

ROAD  
DOCKET No. 6.

Number	<del>Term</del> Sessions	Year
2	Dec.	1928.

Petition to vacate two roads in  
Morris Township.

Versus

X

# 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 Morris, 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

**23.** day of **October** \_\_\_\_\_, A. D. 19**28**, 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 **24th** day of **October**, \_\_\_\_\_ A. D., 19**28**, at nine (9) 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 Supervisors of the said Township of Morris (with no one else** \_\_\_\_\_

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 **24th** day of **October**, \_\_\_\_\_, A. D. 19**28**, when the parties interested in the said road were in attendance: **to wit the Supervisors of the Township of Morris** \_\_\_\_\_

And that after the view and hearing (above mentioned) the undersigned Viewers do agree that said road has \_\_\_\_\_, become useless, inconvenient and burdensome **from a point at the residence of Ambrose Neff Thence running south twenty six (26) degrees west one hundred and seventy four (174) feet; Thence South six (6) degrees, East three hundred (300) feet; Thence South, six (6) degrees, East three hundred (300) feet Thence South sixteen (16) degrees; East one hundred and twenty five (125) feet over land of the said Andrew Neff's aforesaid. From thence over improved land of Pardee Company the following courses and distances to wit; South twelve (12) degrees, West three hundred (300) feet; Thence over improved land of James Emigh the following courses and distances. South one hundred and ninety one (191) degrees, West Eleven hundred and and two (1102) feet over improved land of James Emigh south one hundred and and ninety (191) feet public road leading to Philipsburg and road through lakeside park in Morris Township.** \_\_\_\_\_

and degrees (26) ,

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 17th day of September in the year of our Lord, one thousand nine hundred and Twenty Eight.

By the Honorable ~~Samuelson~~ <sup>A. R. Chase</sup>, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Morris, in the County aforesaid setting forth that two pieces of road has been long since laid out:

FIRST: Beginning at Mrs. Krumshaw's residence on the road leading from the state Road Route 53 : thence in a westerly direction to a point where it intersects the township road leading from Alport to Bigler at Haws' Farm. Approximately 3/4 of a mile.

SECOND: Beginning at a point at Ambrose Neff Residence on a road leading from the State Road Route 53 : from thence in a Southwesterly direction to a point at James Emigh residence where it intersects the road leading from the State road route 53 through Lakeside Park. Approximately 1/2 of a mile.

These two roads are not used very much and your petitioners conceive, is now become useless, inconvenient and burdensome.

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. 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.

The first road set out in the petition and the order of the Court directing the to vacate the same, Beginning at or near the residence of Mrs Krumshaw on the road route No (53) thence in a westerly direction to a point where it intersects the township road leading from Airport to Bigler at Haws farm approximately (3/4) of a mile the same being objected to was withdrawn by the Supervisors and the vacation therefore withdrawn by the supervisors and the viewers directed to report against the same. The viewers therefore report the vacation of said road.

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 property said road passes, or in any way damaged by the vacation 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 in the opinion of the viewers none of the adjoining Property owners along said road vacated suffer any damages they therefore assess no damages no damages being claimed.

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:

and we herewith return releases and a copy of the notices. served on the County Commissioners and the property owners along the said road vacated.

Witness our hands and seals this

24<sup>th</sup>

day of

October

A. D. 1928

A. E. Kramer..... [SEAL]

H. A. Reese..... [SEAL]

J. S. Michael..... [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. G. Kramer	3	52	25.10
A. A. Pless	3	52	25.10
J. S. Michaels	2	118	20.90

No. 2 Dec Term 1928.

## ORDER TO VACATE

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

Now Dec Sessions 1928  
read and confirmed Ni. Si.

By the Court.

Now Jan Sessions 1929  
confirmed absolute.

By the Court.

Filed Nov 15 1928  
Geo W. Palstiner  
Atty, Carl A. Belin Clerk

Fees \$1.25 paid by

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of said County to view and vacate one portion of the public road in the Township of Morris,

FIRST: Beginning at a point at Mike Meerwaw's residence on a road leading from the State road between Morrisdale and Allport and from there through the village of Oak Grove, and from Mike Meerwaw's residence leading through to Shaft No. 3, ending on the road leading from Munson road to Morrisdale Station, being about one mile long,

will meet for the discharge of the duties of their appointments at the residence of Mike Meerwaw on the road to be vacated on Tuesday the 23rd day of October, 1928 at 10:00 A.M. at which time and place all parties interested will please take notice.

And that a public hearing as required by the Act of Assembly and the rules of Court in advance of the filing of their report, will be held by the viewers in the Arbitration Room in the Court House, at Clearfield, Pa., on Wednesday the 24th day of October, 1928 at 9:00 A.M. when and where all parties interested may appear with witnesses and be heard.

A. G. Kramer

H. A. Reese

J. J. Michaels  
VIEWERS.

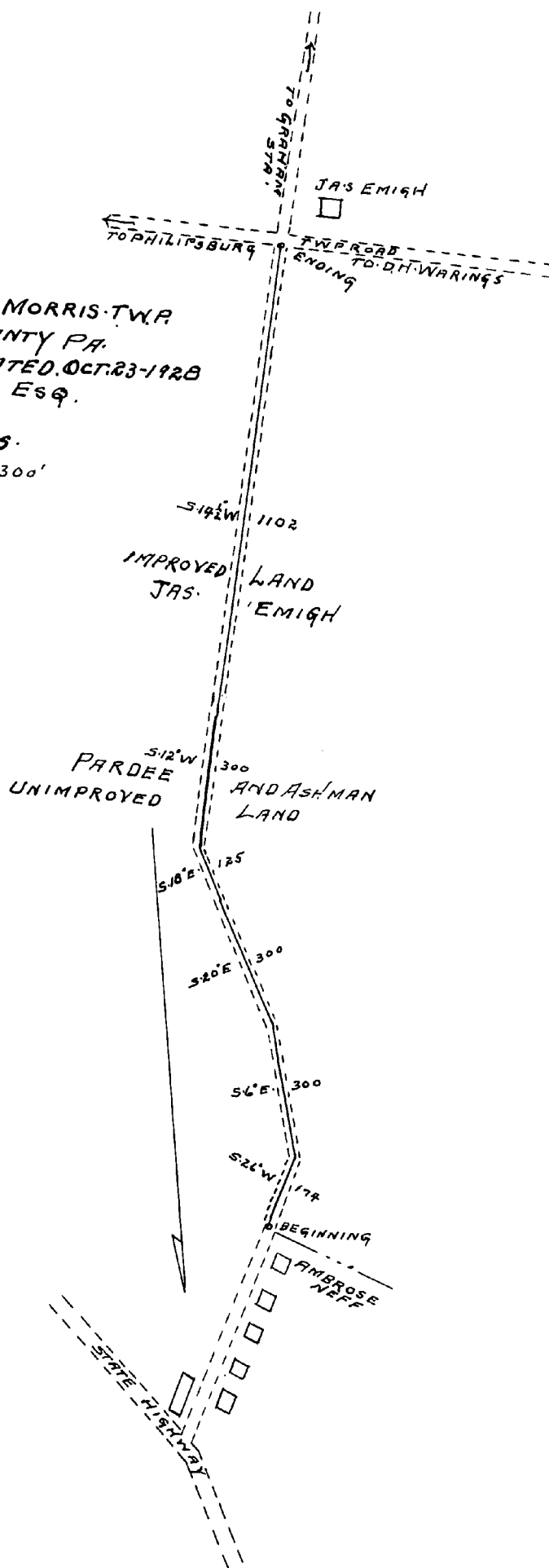
New October, 16, 1928, service accepted for the County Commissioners of Clearfield County Penna and personal service waived.

L. C. Morris

Clerk.

H. A. REESE  
J. S. MICHAEL/6.

SCALE 1"=300'



IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, STATE OF  
PENNSYLVANIA.

To the Honorable A. R. Chase president judge of said Court:

\* The petition of the undersigned, inhabitants of the Township of  
Morris, in said County, respectfully sheweth: That two pieces of road has  
been long since laid out:

FIRST: Beginning at Mrs. Krumshaw's residence on the road  
leading from the state Road Route 53 : thence in a westerly direction to  
a point where it intersects the township road leading from Alport to Bigler  
at Haws' Farm. Approximately  $3/4$  of a mile.

SECOND: Beginning at a point at Ambrose Neff Residence on a  
road leading from the State Road Route 53; from thence in a Southwesterly  
direction to a point at James Emigh residence where it intersects the road  
leading from the State road route 53 through Lakeside Park . Approximately  
 $1/2$  of a mile.

\* These two roads are not used very much and your petitioners  
conceive, is now become useless, inconvenient and burdensome.

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

Charles White

Charles W. W. W.

Supervisors.

Peter W. H. H. H.

Clifford Smith



S. H. Kelso.  
W. D. Hill  
W. L. Hughes  
George L. King  
R. L. Perry  
W. S. Merion  
N. W. Divinity  
Chas. Salvage  
Peter Erickson  
Carl Linburg  
Andrew Gordicko

STATE OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS

Personally appeared before me the subscriber, Peter McDermott,  
a Supervisor of Morris Township, who after being duly sworn states and  
deposes that the facts in the foregoing petition are true and correct to  
the best of his knowledge and belief.

Sworn and subscribed to before me  
this 10<sup>th</sup> day of September A. D. 1928.

Peter McDermott

William Slee J. P.

2 Dec 22

Nov 17<sup>th</sup> 1928

S. H. Warner Esq.  
Harry Reene Esq.  
Jack Mulick & are  
appointed and  
report by the court

