

DOCKET

Number	Term	Year
6	Feb	ss 1928

Petition to vacate and supply a road
in Greenwood Twp.

Versus

P. S. #6 - Page 103

Later review
changed this
7c.

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 Greenwood, 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

9th day of February, 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 10th day of February A. D., 19 28, at ten 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: D. F. Bell, J. H. Redden, Garry Johnson, Martin Passmore, Supervisors;
Joseph McCracken,

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 10th day of February, A. D. 19 28, when the parties interested in the said road were in attendance: Geo. R. Bigler, Esq., Attorney with petitioners D. F. Bell, Garry Johnson, Martin Passmore and J. H. Redden, Supervisors; W. Wallace Smith, Esq., Counsel for James T. Mitchell with John Newcomer and Perry Arthurs, witnesses; Al F. Bell, Ezra Johnson, Joseph McCracken, Rev. Hatch and J. M. Johnson.

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: Beginning at or near Station No. 68C plus 52 on State Highway Route No. 6 leading from Crampian to Mahaffey via Bells Landing, in the Township of Greenwood; thence North 47 degrees East 900 feet to post; thence North 51 degrees East 600 feet to post; thence North 42 degrees East 300 feet to post; thence North 41 degrees East 460 feet to post; thence North 61 degrees East 94 feet to post, and ending at pr near Station No. 651 plus 25 at or near Bells Landing on the State Highway Route No. 6 aforesaid: and therefore recommended for vacation.

We further find and agree that the Road: beginning at Station 68C plus 52 on said Route; thence running South 33 degrees West 740 feet to post; thence South 50 degrees East 386 feet to post; thence South 33 degrees West 1320 feet to intersection with public road leading to Bower School House and Cemetery; and thence beginning at a post -distant South, West 125 feet- of said intersection and running South 27 degrees West 1075 feet to post; thence South 43 degrees West 300 feet to post; thence South 57 degrees West 229 feet to post; thence South 49 degrees West 300 feet to post; thence South 40½ degrees West 600 feet to post at Bower Bridge; and thence commencing again at a post South 31 degrees West 300 feet; thence South 45 degrees West 300 feet; thence South 69 degrees West 300 feet; thence South 85 degrees West - across Hazlet Run - 732 feet from said Bower Bridge at or near the

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 12th day of January in the year of our Lord, one
thousand nine hundred and twenty eight

By the Honorable A. R. CHASE
~~James H. Ed~~, President Judge of the said Court: Upon the petition of sundry
inhabitants of the Township of Greenwood, in the County aforesaid setting forth that
a public road has long since been laid out the portion of which beginning at or
near the Township road leading from Bells Landing to Mahaffey at or near station
No. 651 plus 25 on Route No. 6 on the State Highway to a point at or near
station No. 680 plus 52 on said state Highway; and also the portion of which
beginning at Station No 712 plus 52 on said State Highway and ending at the
line between Bell Township and Greenwood Township, which road has become
useless, inconvenient and burdensome. And to supply a road from the end of the
river bridge at Bower to the State Highway, a distance of about 2000 feet;

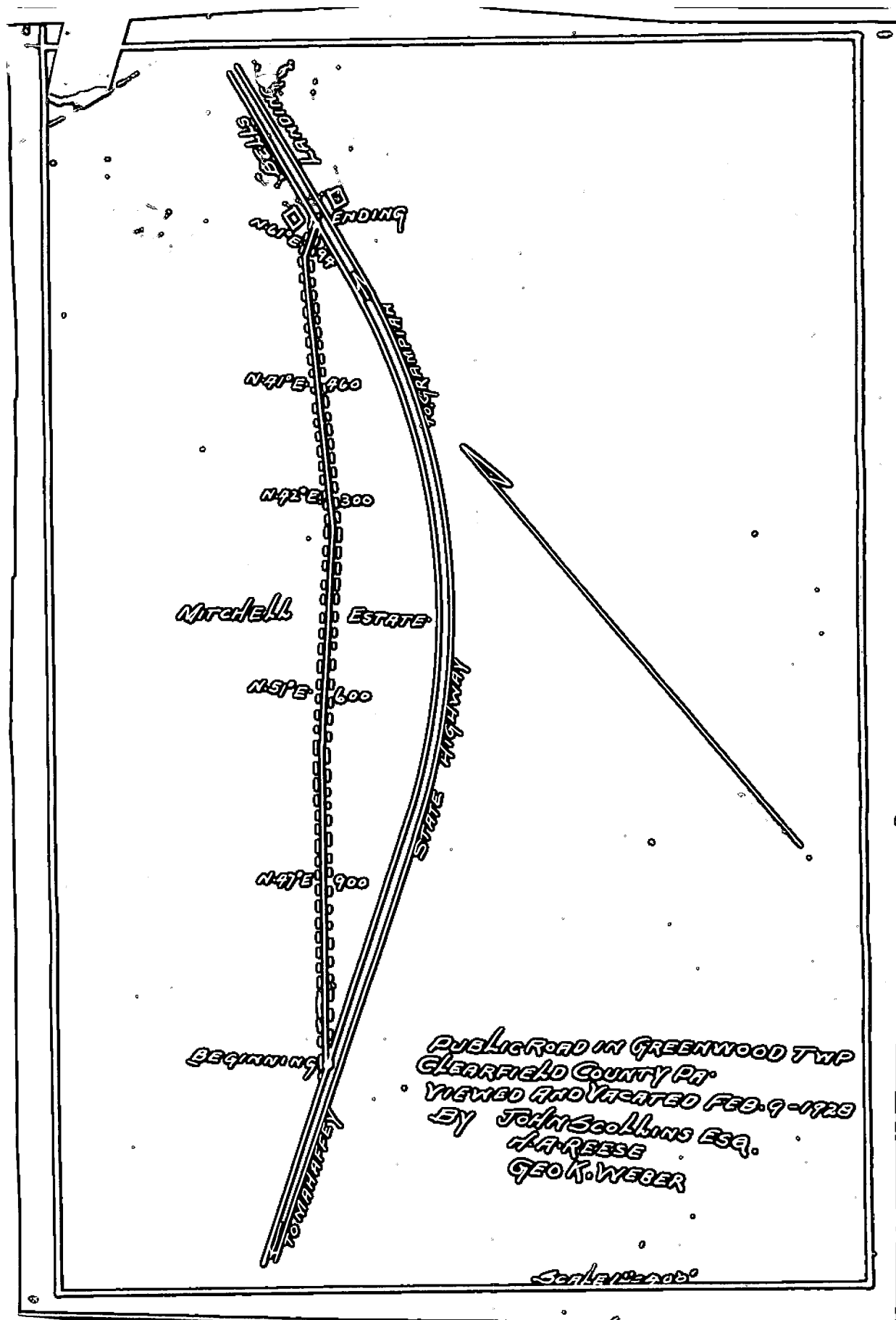
and, therefore, praying the Court to appoint proper persons to view and vacate said road between the
points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-
point from and among the County Board of Viewers John Scollins, Esq., and

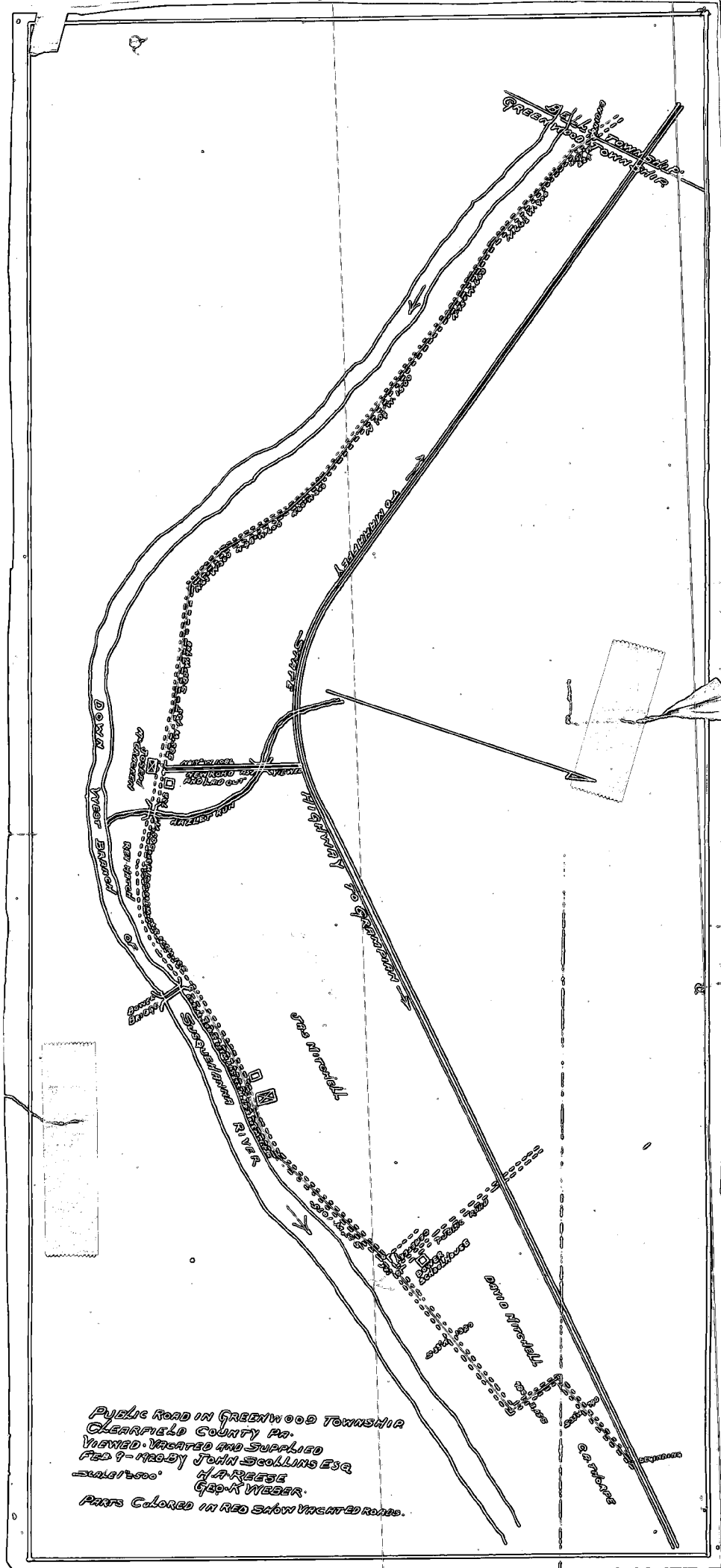
Harry Reese and George K. Weber who have been duly appointed by the said Court on the
County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the
County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appoint-
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.

Geo. W. Ralston
Clerk.





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
Harry Reese	4	146	\$37.30
Geo. K. Weber	3	134	\$29.20
John Scollins	4	154	\$37.70
John Newcomer	1	22	\$4.32
Perry Arthur	1	22	\$4.32
Al F. Bell	1	22	\$4.32
Ezra Johnson	1	22	\$4.32
Rev. Hatch	1	22	\$4.32
J. M. Johnston	1	22	\$4.32

No. 6 Feb Term 19 28

ORDER TO VACATE

To view and vacate/road situate
and supply
in the Township of Greenwood
Clearfield County.

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

By the Court.
Sept
Now see Sessions 19 28
confirmed absolute.

By the Court.

[Handwritten signature]

Filed 19

Atty,
Fees \$1.25 paid by

Geo. R. Bigler, Atty.

FILED
3-1928
GEO. W. RALSTON
CLERK

Barn of Joseph McCracken and running South 85 degrees West 435 feet to post; thence South 80 degrees West 900 feet to post; thence North 63 degrees West 300 feet to post; thence North 48 degrees West 600 feet to post; thence North 60 degrees West 300 feet to post; thence North 70 $\frac{1}{2}$ degrees West 1500 feet to post; thence North 75 degrees West 600 feet to post; thence North 66 $\frac{1}{2}$ degrees West 900 feet to post; thence North 57 degrees West 229 feet to post, and ending at the line between Greenwood and Bell Townships: has become useless, inconvenient and burdensome and recommended for vacation.

Mr. James Mitchell, owner of a large area of tillable land fronting on said Road recommended for vacation, remonstrated against its vacation, and claimed \$200.00 damages to his property by reason of his inconvenience and perpetual maintenance of a private road required for his use.

However, a number of citizens of said Township particularly those residing at Bower are in need of a public road and out-let to the State Highway, to school, cemetery, etc., and Al F. Bell, Ezra Johnson, Rev. Hatch, J. M. Johnson, along with Perry Arthurs and John Newcomer, protested against the vacation aforesaid, in the event that a new Road would be built through the James T. Mitchell place, at a cost of \$1000.00 in addition to his personal claim of \$200.00 for inconvenience and the perpetual maintenance of his own road, as excessively burdensome to the Township.

Joseph McCracken, having already built a Road for his own private use, beginning at or near his Barn (at the one end of said last described vacated road) and thence running North 19 degrees West 1086 feet to the State Highway Route No. 6, and was willing to dedicate said Road to the public use for \$500.00, which Road would serve the public interests of the several remonstrants.

Your Board therefore recommends the adoption of the McCracken Road for the convenience of the public, as the road to be supplied, 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~~

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, \$150.00

To Joseph McCracken, \$500.00

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

Witness our hands and seals this 10th day of February, A. D. 1928.

John Collins [SEAL]

H. A. Reese [SEAL]

George K. Weber [SEAL]

Viewers.

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. 6, February Sessions, 1928, to view and vacate that portion of a public road beginning at or near the Township road leading from Bells Landing to Mahaffey at or near station No. 651 plus 25 on Route No. 6 on the State Highway to a point at or near station No. 680 plus 52 on said State Highway; and also the portion of which, beginning at Station No. 712 plus 52 on said State Highway and ending at the line between Bell Township and Greenwood Township; and to supply a road from the end of the river bridge at Dover to the State Highway, a distance of about 2000 feet, in Greenwood Township, in the County aforesaid, will meet at Station No. 651 plus 25 on Route No. 6 of the State Highway in said Township on Thursday, the 9th day of February, A. D. 1928 at one (1:00) o'clock P. 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 10th day of February, A. D. 1928 at ten (10:00) 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 Scollins
Harry Reese
George A. Weber
Viewers

Dated, January 25th, 1928.

Clearfield County, SS:

Now, this 27 day of January, A. D. 1928, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
Clerk

To: D. F. Bell, J. H. Redden, and Garry Johnson, Supervisors
of Greenwood Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County, to No.
6, February Sessions, 1928, to view and vacate that portion of a
public road beginning at or near the Township road leading from Bells
Landing to Mahaffey at or near station No. 651 plus 25 on Route No. 6
on the State Highway to, a point at or near station No. 680 plus 52 on
said State Highway; and also the portion of which, beginning at Station
No. 712 plus 52 on said State Highway and ending at the line between
Bell Township and Greenwood Township; and to supply a road from the end
of the river bridge at Bower to the State Highway, a distance of about
2000 feet, in Greenwood Township, in the County aforesaid, will meet
at Station No. 651 plus 25 on Route No. 6 of the State Highway in said
Township on Thursday, the 9th day of February, A. D. 1928 at one (1:00)
o'clock P. 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 Arbitra-
tion Room in the Court House in Clearfield on Friday, the 10th day of
February, A. D. 1928 at ten (10:00) 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.

Chas. Collins
Harry Reese
George K. Weber
Viewers

Dated, January 25th, 1928.

Clearfield County, SS:

Now, this 31st day of January, A. D. 1928, service of
the above Notice is accepted for the Supervisors of Greenwood Township.

D. F. Bell
Martin Passmore
Garry Johnson

No. _____ Term, 19__

Versus

Bill of Costs

For _____ Term, 19__

Date _____ 19__

Amount — — — \$ _____

KNOW ALL MEN BY THESE PRESENTS, That we,

are held and firmly bound unto the County of Clearfield, Pennsylvania, in the sum of Fifty (\$50) Dollars, lawful money of the United States of America, to be paid to the said County of Clearfield, its certain Attorney, its successors or assigns; to which payment well and truly to be made we do jointly and severally bind ourselves, our heirs, executors and administrators, firmly by these presents. Sealed with our seals and dated the 28th day of December, 1927.

WHEREAS, a petition has been presented by citizens of Greenwood Township, County and State aforesaid, to the Court of Quarter Sessions, Clearfield County, Pennsylvania, to February Sessions, 1928, asking for the appointment of Viewers, to view and vacate certain portions of the Township Road leading from Bells Landing towards Mahaffey, as set forth in said petition; and to supply a road from the end of the River Bridge at Bower to the State Highway, Route No. 6.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, That if the report of the Viewers in said proceeding should not be favorable to said petitioners, then and in such case the Obligors herein will save, indemnify and keep harmless the said County of Clearfield of and from all costs that 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.

George Johnson (SEAL)

D. J. Bell (SEAL)

Ms. 6 Feb. Dec. 1926

In re: Petition to vacate and
supply public road in Green-
wood Township.

•

The undersigned inhabitants of Greenwood Township, Clearfield County, Pennsylvania, hereby remonstrate against the establishment of a new public road leading from the river bridge at Bower to the State Highway, a distance of about two thousand (2000) feet, as prayed for in this proceeding; and hereby declare their belief that in their opinion the old road sought to be vacated in this proceeding is sufficient for the purpose, and the substitution of the proposed new road for it would impose unnecessary expense and burden upon the Township.

unnecessary expense and burden
 Jay Flowers
 Oscar Mitchell
 James T Mitchell
 Mary P. Mitchell
 Earl & Mary
 Mand Hotel
 J. P. Miller
 Julia B. Miller
 John B. Miller
 10 W. L. Jones
 J. P. Jones
 W. M. Johnston
 T. B. Robb
 A. E. Bell
 Edwin Currall
 Oscar Currall
 June Currall
 Frank Currall

upon the Township.

Chas. F. Hinds
Mrs. Edwin Arthur
Perry Strass
J. J. Hinds
John Spanozi
J. Mitchell
D. Cice & Son
J. Perrotti
Mrs. Philip E. Spackman
H. W. R. Hobb
Elliott A. Johnston
Merrell Bell
Fannan Young
Wm. Sanger
Le Roy Johnson
A. B. Herrick
Miss L. P. Hinrich
B. R. Spackman

Lewis Haines

J. O. Gardner

Ed Barrett

B. M. Miller

Carey Ross

Chas. M. Derrick

Norman Shaffer

Wood & Paul Church

David W. H. H. H.

Irvin Arthur

Paul H. H.

Geo. Bell

Chas. B. H. H.

Barry H. H. H.

A. W. H. H.

Arthur H. H. H.

Chas. R. H. H.

Wm. H. H. H.

N. B. H. H.

No. 6 February Sessions 1928

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

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

REMONSTRANCE

W. WALLACE SMITH
ATTORNEY AT LAW
CLEARFIELD, PENN'A

No. 6 Feb Term, 1928

Versus

Bill of Costs

For _____ Term, 19____

Date _____ 19____

Amount --- \$ _____

FILED
JUL 20 1928
GEO. W. RALSTON
CLERK

4.26
4.38
4.26
4.80
4.38
4.38
4.38
4.38
4.26
4.38
4.32
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4.80
4.80
4.80
4.32

81.30 弄

弄

TO THE HONORABLE JUDGE OF THE COURT OF QUARTER SESSIONS OF
CLEARFIELD COUNTY:

The petition of the undersigned inhabitants of the
Township of Greenwood, in the County aforesaid, respectfully
requests:

That a public road has long since been laid out
the portion of which beginning at or near the Township road
leading from Bells Landing to ~~Commonwealth~~ *Ma happy* at or near Station
No. 651 plus 25 on Route No. 6 on the State Highway to
a point at or near Station No. 680 plus 52 on said State Highway;
and also the portion of which beginning at Station No. 712 plus
52 on said State Highway and ending at the line between Bell
Township and Greenwood Township, which road has become useless,
inconvenient and burdensome. Your petitioners therefor pray
the Court to inquire into and vacate said portions of said
Road. And further to supply a road from the end of the river bridge
at Bower to the State Highway, a distance of about 2000 feet;
and for said purposes to appoint three persons qualified accord-
ing to law to view said roads and inquire of the premises and
make return of their proceedings at the next term of this Court.

<i>Ord. Fr. Bell</i>	<i>Guy E. Redden</i>
<i>Earl Bell</i>	<i>Geo. M. Bell</i>
<i>E. E. Hovner</i>	<i>Clayton Hovner</i>
<i>Franklin Bell</i>	<i>J. S. Hovner</i>
<i>Ward. Gouldthread</i>	<i>J. Ace Johnson</i>
<i>L. W. Bell</i>	<i>Howard Bell</i>

D. F. Bell	Bills Derrick
B. M. Wiley	Chas. Bell
J. F. Mitchell	Wade J. Bell
L. W. Ross	Mrs. A. A. Bell
Leedell Johnston	Martin Passman
Ord. b. Mott	
J. R. Riekey	
F. J. Bell	
John Spanogle	
Mamie Bell	
O. W. Gouldthreath	
Yarnan Shaffer	
John W. Cross	
L. K. Johnson	
H. G. Bege	
P. B. Johnston	
W. S. Johnston	
J. M. Johnston	
L. A. Tate	

6 No. 12. 1928	Petition to Vacate & Supply Public Road	by Commissioner Jones	Nov Dec 12 th 1928 John Collins Esq. Harry Reese and George H. W. W. and Appointed men as a report By the County Attorney J. H. H.
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4.00 By ally
KURTZ BROS. CLEARFIELD, PA.

Nov December 14th 1928
 Service accepted for County Commissioner
 L. E. Morris, Clerk