those who live along the upper end of said road if vacated it will make the distance for them some four or five families all of a mile further to come from home to town and the same distance from town, ----- to their homes the same difference, further than to come down or up over the road to be vacated.

The viewers appointed all being present at the view and hearing and after having viewed and inspected the same are fully convinced that the part or portion of the road desired to be vacated is of use and

and benefit to several families residing and owning properties along
said road for travel, attending school and church and therefore to
vacate the part or portion of the said road sought to be vacated
would do a great injustice to several families and property owners
along the part of the road to be vacated, the viewers therefore
report against vacating the portion of the road ask to be vacated.
As shown by the Draft attached as required by the Act of
Assembly.

and that a plan, or draft, of said road to be vacated showing the courses and distances and over whose prop-
erty 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 vacat-
ing 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:

That there being no change made in the road petitioned to be vacated
and no change being made therefore none of the properties among said road
being affected therefore none of the properties along said road being
in any way affected or damages no damages are assessed.

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 ad-
vantages to be derived to them, do assess them damages and make report thereof as follows:

and we herewith return releases obtained, ^{copies} and copy of the notices served ;

Witness our hands and seals this 18th day of January, A. D. 19 28.

..... [SEAL.]

E. B. Billotte [SEAL.]

J. S. Michael [SEAL.]

Viewers.

No. 2 Feb. Term 19 28

ORDER TO VACA

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

Now Feb Sessions 19 28
read and confirmed Ni. Si.

By the Court.

Now May Sessions 19 28
confirmed absolute.

By the Court.

Filed 19

Atty,

Fees \$1.25 paid by

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.

Road viewed for	Days	Miles	Am't
No 1 and No 2			
By L. L. L. L. L.	6	18	\$45.00
By B. B. B. B. B.	4	4.4	\$32.30
By C. C. C. C. C.	3	8.4	\$24.20
Shir. Owners both			
N. B. B. 2			

