

Road DOCKET No. 6

Number	Term	Year
4	Sept ss	1928

Petition to vacate 3 pieces of
road in Graham Twp

Versus

X

TO THE COUNTY COMMISSIONERS,
Clearfield, Pennsylvania.

You are hereby notified that on Monday, July 2nd, 1928, a petition will be presented to the Court of Quarter Sessions asking for the appointment of viewers to vacate three pieces of road in Graham Township - the one beginning at a point on the Kylertown road at Jennie Hubler's residence and ending at the Morris Township line - the second leading from a point at L. Hubler's residence, to be vacated for a distance of about forty (40) rods, on a road that leads from Schoonover's residence to George Moore's residence, and the third at a point leading from the Black Oak school house, thence in a westerly direction to the Grampton road, leading from Grampton to the Deer Creek road at W. G. Hubler's residence and it is a part of the abandoned State "highway.

June 27, 1928.

R. A. Hagerty
att. for petitioners.

Now June 29th 1928
Service accepted for County
Commissioners,

L. C. Morris
Clerk

No. 4 Sept Term, 1928

In Re: Peltier vs
Ward (Respondent)

~~Return~~
in Sharon
Township

Petitioner's Bill of Costs

For Sept Term, 1928

Date Aug 24 1928

Amount -- -- \$ 12.00

FILED
AUG 24 1928
GEO. W. RALSTON
PROTHONOTARY

KNOW ALL MEN BY THESE PRESENTS

that we are firmly bound to the County of Clearfield for the sum of \$100.00 One hundred Dollars lawful money in the United States of America to be paid to said County of Clearfield, to certain attorneys, his successors or assigns which payment well and truly to be made, we jointly and severally bind ourselves, our heirs, executors and administrators, firmly by these presents, sealed with our seals and dated the 17 day of August, A.D. 1928.

WHEREAS The petition of the citizens of Graham Township has been presented to the Court of Quarter Sessions 1928 for viewers to vacate a certain road in Graham Township.

Now the condition of this obligation is such, That if the report of the viewers should not be favorable to your petitioners thence in such case obligors herein will save, indemnify and keep harmless the said County of Clearfield of and from all expenses which may accrue in said proceedings, without any fraud or further delwy, then the above obligation to be void or else to be and remain in full force and virtue.

Orvis Hubbs
W. B. Hubbs

IN THE COURT OF QUARTER SESSIONS OF CLEAR FIELD COUNTY, PENNSYLVANIA.

IN RE Petition for)
vacating road in)
Graham Township)

To the HONORABLE A. R. CHASE OF THE COURT OF QUARTER SESSIONS of
Clearfield County?

The petition of the undersigned, inhabitants of the Township of Graham,
in said County respectfully sheweth:

That the following three pieces of road,

(a) That a road has been long since been laid out leading from the
Kylertown road to Munson, it beginning at a point on the Kylertown Road at
Jennie Hubler's residence thence in a Southerly direction about one-half mile
to the Morris Township line.

(b) That a road has been long since been laid out leading from Rickett's
School house to a road that has been vacated, the road vacated lead from the
Schoonover's residence to George Moore residence. The point to be vacated
begins at a point at H. L. Hubler's residence on the above named road then
in an easterly direction to the road which had been previously vacated, being
a distance of about forty(40) rods.

(c) That a road has been long since been laid out leading from Kylertown
to Bigler, beginning at a point on the Deer Creek road at the Black Oak
School House thence in a westerly direction to the Grahampton road leading
from Grahampton to the Deer Creek Road at W. G. Hubler's residence. Being
about two miles in length, and it is part of the abandoned state highway.

That the above three pieces of road due to non use and other
roads being assessible and for other reasons your petitioners conceive, is now
become useless, inconvenient and burdensome.

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

Fred Loble

James Bock Sec

Petitioners.

A. M. Conigh
John Ward
Rachel Evans
Willard Evans
William Evans
Laura Evans
Lillian Lansberg
Bessie Lansberg
Agnes Lansberry
John Pose
Isaac W. Pose
Hervey H Evans
Charles Hubler
W. E. Hubler
Walter Hubler
W. H. Hubler

Clearfield County, ss:

At a Court of Quarter Sessions of the County of Clearfield, held at Clearfield an and for the said county, on the day of A. D. 1928, before me A. R. Chase president judge of said court. Upon the petition of divers inhabitants of the Township of Graham, in the said County, stating: that certain roads should be vacated and which are fully described in the attached petition, the court on due consideration, do order and appoint _____

_____ who are to view the road in the said petien prayed to be vacated, and to consider and judge whether it is become useless, inconvenient, and bardensome; and if they agree that the same are useless, inconvenient, and burdensome as aforesaid, they shall make report accordingly to the next Court of Quarter Sessions, to be held for the said County.

By the Court.

4 Sept. 22 1928

Dear July 2nd 1928
John D. [unclear] [unclear]
Harry [unclear], and
Jack [unclear] are
appointed [unclear]
to [unclear] and [unclear]

By the court

FILED
JUL 2 - 1928
GEO. W. RALSTON
CLERK

[Signature]

To:- The 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. 4 September Sessions, 1928, to view and vacate that portion of a road which has been long since laid out leading from Rickett's School House to a road that has been vacated, the road vacated leading from the Schoonover's residence to George Moore residence, the point to be vacated begins at a point at H. L. Hubler's residence on the above named road, then in an easterly direction to the road which had been previously vacated, being a distance of about forty rods, in Graham Township, in the County aforesaid, will meet at the residence of H. L. Hubler in said Township on Tuesday, the 21st day of August, A. D. 1928 at 11:00 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 24th day of August, A. D. 1928 at ten (10) 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.

Wm. Collins
Harry Reese
J. S. Michael
Viewers

Dated, August 4, 1928.

CLEARFIELD COUNTY, SS:

Now, this 9th day of August, A. D. 1928, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Hoover
Clerk

To:- The 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. 4 September Sessions, 1928, to view and vacate that portion of a road which has been long since laid out leading from Kylertown to Bigler, beginning at a point on the Deer Creek road at the Black Oak School house, thence in a westerly direction to the Grahampton Road leading from Grahampton to the Deer Creek road at W. G. Hubler's residence, being about two miles in length and part of the abandoned state highway, in Grahman Township, in the County aforesaid, will meet at the residence of W. G. Hubler in said Township on Wednesday, the 22nd day of August, A. D. 1928 at 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 24th day of August, A. D. 1928 at ten (10) 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 F. Collins
Harry Reese
J. D. Michaels
Viewers

Dated, August 7, 1928.

CLEARFIELD COUNTY, SS:

Now, this 7th day of August, A. D. 1928, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk

To:- The 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. 4 September Sessions, 1928, to view and vacate that portion of a road which has been long since laid out leading from the Kylertown road to Hanson, beginning at a point on the Kylertown road at Jennie Hubler's residence, thence in a southerly direction about one-half mile to the Morris Township line, in Graham Township, in the County aforesaid, will meet at the residence of Jennie Hubler in said Township on Tuesday, the 21st day of August, A. D. 1928 at 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 interest 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 24th day of August, A. D. 1928 at ten (10) 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. D. Michael
Viewers

Dated, August 6, 1928

CLEARFIELD COUNTY, SS:

Now, this 14th day of August, A. D. 1928, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Norris

Clerk

To:- Fred Coble, James Bock, and J. C. Hubler, Supervisors of
Graham Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County, to No. 4
September Sessions, 1928, to view and vacate that portion of a road which
has been long since laid out leading from Rickett's School House to a road
that has been vacated, the road vacated leading from the Schoonover's
residence to George Moore residence, the point to be vacated begins at a
point at H. L. Hubler's residence on the above named road, then in an easter-
ly direction to the road which had been previously vacated, being a distance
of about forty rods, in Graham Township, in the County aforesaid, will meet
at the residence of H. L. Hubler in said Township on Tuesday, the 21st day
of August, A. D. 1928 at 11:00 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 24th day of August, A. D. 1928
at ten (10) 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.

Oliver Robbins
Harry Reese
J. H. Michael
Viewers

Dated, August 4, 1928.

CLEARFIELD COUNTY, SS:

Now, this 10th day of August, 1928, service of the above Notice
is accepted for the Supervisors of Graham Township.

Fred Coble
James Bock Sec
Supervisors.

To:- Fred Coble, James Bock, and J. C. Hubler, Supervisors of
Graham Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County, to No. 4
September Sessions, 1928, to view and vacate that portion of a road which
has been long since laid out leading from Kylertown to Bigler, beginning
at a point on the Deer Creek road at the Black Oak School house, thence in
a westerly direction to the Grahams Road leading from Grahams to the
Deer Creek road at W. C. Hubler's residence, being about two miles in
length and part of the abandoned state highway, in Graham Township, in the
County aforesaid, will meet at the residence of W. C. Hubler in said Township
on Wednesday, the 22nd day of August, A. D. 1928 at 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 24th day of August, A. D. 1928
at ten (10) 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.

Phil Collins
Harry Reese
J. S. Michael
Viewers

Dated, August 7, 1928.

CLEARFIELD COUNTY, SS:

Now, this 10th day of August, 1928, service of the above Notice
is accepted for the Supervisors of Graham Township.

Fred Coble
James Bock Sec

Supervisors.

To:- Fred Coble, James Bock, and J. C. Hubler, Supervisors of
Graham Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County, to No. 4
September Sessions, 1928, to view and vacate that portion of a road which has
been long since laid out leading from the Kylertown road to Munson, beginning
at a point on the Kylertown road at Jennie Hubler's residence, thence in a
southerly direction about one-half mile to the Morris Township line, in
Graham Township, in the County aforesaid, will meet at the residence of Jennie
Hubler in said Township on Tuesday, the 21st day of August, A. D. 1928 at
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 interest 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 24th day of August, A. D. 1928 at ten
(10) 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. D. Michaels
Viewers

Dated, August 6, 1928 -

CLEARFIELD COUNTY, SS:

Now, this 10th day of August, 1928, service of the above Notice
is accepted for the Supervisors of Graham Township.

Fred Coble
James Bock Sec

Supervisors.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that the Road hereinafter described has become useless, inconvenient and burdensome, to wit:

"C" - Beginning at the line of intersection with the "Morrisdale-Deer Creek" Road near the Black Oak School House; thence North 82 degrees West along improved lands of J. L. Ward and Ellis Evans Estates 1897 feet to post; thence West 300 feet; thence North 83 degrees West 300 feet and North 86 degrees West 300 feet and North 81 degrees West 300 feet along lands of Matthew Smeal Estate, the Ellis Evans Estate and J. C. Hubler & Sons; thence still thereby North 83 degrees West 600 feet to post; thence along unimproved lands of Williams and J. C. Hubler & Sons North 85 degrees West 904 feet; North 81 degrees West 300 feet; North 83 $\frac{1}{2}$ degrees West 597 feet; North 79 $\frac{1}{2}$ degrees West 302 feet; and North 72 $\frac{1}{2}$ degrees West 298 feet and North 67 degrees West 300 feet to post on lands of Graham & Graham; and thence thereby North 47 degrees West 296 feet, and North 44 degrees West 300 feet; and North 49 degrees West 300 feet; and North 53 $\frac{1}{2}$ degrees West 603 feet and thence North 72 degrees West 383 feet and ending at the public road leading to Bigler and to Palestine.

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, 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 assessed.

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

Witness our hands and seals this 17th day of September, A. D. 19 28.

John Scellins [SEAL]

W. A. Reese [SEAL]

J. S. Michael [SEAL]

Viewers.

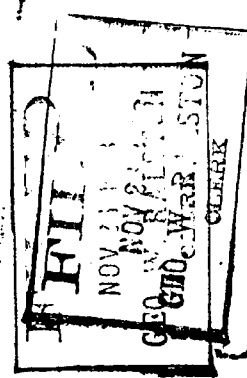
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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
J. S. Michaels	4	256	\$42.80
H. A. Reese	5	84	\$41.70
John Scollins	5	196	\$47.30
Witnesses:			
Wm. Evans	1	17	\$4.02
Willard Evans	1	16	\$3.96
Latimer Lansberry	1	17	\$4.02



No. 4 Sept Term 19 28

ORDER TO VACATE

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

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

By the Court.
Joh. *W. Evans*
Now ~~any~~ Sessions 19 ~~28~~ 29.
confirmed absolute.

By the Court.

W. Evans
P. J.

Filed

19

Atty,

Fees \$1.25 paid by

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 Graham, and that three notices thereof were posted along the route of the said road to be vacated, that the said views would be held on the

21st & 22nd day of August, 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 August A. D., 19 28 at 10:00 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 Fred Coble and J. A. Bock, Supervisors; J. C. Hubler and H. L. Hubler.

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 August,

A. D. 19 28, when the parties interested in the said road were in attendance: Fred Coble and James Bock, Supervisors, with Carl A. Belin, Esq., Counsel; L. Lansberry, Willard Evans and William Evans, witnesses. Supervisors and 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:

"A" - Beginning at a post at intersection with the "Kylertown to Grahamton" Road; thence South 18 degrees West along lands of Jennie Hubler and Sarah Dale 600 feet to a post; thence South 15 degrees West thereby 300 feet to a post; thence South $6\frac{1}{2}$ degrees West still thereby and lands of Dr. Geo. B. Kirk, 600 feet to a post; thence still thereby South $7\frac{1}{2}$ degrees West, 600 feet to a post; and thence South 3 degrees West 300 feet and thence South $2\frac{1}{4}$ degrees West 355 feet to post and ending at the line of Morris Township.

And that after the view and hearing above mentioned, the undersigned viewers do agree that the Road hereinafter described has become useless, inconvenient and burdensome, to wit:

"B" - Beginning at the line of the private road leading to the residence of L. H. Hubler at its point of intersection with the Public Road leading to Records School House; thence North 8 degrees East along unimproved lands of the T. H. Forcey Estate, 300 feet to a post; thence still thereby North 2 degrees East 300 feet to a post; thence still thereby North 3 degrees West 300 feet to a post; and thence still thereby North 8 degrees East 276 feet to post and ending on vacated road leading to Moores and to Schoonover Mill.

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 **Second** day of **July** in the year of our Lord, one thousand nine hundred and **twenty eight**

By the Honorable **A. R. Chase** ~~Stanton Bell~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of **Graham**, in the County aforesaid setting forth that

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 **John Scollins, Esq., Harry Reese**

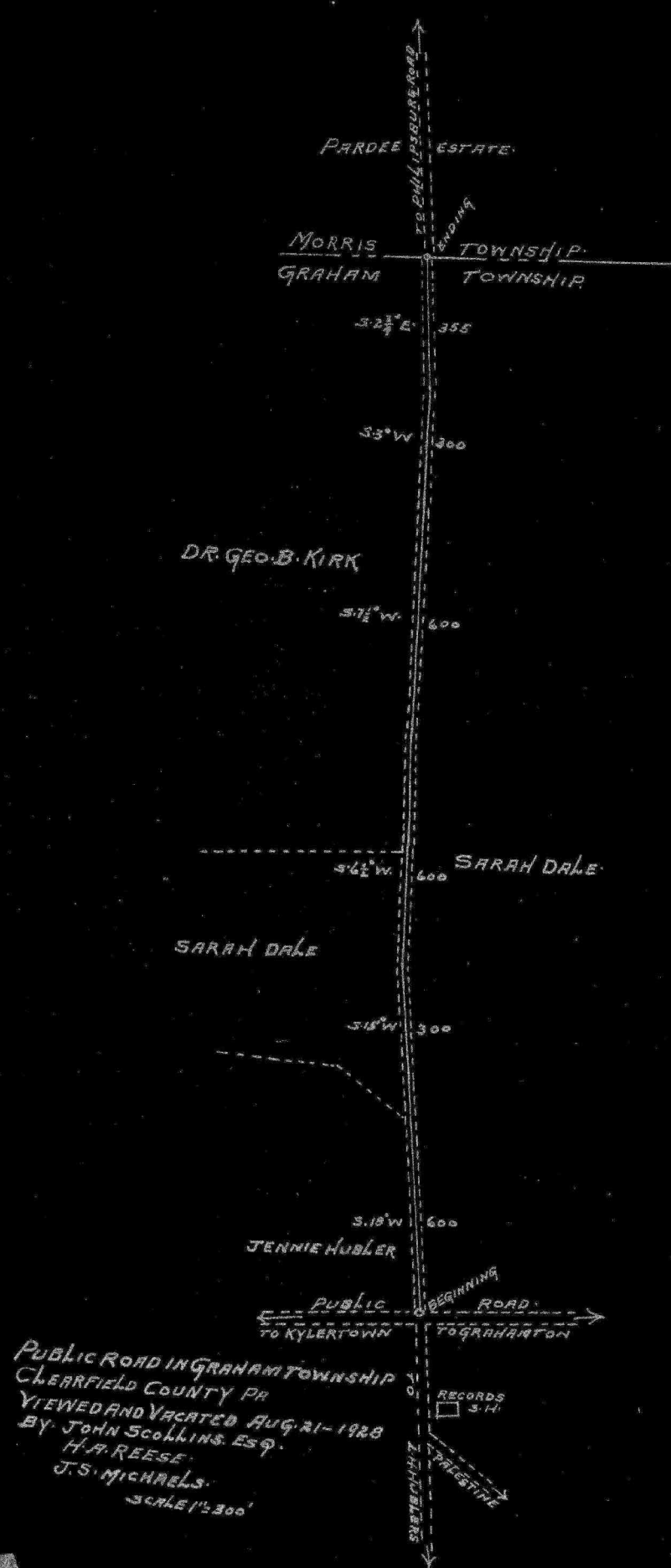
and **Jack Michaels** who have been duly appointed by the said Court on the County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with 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.

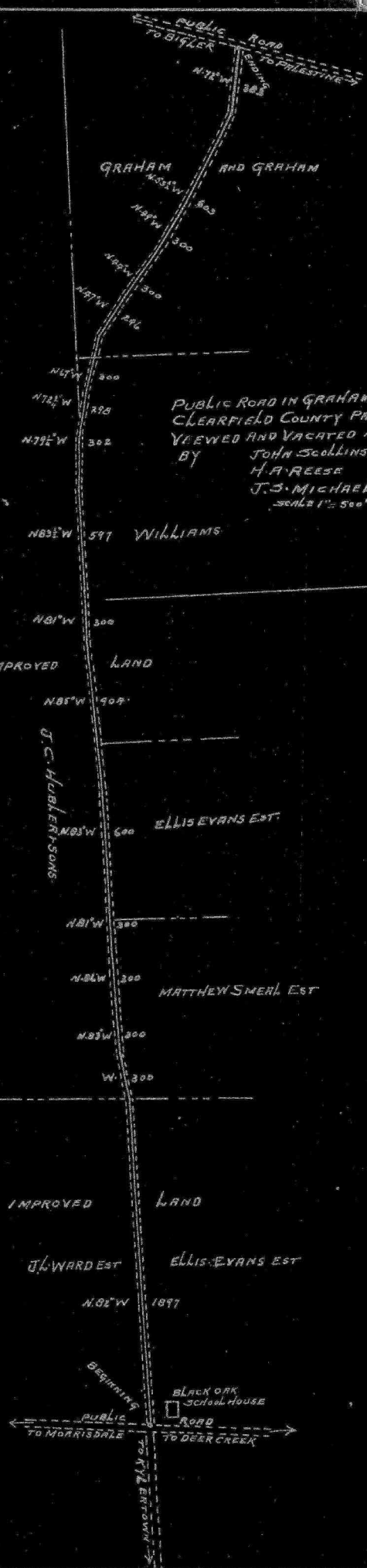
And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and 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.





GRAHAM AND GRAHAM

PUBLIC ROAD IN GRAHAM TOWNSHIP
CLEARFIELD COUNTY PA
VIEWED AND VACATED AUG 24 - 1928
BY JOHN SCOLLINS ESQ.
H.A. REESE
J.S. MICHAELS
SCALE 1" = 500'

UNIMPROVED LAND

D.C. HUBBARDSON

ELLIS EVANS EST

MATTHEW SMERL EST

IMPROVED LAND

J.L. WARDE EST ELLIS EVANS EST

BLACK OAK SCHOOL HOUSE

That a road has been long since laid out leading from the Kylertown road to Munson, it beginning at a point on the Kylertown road at Jennie Hubler's residence thence in a southerly direction about one-half mile to the Morris Township line.

That a road has been long since laid out leading from Rickett's School house to a road that has been vacated, the road vacated lead from the Schoonover's residence to George Moore residence, The point to be vacated begins at a point at H. L. Hubler's residence on the above named road then in an easterly direction to the road which had been previously vacated, being a distance of about forty rods.

That a road has been long since laid out leading from Kylertown to Bigler, beginning at a point on the Deer Creek road at the Black Oak School house thence in a westerly direction to the Grahampton Road leading from Grahampton to the Deer Creek road at W. G. Hubler's residence. Being about two miles in length, and it is part of the abandoned state highway

That the above three pieces of road due to non use and other roads being assessable and for ~~the~~ other reasons is now become useless inconvenient and burdensome.

W2J