

DOCKET

Number	Term	Year
6	Feb	ss 1928

Petition to vacate and supply a road  
in Greenwood Twp.

Versus

P. A. #6 - V. J. J.

Later review  
changed 16, '28  
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 Grampian 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 or 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 40 $\frac{1}{2}$  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**

**A. R. CHASE**

By the Honorable ~~CHASE~~, 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. 68C 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-

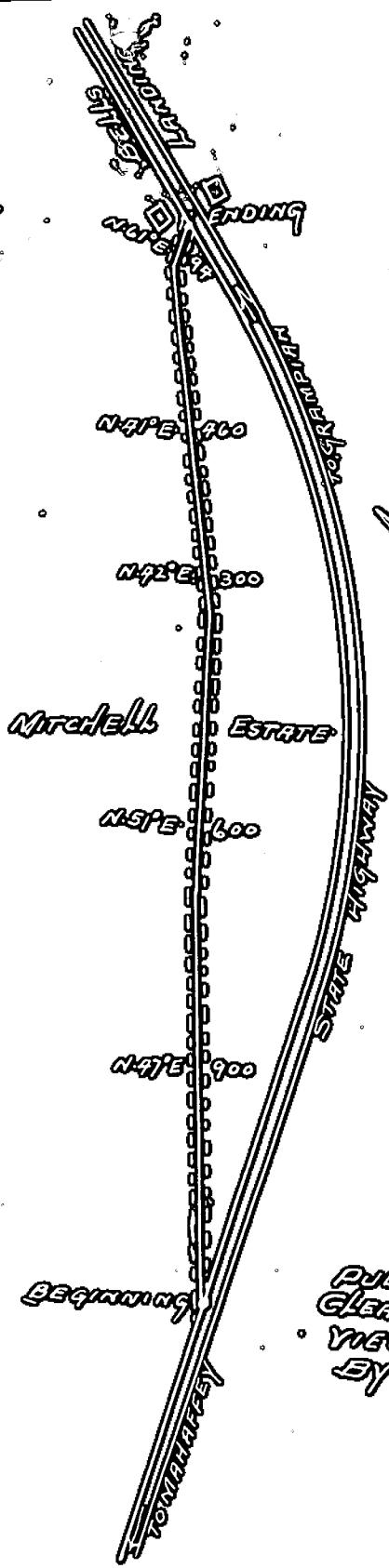
point from and among the County Board of Viewers **John Scollins, Esq., and**

**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 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.

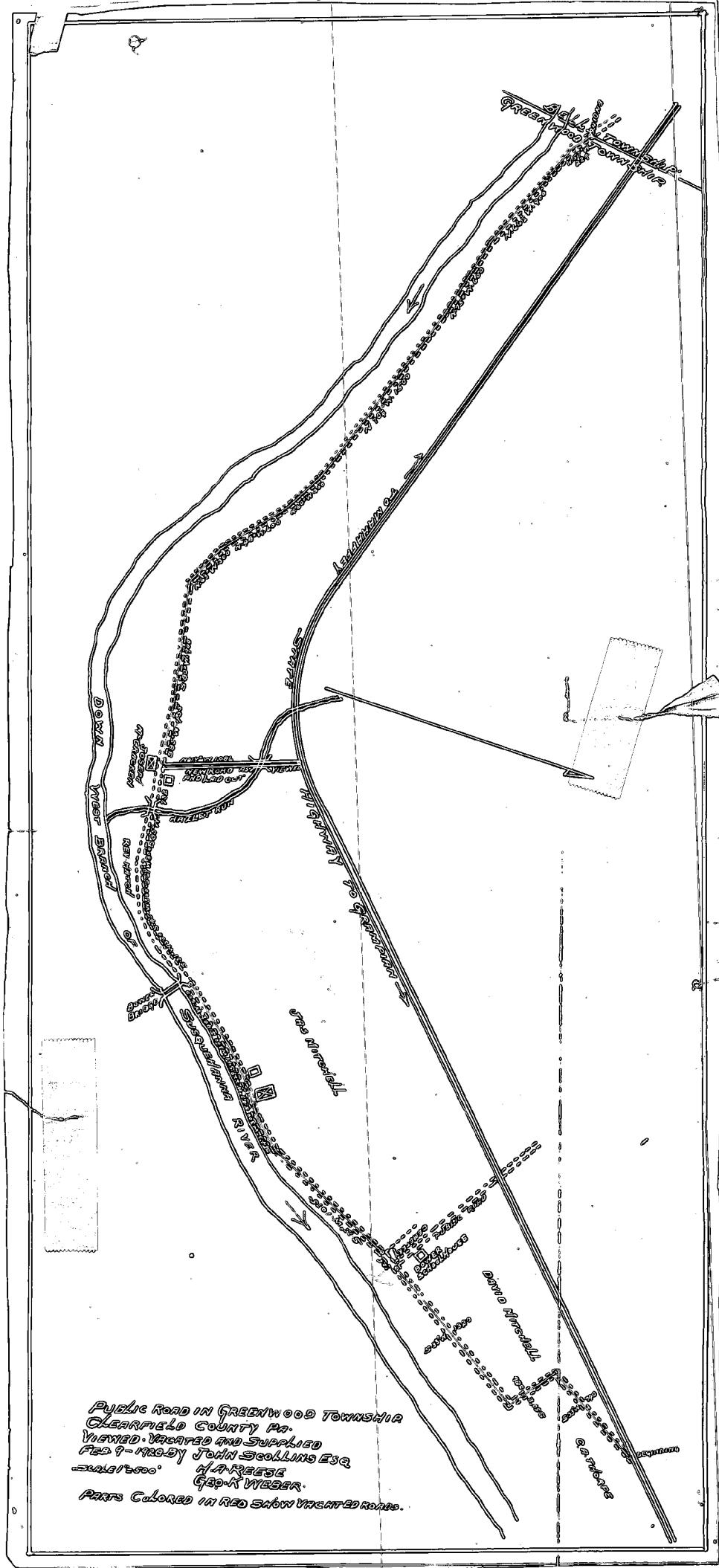
*Geo. W. Ralston*  
Clerk.



PUBLIC ROAD IN GREENWOOD TWP  
CLEARFIELD COUNTY PA.  
VIEWED AND LOCATED FEB. 9 - 1929  
By JOHN SCOLLING Esq.  
M. ARRESE  
GEO R. WEBER

Scolling Esq.

Public Road in Greenwood Township  
Clearfield County Pa.  
VIEWED, MEASURED AND SURVEYED  
FEB 9-1829 BY JOHN SCOLLINS Esq  
Scale 1/6000  
HARVESE  
Geo. A. VYSEER.  
PARTS Colored in red show VACATED roads.



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	Amt'
Harry Reese	4	146	532.30
Geo. K. Weber	3	134	529.20
John Scollins	4	154	537.70
John Newcomer	1	22	4.32
Perry Arthur	1	22	4.32
Al F. Bigler	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 <sup>and supply</sup> road situate

in the Township of Greenwood

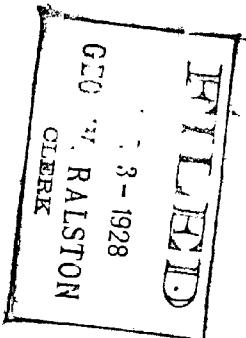
Clearfield County.

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

By the Court.

*John M. Johnson*  
Now *John M. Johnson* Sessions 19 28  
confirmed absolute.

By the Court.



Filed ..... 19

Atty,

Fees \$1.25 paid by

Geo. R. Bigler, Atty.

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 outlet to the State Highway, to school, cemetery, etc., and Al F. Bell, Ezra Johnson, Rev. Hatch, J. M. Johnson, along with Perry Arthur 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 vacating of said road, a release in writing of all claims to damages that may arise from it.

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 Steele* [SEAL.]

*A. D. Reese* [SEAL.]

*George K. Huber* [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 Dower 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 Scallion  
Harry Reese  
George K. 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 from 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.

*John Scallion*  
*Harry Reeve*  
*George K. Weber*  
Viewers

Dated, January 25th, 1928.

Clearfield County, SS:

Now, this 31<sup>st</sup> 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*

IN THE COURT OF Quarter Sessions OF CLEARFIELD COUNTY,

In re: Petition & ~~versus~~ Of Bryan Davis Term, 19  
 a Sifford Road in Ground No.  
Tomsky versus James J. Mitchell Bill of Costs  
 At Term, 19

	Dollars	Cents
<u>John Neeson</u> Days in attendance 22 Miles direct travel	4	3.2
<u>Bryg. Arthur</u> Days in attendance 22 Miles direct travel	4	3.2
Days in attendance Miles direct travel		864
Days in attendance Miles direct travel		
Days in attendance Miles direct travel		
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Days in attendance Miles direct travel		
Days in attendance Miles direct travel		
Days in attendance Miles direct travel		
Days in attendance Miles direct travel		
Serving subpoenas Witness		
Miles distance		
Whole amount of bill		864

CLEARFIELD COUNTY, SS:

Personally appeared before me James J. Mitchell, who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material and in attendance as above stated, and that the mileage is correct as he believes.

Sworn to and subscribed before me this

10 day of February A. D. 1928 } James J. Mitchell  
Geo. W. P. Ralston Prothonotary }

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 28<sup>th</sup> 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.

Gerry Johnson (SEAL)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
D. G. Bell (SEAL)

—Lap over margin—

Mc 6 Tri. Dec. 1926

1926

Dec. 2, 1923

KURTZ BROS., CLEARFIELD, PA.

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

In re: Petition to vacate and :  
supply public road in Green- : No. 6 February Sessions, 1928.  
wood Township. :  
:

REMONSTRANCE.

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.

Ray Stevens  
Oscar Mitchell  
James J. Mitchell  
Wm. D. Arthur  
Carl S. Knapp  
Maud Motter  
W. C. Curry  
Julia B. Shaffer  
John Morrison  
D. W. Jones  
J. P. Dinkins  
W. M. Johnson  
I. B. Robold  
A. E. B. C.  
Edwin Curr  
Oscar Curr  
June Curr  
Frank Curr

Clay F. H. Jr.  
Miss Grinn Arthur  
Verry Straw  
G. G. West  
L. M. Knapp  
John Spano  
J. Mitchell  
H. C. Johnson  
J. Penn Williams  
Mrs. Charles E. Shuckman  
G. W. D. Knapp  
H. G. Johnson  
W. H. Johnson  
W. M. Johnson  
W. P. Johnson  
W. P. Johnson  
W. P. Johnson  
W. P. Johnson

Lewis Haines

J. D. Gardner

E. J. Garrett

B. M. Miller

Carry Rose

Chas. McDowell

Norman Shaffer

Ward Almond Thorne

David W. Thompson

Irene Arthur

Pauline

Gen. Bill

Clair Brinkman

Ken Hartman

A. W. Green

Arthur W. Johnson

Tom R. Jones

Wm. C. Jones

N. B. Johnson

No. 6 February Sessions 1928

IN THE COURT OF QUARTER SESS-  
IONS 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.

IN THE COURT OF Quarter Sessions OF CLEARFIELD COUNTY,

			Dollars	Cents
<i>Sam Johnson</i>	Days in attendance	21	Miles direct travel	4 26
<i>Mullen, Garrison</i>	Days in attendance	23	Miles direct travel	4 38
<i>J. H. Brecken</i>	Days in attendance	21	Miles direct travel	4 26
<i>Dr. J. F. Rosales</i>	Days in attendance	30	Miles direct travel	4 80
<i>E. D. Thompson</i>	Days in attendance	23	Miles direct travel	4 38
<i>A. A. Self</i>	Days in attendance	23	Miles direct travel	4 38
<i>Izra Johnson</i>	Days in attendance	23	Miles direct travel	4 38
<i>J. W. Hatch</i>	Days in attendance	23	Miles direct travel	4 38
<i>Wayne Johnson</i>	Days in attendance	21	Miles direct travel	4 26
<i>A. T. Bell</i>	Days in attendance	23	Miles direct travel	4 38
<i>Joseph M. Scott</i>	Days in attendance	22	Miles direct travel	4 32
<i>James Byers</i>	Days in attendance	30	Miles direct travel	4 80
<i>W. M. Buckley</i>	Days in attendance	30	Miles direct travel	4 80
<i>John Agard</i>	Days in attendance	30	Miles direct travel	4 80
<i>John St. John</i>	Days in attendance	30	Miles direct travel	4 80
<i>W. M. Holl</i>	Days in attendance	30	Miles direct travel	4 80
<i>Al Justed</i>	Days in attendance	30	Miles direct travel	4 80
<i>J. M. Johnson</i>	Days in attendance	32	Miles direct travel	4 32
	Days in attendance		Miles direct travel	
	Days in attendance		Miles direct travel	
	Days in attendance		Miles direct travel	
	Serving subpoenas		Witness	
	Miles distance			
Whole amount of bill			\$	81.30

*CLEARFIELD COUNTY, SS:*

Personally appeared before me Dr. T. Bell, who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material and in attendance as above stated, and that the mileage is correct as he believes.

Sworn to and subscribed before me this

90th day of July, A. D. 1927.  
Geo. W. Palstura, Prothonotary

No. 6 Feb Term, 1928

Versus

*Bill of Costs*

For \_\_\_\_\_ Term, 19 \_\_\_\_\_

Date \_\_\_\_\_ 19 \_\_\_\_\_

Amount — — — \$ \_\_\_\_\_

TRILLED
JUL 20 1928
GEO. W. RALSTON
CLERK

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

81.30 #

—

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 ~~the~~ <sup>Mahaffy</sup> 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 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.

Ord F Bell  
Earl Bell  
E E Hoar  
Frank Bell  
Ward Gouldthorpe  
H.W. Bell

Guy & Redden  
Geo, M, Bell  
Clayton Huling  
J S Gardner  
J Ace Johnson  
Howard Bell.

D. F. Bell

B. M. Wiley

J. F. Mitchell

S. W. Ross

Leadill Johnston

Orl. G. Mott

J. R. Dickey

J. F. Bell

John Spanogle

Mamie Bell

O. W. Gouldbread

Norman Shaffer

John W. Cross.

L. K. Johnson

H. B. Bege

P. B. Johnson

W. J. Johnson

J. M. Johnston

L. A. Sate

Ollie Derrick

A. T. Bell

Wade J. Bell

Mrs. A. A. Bell.

Martin Passman

No. 1125 Recd. 1929	Petition to Vacate + Disapply Public Roads in Division of Injunctions	March 12 <sup>nd</sup> 1929 John Bellis, John Harry Neese and George H. Walker are appointed men on a report by the court Affidavit	
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4.00 by day

Received on 14<sup>th</sup> 1929  
Service accepted for County Commissioners  
D. C. Morris, Clerk