

Road

DOCKET No. 6

Number

6

Term

May ss

Year

1928

Petition to REVIEW and vacate and
supply public road in Greenwood Twp.

Versus

R. D. #6 - Page 171

Part 17418

In the Court of Quarter Sessions of Clearfield County, Pennsylvania
In Re. Petition to review,) No. 6 May Term, 1928.
 :
vacate and supply public)
 :
road in Greenwood Township.)

In this matter several reasons were assigned taking exceptions to the Reviewers report. Viewers were appointed to vacate and supply a road to No. 6 February Term, 1928, which report was confirmed Ni. Si by the Court. Subsequently petition was presented for a review and, in accordance with the Rules of Court, the view of No. 6 February Term, 1928, was held in abeyance pending the disposition of the review. There does not appear to be any exceptions to the view to No. 6 February Term, 1928, but in view of the disposition of the exceptions to the review it is made part of this order that the view to No. 6 February Term, 1928, is not confirmed absolutely and if the records may show such confirmation, it is ordered and directed that such confirmation be stricken from the records.

As to the exceptions presented to the review to No. 6 May Term, 1928, an examination of the exceptions, together with the testimony in this case, indicates to the Court that said exceptions are not well founded either in fact or in law; that it would be to the best interest of the public if these exceptions were dismissed and the Report of the Viewers in said review be confirmed absolutely, and the said report is to be presented to the Court at the regular time therein provided for confirmation if it becomes necessary for the Court to further file an opinion concerning these exceptions the same will be done.

Now, November 3rd, 1928, exception to the Report of the Reviewers is hereby overruled and dismissed, and it is ordered and directed that the Report of the Viewers be presented to the Court

for confirmation at the time provided by the Rules of Court.

By the Court,

J. P. Chase.

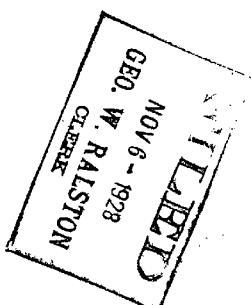
P. J.

No. 6 day term, 1928.

In Re. petition to review and
vacate and supply a public road
in Greenwood Township.

6

ORDER.



#6 May 1928.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In Re: Petition to review and vacate and supply public road in Greenwood Township:

Exceptions to Viewers Report.

James T. Mitchell hereby excepts to the report of the Viewers in the above entitled case, so far as said report recommends the vacation of the section of public road leading from the river at the Bower bridge in an Easterly direction along the river to the cemetery, where it connects with the public road leading from said cemetery to the present State Highway, and to the substitution for same of a new road leading directly from the Bower bridge aforesaid, across the land of said James T. Mitchell to the State Highway.

The reasons for said exceptions are hereby set forth:

1. The report of the Reviewers is in conflict with and contrary to the report of the Board of Viewers appointed by the Court, to consider the same questions.

2. The Reviewers report would result in the taking of land of the exceptant for public use, without adequate compensation to him. The sum of Two Hundred and Fifty (\$250.00) Dollars, awarded being entirely inadequate to compensate the exceptant.

3. No sufficient advantage to the public would accrue from the vacation and substitution recommended, to justify either inflicting such damage upon the exceptant or the expenditure of public funds for that purpose.

4. The testimony shows that the expenditure of a trifling amount, namely Ninety (\$90.00) Dollars, would put the vacated section in good condition as a dirt road; ^{And} For an additional sum of Eighty (\$80.00) Dollars, the section linking the same with the concrete Highway, the said connecting length ^{being} required to be maintained in any event by the Township.

5. The tesitmony shows that the substitution would require the construction of an entirely new Highway for a distance of

Twelve Hundred Eighty Four (1284) feet through low swampy ground at an expense of not less than Eight Hundred (\$800.00) Dollars.

6. The testimony shows that the expense of maintenance of the proposed new road will be large and uncertain by reason of the swampy condition of its base.

7. The testimony shows that the estimates of cost are based upon the construction of a hard-surfaced road, the building of which would depend upon the obtaining of funds from the State; no adequate assurance being shown that such funds could be obtained.

8. The testimony fails to show that any improvement would result if the substitution should be constructed merely as a dirt road.

9. The testimony shows that only a small number of persons would benefit by the proposed road. The number of residents in the section . . . directly benefited being not in excess of fifteen.

10. The testimony shows that the Township is financially unable to bear the expense of constructing such a new road; that its indebtedness is Three Thousand (\$3000.00) Dollars and its annual revenues approximately Two Thousand (\$2000.00) Dollars; that it has already failed to build a road ordered by the Court, for a period of three or four years, because of a lack of funds; that the annual assessments in the said Township are in the neighborhood of ^{One Hundred} Forty Thousand (\$140,000.00) Dollars; and that in addition to the indebtedness of the Township, the School District covering the same territory has a bonded indebtedness of Ten Thousand (\$10,000.00) Dollars.

11. The remonstrance filed shows that a large number of the tax payers of the township are opposed to the new road proposed.

12. The original Viewers, having the same question before them adopted as a compromise a course of road which would proceed from the Bower bridge up the river by the old road, to the McCracken

place and then by the McCracken private road to the State Highway. The only serious objection shown to this is that it would necessitate the building of a bridge across Hazlett Run, which would cost approximately Three Thousand (\$3000.00) Dollars. But no testimony shows that the two crossings of Hazlett Run can^{not} be avoided with a slight change in the course of the road proposed by the Board of Viewers.

13. With possibility of State assistance eliminated, the net result would be to substitute about Thirteen Hundred (1300) feet of road for about Twenty Five Hundred (2500) feet; and no testimony shows that such saving in distance would be justified in the present condition of the Township's finances, nor that any saving would result from such substitution, particularly in view of the lack of a good base for the new road.

James T. Mitchell

A F F I D A V I T

State of Pennsylvania :
: SS
County of Clearfield :

James T. Mitchell being duly sworn according to law deposes and says that the foregoing exceptions are not filed for the purpose of delay but because he verily believes that said report will work substantial injustice to him and other tax payers of Greenwood Township; and that to the best of affiants knowledge and belief the facts set forth therein are true and correct.

James T. Mitchell

Sworn and subscribed to before me this 27 day of August 1928.

E. W. Bell

MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 1930

*New Aug 29, 1928 same receipt of
Reddick
Att. J. Allen*

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA # 6 May 28. 1928	
In Re: Petition to review and vacate and supply public road in Greenwood Township.	
<div><i>Reddick</i> <i>Reddick</i> <i>OK</i></div>	
EXCEPTIONS to Viewers Report	
<div>FILED AUG 28 1928 W. RALSTON CLERK</div>	
W. WALLACE SMITH ATTORNEY AT LAW CLEARFIELD, PENNA	

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

In re Petition to vacate :
and supply public road in :
Greenwood Township. : No. 6 Feb. Sessions 1928.

PETITION FOR REVIEW.

The undersigned inhabitants of the Township of Greenwood, Clearfield County, respectfully represents.

That proceedings were instituted to the above number and term for the vacation of a certain portion of the township road from Bells Landing to Mahaffey, beginning at or near station No. 712 Plus 52 on state highway route and ending at the line between Bell and Greenwood Township; also to supply a road from the end of the River bridge at Bower to the new concrete highway by state highway Route No. 6.

That the viewers recommended the vacation of a portion of said highway retaining the old highway from the end of the Bower bridge in a westerly direction along the old highway sixteen hundred thirty two feet (1632) to a point; thence recommended the supply of a new road from said point to and across the land of Joseph McCracken for a distance of ten hundred eighty six (1086) feet additional, to the point on the concrete state highway.

That the road as retained and supplied crosses Hazlet Run twice requiring the expense of construction and maintenance of two bridges therefore.

That your petitioners are informed that to construct a new bridge on the land of Joseph McCracken or over the route supplied which would meet with the specifications of the

state highway department would cost not less than twenty five hundred (\$2500.00) dollars.

That the portion of the old highway retained is so located as to be subject to frequent and considerable snow drifts and lies on low ground making adequate drainage difficult.

That the viewers recommend the payment to Joesph McCracken of the sum of five hundred dollars (\$500.00) for damages and for work and material expended on the route as supplied and to James T. Mitchell the sum of one hundred fifty dollars (\$150.00) for damage by reason of the vacation of said road.

That the road could be supplied direct from the end of the Bower bridge to the concrete highway at the distance of approximately fifteen hundred (1500) feet as against the route of twenty eight hundred feet (2800) as laid out by the viewers.

That such a route would not cross Hazlet Run at any point and eliminate the expense of construction and maintenance for any bridges therefore.

That by the construction of such a road the damage to Joseph McCracken as allowed would be avoided as well as any damage to James T. Mitchell, your petitioner averring that such a route would come close to the buildings of said James T. Mitchell and that, both touching the land of said James T. Mitchell, afford him access to the improved highway without damage.

That your petitioners are informed that the Supervisors of Greenwood Township are opposed to the road as supplied and retained and would favor the supplying of the new road as herein prayed for as evidence by their consent attached hereto.

That your petitioners also understand that the School Board of Greenwood Township would favor the road as herein prayed for for the convenience of hauling the school children as evidence by their signatures hereto attached and made a part hereof.

NOW your petitioners pray that an order be made appointing three qualified viewers to review said roads and make return of their proceeding to this court in accordance with the law. They will ever pray.

Brook Pass
A. A. Bell
E. A. Thompson
E. A. Johnston
W. W. Johnston
W. W. Bell
W. W. Johnston
James H. Bell
Sarah W. Johnston
A. T. Bell
S. E. Redden
James Passmore
John H. Johnston
W. D. Johnston
James Redden
Perry Barrett
W. Jeff Bell

Perry Straw
Geo. W. Hatch
Chas. L. Hatch
Fattie Johnson
Wm. L. Johnson
Adna Johnson
Wanda Johnson
Ethel Johnson
Eace Johnson
Leedell Johnson
Le Roy Johnson
Edw. M. Sells
H. J. Johnston
Harvey + Rainey
man

We the undersigned members of the Board of Supervisors of Greenwood Township hereby join in the prayer of the within petition.

J. H. Redden
Martin Passmore
Gary Johnson

We the undersigned members of the School District of the Greenwood School Township herein join in the prayer of the within petition.

3-2

6

NOW May 1928 the prayer of the within
petition having been read and considered _____
_____ and _____ are appointed
viewers to review the premises and roads herein mentioned to the
court.

BY THE COURT.

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY, PA.

6 May 22 1928

In re Petition to vacate and
supply Public Road in
Greenwood Township.

PETITION FOR REVIEW.

New May 22 1928
Frank Hutton, Esq.
Belleville, Md. 19001, 480 E.
are appointed to view
and report
By the court

BELL, BOULTON & FORSYTH
ATTORNEYS AT LAW
KURTZ BUILDING
CLEARFIELD, PA.

KNOW ALL MEN BY THESE PRESENTS that we

are held firmly to the County of Clearfield for the sum of fifty dollars (\$50.00) lawful money in the United States of America to be paid to the 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 this day of May A.D. 1928.

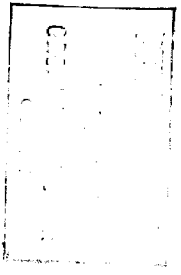
WHEREAS, the petition has been presented by citizens of Greenwood Township, to the Court of Quarter Sessions 1928 for review of a petition to vacate supply certain route in Greenwood Township.

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 proceeding, without any fraud or further delay, then the above obligation to be void or else to be and remain in full force and virtue.

Ezra Johnston

A. T. Bell

6 May 2019



BELL, BOULTON & FORSYTH
ATTORNEYS AT LAW
KURTZ BUILDING
CLEARFIELD, PA.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

RE: PETITION TO VACATE ROAD IN :
GREENWOOD TOWNSHIP. : No.6 May Sessions 1928

Q R D E R

The attached petition being considered by the Court and the request that the County pay the costs in said proceeding being consistent with the practice in Clearfield County in such cases, the Court will make the following order:

NOW, February 6th, 1930, it is ordered and directed that Clearfield County pay the costs in this proceeding.

By the Court,

A handwritten signature in cursive script, appearing to read "A. R. Blase", with a long horizontal flourish extending to the right.

P.J.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

Re: Petition to vacate road :
in Greenwood Township. : No. 6 May Sessions 1928.

To Hon. A. R. Chase, President Judge:

In the above proceeding a petition was presented for the vacation and supply of a certain road in Greenwood Township, and various citizens of Greenwood Township presented a petition to your Honorable Court for review, which was duly ordered, and the reviewers reported against the vacation and supply as recommended by the original review, and as appears of record, and subsequently your Honorable Court, after consideration of the whole subject, overruled exceptions filed to the report of the reviewers and directed the said report to be presented to the Court for confirmation, subsequently, which was done and the Court thereupon confirmed the report of the reviewers, as appears by the records of said Court.

That various witnesses appeared and were called before the reviewers and the bill for the costs of said witnesses has been duly filed.

The petitioners for the review, by their attorneys, Bell, O'Laughlin & Silberblatt, move the Court to make an Order about the payment of the necessary costs incurred and particularly as to the costs of witnesses, as to your Honorable Court shall appear right and just.

Bell, O'Laughlin Silberblatt
Attorneys for petitioners for review

IN THE COURT OF CHANCERY
OF CLEARFIELD COUNTY, PENNA.
No. 6 May Sessions 1928.

Re: petition to vacate
road in Greenwood
Township.

for order petition in R.
FOR VACATION OF ROAD

FILED
JUN 17 1928
W. RALSTON
CLERK

Att. Stephen H. H. H.
M. L. SILBERBLATT
ATTORNEY AT LAW
CLEARFIELD, PA.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNA.

In re: Petition to Vacate :
and Supply Public Road in : No. 6 May Sessions, 1928.
Greenwood Township. :

MOTION.

NOW May 21, 1928, James T. Mitchell by his Attorney, W. Wallace Smith, moves that the bond filed herein be stricken off and the petitioners for review required to file a new bond to be approved by the Court, in the sum of two hundred (\$200.00) Dollars providing for the payment of the costs of the review, and that all proceedings by the viewers be stayed pending the filing thereof.

The bond heretofore filed is defective for the following reasons:-

(1). The condition thereof is to indemnify Clearfield County against payment of costs if the report of viewers should ~~not~~ be favorable to the petitioners; whereas same should be for the payment of the costs of the proceeding.

(2). The amount thereof, fifty (\$50.00) Dollars is insufficient to provide for the probable costs of said proceeding.

W. Wallace Smith
Atty for James T. Mitchell.

O R D E R.

AND NOW May 21st, 1928, the foregoing motion being presented, the Court grants a rule on the petitioners to show cause why the bond heretofore filed in this proceeding should not be stricken off, and petitioners required to file a new bond, conditioned for the payment of all costs of this proceeding, in the sum of two hundred (\$200.00) Dollars, to be approved by the Court; and in the meantime it is directed that no proceedings be taken by the viewers pending the filing of such bond.

By the Court,

A. R. Rhoades.

President Judge.

May 21st 1928 service accepted on the
part of the stewers

A. G. Kramer
one of the stewers

now May 21. 1928 service accepted on behalf of petitioners
Bell & Bell

No. 6 May Sessions, 1928.

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

In re: Petition to Vacate
and Supply Public Road in
Greenwood Township.

MOTION



FILED
MAY 21 1928
GEO. W. RALSTON
CLERK

W. WALLACE SMITH
ATTORNEY AT LAW
CLEARFIELD, PENNA.

In the Court of Quarter Sessions of Clearfield County, Pennsylvania
In Re. Petition to vacate and supply) No. 6 May Sessions, 1928
public road in Greenwood Township.)

This cause is before the Court on a motion to strike off the bond filed and petitioner be required to file a new bond to be approved by the Court in the sum of Two Hundred Dollars, on an application for a review in the above matter; the petitioner alleging that the bond is defective in that it is made on the condition to indemnify Clearfield County against payment of costs if report of viewers should not be favorable to the petitioner, whereas the same should be for the payment of the costs of the proceedings; and secondly, the amount thereof, Fifty Dollars, is insufficient to provide for the probable costs of said proceedings.

The practice in Clearfield County has been for years that on a petition being presented for a review that a bond should be given in the sum of \$50.00. It has also been the practice to have the County pay the costs of the review. This has been the practice for many years and no doubt is the result of Act No. 85 of Pamphlet Laws of 1887, wherein it is provided that in proceedings for view and review, etc, it shall be lawful for the Court to make such order as to the payment of costs of the proceedings as shall appear right and just. In view of the practice in this County and this Act of Assembly, the petition must be dismissed. Therefore,

Now, June 13th, 1928, motion to strike off bond is refused, and the Viewers appointed to view and report to the Court are hereby ordered and directed to proceed. Exception noted and bill sealed to the petitioner.

By the Court,



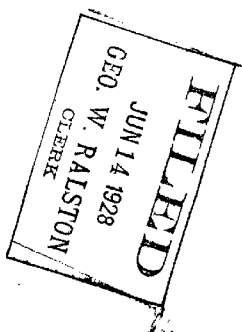
P. J.

No. 6 May Sessions, 1928.

In Re Petition to vacate and
supply public road in Greenwood
Township.

W

ORDER.



No. 6 *May* Term, 19*28*

Versus

Bill of Costs

For Term, 19

Date 19

Amount — — \$

107

Petition to vacate road in
Greenwood Township
Versus

Of May Term, 1902
No. 6
On behalf of Review Bill of Costs
At Term, 1902

CLEARFIELD COUNTY, SS:

Sworn to and subscribed before me this
2nd day of April, A. D. 1960.
A. T. Bell
Notary Public
P. J. Bell

No. 6 May Term 1908

road in Greenwood Twp.

Versus

Bill of Costs

For Term 190

Date 190

Amount - - \$

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

Re: Petition to vacate :
: No. 6 May Sessions 1928.
public road in Greenwood Township.:

BILL FOR WITNESS COSTS ON BEHALF OF REVIEW.

Ezra Johnson <i>Kerrmoor R.D.</i>	2 days - 40 miles	14.40 8.40 <i>pd.</i>
George W. Hatch <i>paid</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
A. A. Bell <i>mahaffey R.D.</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
Jasper McDivitt <i>Curry Run</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
H. N. Meckley <i>mahaffey R.D.</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
J. G. Byers " "	1 day - 20 miles	7.20 4.20 <i>pd.</i>
George Stegner " "	1 day - 20 miles	7.20 4.20 <i>pd.</i>
Al Junod <i>Kerrmoor R.D.</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
John Baker <i>mahaffey R.D.</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
A. T. Bell <i>mahaffey R.D.</i>	2 days - 40 miles	14.40 8.40 <i>pd.</i>
J. F. Rowles <i>mahaffey</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
E. A. Thompson <i>R.D.</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
Wm. Solly <i>Kerrmoor R.D.</i>	1 day - 20 miles	7.20 4.20 <i>pd.</i>
Total		\$108.00 123.00

CLEARFIELD COUNTY, SS:

A. T. Bell being sworn, deposes and says that the foregoing Bill of Costs before the reviewers in the above proceeding, is true and correct as he verily believes.

Sworn and subscribed before
me this 31 day of January 1930.

A. T. Bell
Geo H. P. Patton
Clerk

IN THE COURT OF THE DISTRICT OF COLUMBIA

Public Road in Technopolis
Petition to vacate
No. 9 City Decisions 1986.

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD
COUNTY, PENNSYLVANIA.
No. 6 May Sessions 1928

In Re: Petition to
vacate road in Greenwood
Township.

BILL OF FITNESS COSTS

[illegible]

BELL, O'LAUGHLIN & SILBERBLATT
ATTORNEYS-AT-LAW
KURTZ BUILDING
CLEARFIELD, PENNA.

Bill of Costs before the reviewer in the above proceedings, is true and correct as he verily believes.

0091 10 420 1150 01

That proceedings were instituted to No. 6. February Sessions, 1928, for the vacation of a certain portion of the township road from Bells Landing to Mahaffey, beginning at or near station No. 712 Plus 52 on state highway route and ending at the line between Bell and Greenwood Township; also to supply a road from the end of the River bridge at Bower bridge to the new concrete highway by state highway Route No. 6.

That the viewers recommended the vacation of a portion of said highway retaining the old highway from the end of the Bower bridge in a westerly direction along the old highway 1632 feet to a point; thence recommended the supply of a new road from said point to and across the land of Joseph McCracken for a distance of ten hundred eighty six (1086 feet additional, to the point on the concrete state highway.

That the road as retained and supplied crosses Hazlet Run twice requiring the expense of construction and maintainance of two bridges therefor.

That your petitioners are informed that to construct a new bridge on the land of Joseph McCracken or over the route supplied which would meet with the specifications of the state highway department would cost not less than twenty five hundred (\$2500.00) Dollars.

That the portion of the old highway retained is so located as to be subject to frequent and considerable snow drifts and lies on low ground making drainage difficult.

That the viewers recommend the payment to Joseph McCracken of the sum of five hundred dollars (\$500.00) for damages and for work and material expended on the route as supplied and to James T. Mitchell the sum of one hundred fifty dollars (\$150.00) for damages by reason of the vacation of said road.

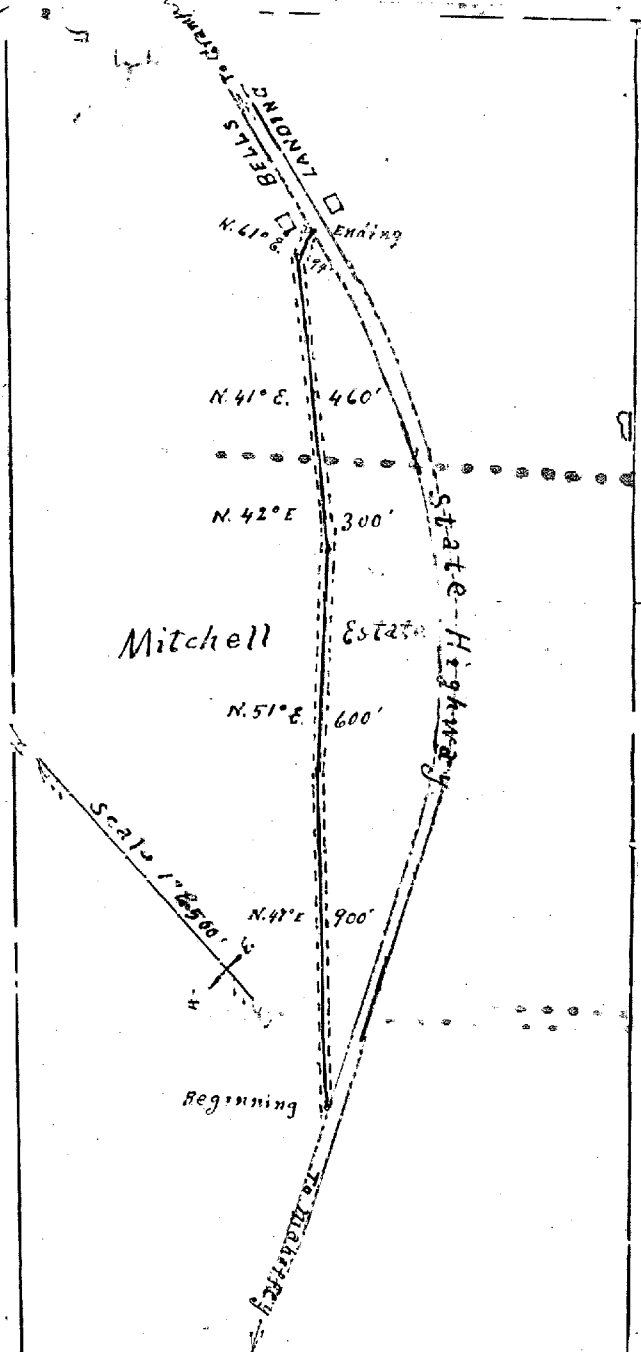
That the road could be supplied direct from the end of the Bower Bridge to the concrete highway at the distance of approximately fifteen hundred (1500) feet as against the route of twenty eight hundred feet (2800) as laid out by the viewers.

That such a route would not cross Hazlet Run at any point and eliminate the expenses of constuction and maintenance for any bridges therefore.

That by the construction of such a road the damage to Joseph McCracken as allowed would be aveided as well as any damage to James T. Mitchell, your petitioner averring that such a route would come close to the buildings of said James T. Mitchell and that, both touching the land of said James T. Mitchell, afford him access to the improved highway without damage.

That your petitioners are informed that the Supervisors of Greenwood Township are opposed to the road as supplied and retained and would favor the supplying of the new road as herein prayed for as evidence by their consent attached hereto.

That your petitioners also inderstand that the School Board of Greenwood Township would favor the road as herein prayed for for the convenience of hauling the school children as evidence by their signatures hereto attached and made a part hereof.



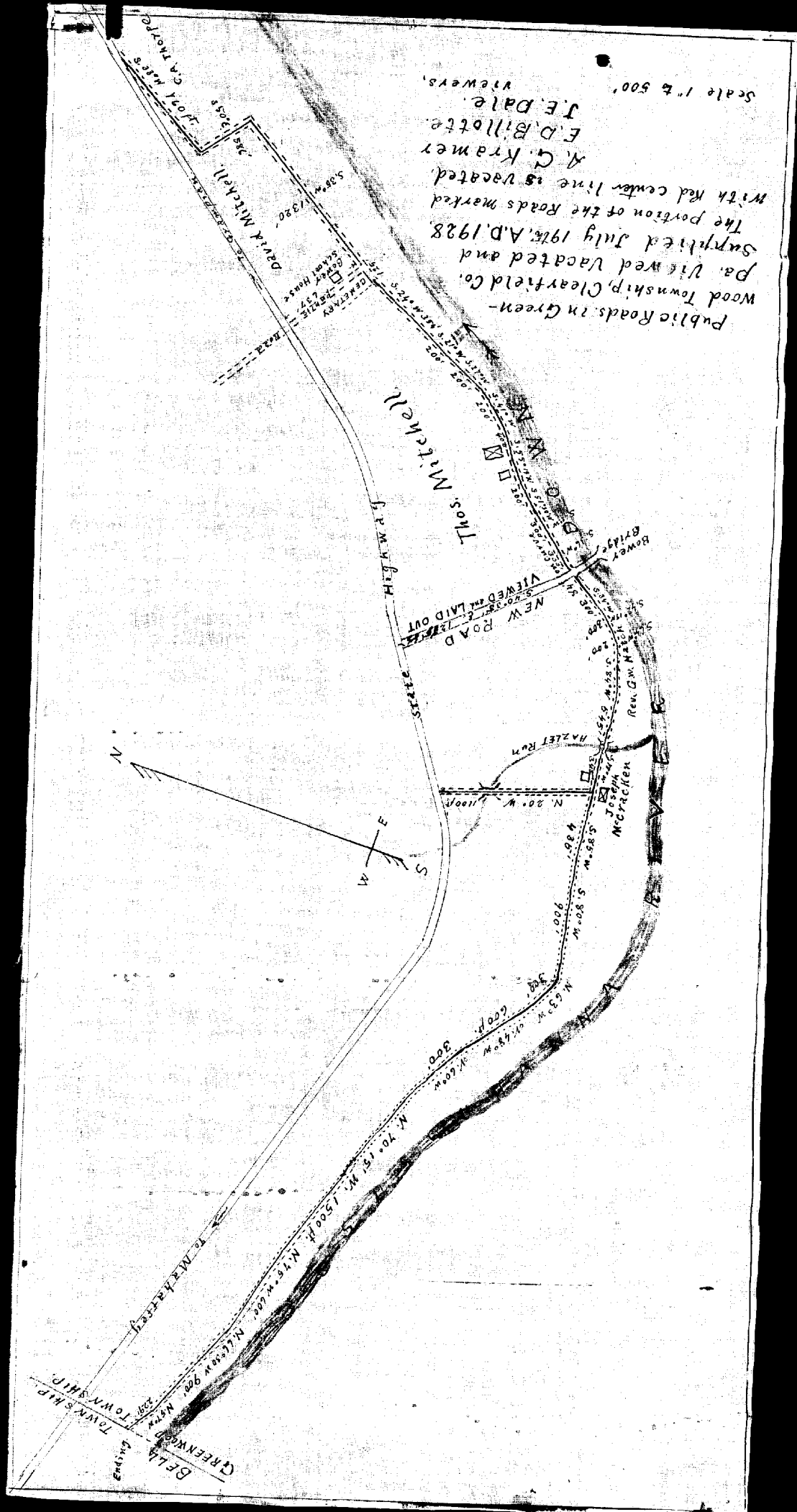
Public Road in Greenwood Township, Clearfield County, Pa. vacated ~~where~~
 Red Center line is inserted
 July 19th, A.D. 1928.

A.G. Kramer

E.D. Billotte

J.E. Dale
 viewers,

Public Roads in Green-
 Wood Township, Clearfield Co.
 Pa. Viewed Vacated and
 Surveyed July 1928, A.D. 1928
 The portion of the Roads marked
 with Red center line is vacated
 A. G. Kramer
 E. D. Billotte
 J. E. Dale
 Scale 1" = 500'
 Viewers.



TO GEORGE MINN, J, C. GATEHOUSE AND W, E. TOBIAS.

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 Pennsylvania to view and vacate a public road lately laid out leading from the west end of the Bower bridge across the Susquehanna River at what is known as the Bower station bridge to the State Highway leading from Mahaffey to Bells Landing in Greenwood Township County and State aforesaid and lay out a new road on a more direct and less expensive road from at or near the residence of Thomas Mitchell to the new constructed State Road between the points stated That the said viewers will meet to make said view at the West end of the said Bridge at Bower on Thursday July the 19th 1928 at (8.30) o'clock A. M. at which time and place all parties interested in the said road may attend.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers in order to give all parties interested in the said road a chance to appear and be heard 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 Friday July the 20th day of July A. D. 1928 at nine (9) o'clock A. M. at which time and place all parties in any way interested may appear and be heard.

A. G. Kramer

E. D. Billotte

Jess E. Dale

VIEWERS.

Now July 11th A. D. 1928 service accepted for the County Commissioners of Clearfield County Pa and personal service waived.

L. C. Morris

Clerk

We, the undersigned citizens of Greenwood Township, Clearfield County, Pennsylvania, do hereby remonstrate against the granting of a new road from the Bower Bridge across the land of James T. Mitchell to the State Highway, and against the abandonment of the present road leading from the Bower Bridge along the river past the James T. Mitchell house, the cemetery, and thence to the State Highway; and we hereby state that in our opinion such change in the road would be expensive and burdensome to the Township and against the public interest.

H. L. Hess
 Geo. W. Hess
 John Newcomer
 H. S. Hartfield
 Edwin Curran
 Mrs. Annie Curry
 Frankton Bell
 James T. Mitchell
 June Curran
 Edwin Hobbs
 Mrs. Belle Derrick
 B. C. Curtis
 L. L. Kulliken
 John F. Mitchell
 B. Ross
 J. R. Durbach
 Mrs. J. P. Durbach
 Richard Langston
 A. F. Bell
 T. B. Gould
 John Spanogle
 Lewis Haines
 Nora Mitchell

Leedell Johnston
 L. A. Johnson
 Mrs. J. R. Dickey
 L. W. Cross
 Mrs. Eliza Cross
 O. L. Mott
 J. R. Dickey
 Mrs. J. P. Dickey
 Maud Mott
 L. H. Mott
 J. P. Biss
 John W. Cross
 W. M. Sawyer
 William Johnston
 Robert Young
 J. M. Gorman
 George Straw
 P. J. Barrett
 Daniel Barrett
 Mrs. S. W. McFadden
 S. W. McFadden
 Norman Skoffe
 Bora Skoffe

seventy five (75) degrees, west six hundred (600) Feet; Thence North sixty six degrees, thirty (30) minutes, west, nine hundred (900) feet; Thence North ninety seven (97) degrees, North two hundred and twenty nine (229) feet to the deviding line between Bell and Greenwood Townships and on account of the same having by reason of the construction of the State Improved Highway has become useless inconvenient and burdensome to the taxpayers of the Township and therefore recomend that the same be vacated.

The viewers also vacate as a public road the private road of Joseph McCracken leading from his residence and barn to the State Highway a distance of eleven hundred (1100) feet, recently laid out by the viewers and for a public or Township road but on account of the Township road along the River from the Bower bridge to the Bell Township line is of no use as a public road and burdensome to the taxpayers of the township and therefore vacate and recomend that the damages assessed by the previous viewers and that the damages assessed be canceled

And as a number of the inhabitants of Greenwood Township especially those living on the East side of the River are in need of a road from the west end of the Bower Bridge, to the State concrete road or highway, leading from Mahaffey to Grampian and by the vacation of said road leaves them without an outlet; The viewers therefore view and lay out a public road leading from the west end of the Bower Bridge to the State Highway. They have therefore laid out a public road leading from the west end of the Bower bridge to the concrete State road running North forty (40) degrees thirty five minutes, west twelve hundred and eighty five feet (1285) over land of James Mitchell a considerable distance shorter than the road laid out by the former viewers over the former Township road from the Bower bridge to the connection of Joseph McCracken's private road to the Improved State road a difference in the distance of fourteen hundred (1400) feet and down the River road by the Bower School House a difference in the distance of sixteen hundred (1600) feet more or further than the road laid out in the present view.

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 7th day of May in the year of our Lord, one
thousand nine hundred and twenty eight

A. R. CHASE
By the Honorable ~~Singleton Bell~~, President Judge of the said Court: Upon the petition of sundry
inhabitants of the Township of Greenwood, 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 ap-

point from and among the County Board of Viewers Aaron G. Kramer, Esq., Ed Billotte
and Jesse Dale 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 appoint-
ment, 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 trans-
mit 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.

Eles 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 Woodward -----, 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

19th day of July, 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 20, ---day of July 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

J. H. Redden and Martin Passmore the Supervisors of Greenwood Township with G. W. Hatch A, T. Bell A. A. Bell Ezra Johnson Garry Johnson one of the Supervisors with others parties interested; -----

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 20th day of July

A. D. 1928, when the parties interested in the said road were in attendance: F. Cortus Bell Esq Attorney for the Petitioners to wit J. H. Redden, Garry Johnson and Martin Passmore the Supervisors with several witnesses and W, Wallace Smith Esq Counsel for James T. Mitchell with John W. Hess. T. B. Gould and B. Ross Spachman witness for Mr Mitchell,

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: Located along the West side of the Susquehanna Being at or near station No 680 plus 52 on the State Highway Route No 6, leading from Bells landing to Mahaffey on the Property of C. A. Thorp in Greenwood Township, thence running South thirty three (33) degrees, West seven hundred and sixty (760) feet to the property line of the David Mitchell Estate. Thence running south fifty (50) degrees East five hundred and eighty six (586) feet, Thence South thirty five (35) degrees West, thirteen hundred and twenty (1320) feet to the intersection of the public road leading from the State Highway to the Cemetery and the Bower School House. Thence continuing along the west side of the Susquehanna River along the property of James T. Mitchell the following courses and distances. To wit: South twenty four (24) degrees, west three hundred and fifty four (354) feet; Thence South twenty one (21) degrees West two hundred (200) feet; Thence south three (3) degrees twenty seven minutes West two hundred (200) feet; Thence forty one (41) degrees; West two hundred (200) feet; Thence South fifty five (55) degrees West Four hundred (400) feet; Thence South fifty one (51) degrees thirty minutes, (30) west two hundred (200) feet. Thence south forty two (42) degrees, West three hundred (300) feet; Thence South thirty six (36)

degrees (36) West three hundred (300) feet to the west end of the Bower Bridge across the Susquehanna River.

Said road having in the judgment of the viewers from the beginning from where it connects with the State Highway near Bella Landing to the Bower bridge across the Susquehanna having become useless and burdensome to the taxpayers of the township only one person living along the same the viewers therefore vacate said road.

They also vacate said road known as the River Road from the end of the Bridge across the Susquehanna River known as the Bower Bridge to the Township line between Greenwood and Bell Townships as follows;

Beginning at the West End of said bridge; Thence running South Thirty four degrees West three hundred (300) feet; Thence South forty two (42) degrees nineteen (19) minutes, West three (300) hundred feet; Thence South sixty four (64) degrees, West two hundred (200) feet; over land of the Rev G. W. Hatch South eighty four (84) degrees, west five hundred and forty five (545) feet to the Bridge over Hazlett Run Thence thirty two (32) feet over Hazlett Run; Thence South eighty eight (88) degrees, west three hundred and forty eight (348) feet to the intersection of Joseph McCracken's private road.; Thence South eighty five (85) degrees, west four hundred and thirty five (435) feet; Thence South eighty (80) degrees, west nine hundred (900) feet; Thence North sixty three (63) degrees, west three hundred (300) feet; Thence North forty eight (48) degrees, west six hundred (600) feet; Thence North sixty (60) degrees, west three hundred (300) feet; Thence North seventy (70) degrees fifteen (15) minutes, west fifteen hundred (1500) feet Thence North 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:

TO. JAMES. T. MITCHELL.

For the nine tenth(9/10) of an acre of his improved land occupied	
by the new road laid out	\$200.00
by the damages sustained by the vacation	
of the River road past his property	50.00
	Total \$250.00

and we herewith return ~~the same to him~~ copy of the notices. served

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

A. G. Krasner [SEAL.]

E. J. Billoette [SEAL.]

Jesse E. Dale [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	5	45	\$39.75
E. D. Billotte	4	73	\$33.65
J. E. Dale	3	45	\$24.75

Now May 10th 1928,
It appearing that Frank
Hutton Esq is related to
one of the Supervisors.
Aaron H. Kramer Esq is
appointed in place and
stead of said Frank
Hutton Esq on said
view. By the court
S. M. House P. J.

No. 6 May Term 19 28

ORDER TO VACATE

REVIEW and supply public
To ~~view~~ and vacate road situate

in the Township of Greenwood
Clearfield County.

Now ~~seen~~ Sessions 1928

read and confirmed Ni. Si.

By the Court.

Now ~~seen~~ Sessions 1928

confirmed absolute.

By the Court.

A. M. House
P. J.

Filed Aug 27 1928

Atty.

Fees \$1.25 paid by *E*

J. & Forsyth