

Road DOCKET No. ⁶

| Number | Term | Year |
|--------|---------|------|
| 8 | Sept ss | 1928 |

Petition to vacate road in

Bradford Twp

Versus

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X

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

To the Honorable the judge of said court:

We the undersigned Supervisors and citizens of Bradford Township,

Respectfully Represent:

That a public road long since laid out from a point at or near
Cheatnut Grove School House and ending at the Begg's Township Line, has
become useless and burdensome to the taxpayers of Bradfor Township to keep
up.

They therefore pray your honorable Court to appoint viewers
to vacate the same, and they will ever pray..

W. H. Keppart
A. B. Lansberry
R. E. Dale
Supervisors of Bradford Township.

| | | | | |
|--------------------|-------------|---------|---|---------|
| Minnie Parks | Woodland Pa | 7/5/28 | | |
| Harry Craft | " | " | " | " |
| Roy A Knepp | " | " | " | " |
| Ed M Parks | " | " | " | " |
| J. W Palmer | " | " | " | " |
| W. B. Sherry | " | " | " | 7/18/28 |
| B. L. Livingston | " | " | " | " |
| Charles Pelerite | " | " | " | " |
| Seth J. Mainer | " | " | " | " |
| J. T. Pickles | " | " | " | " |
| J. Albert Tuttle | " | " | " | " |
| Wm P. Alkington | " | " | " | " |
| Richard Lansberry | " | " | " | " |
| Harold D. Hoolidge | " | " | " | " |
| J. Mains | Woodland Pa | 7/26/28 | | |
| E. E. Williams | Woodland Pa | | | |

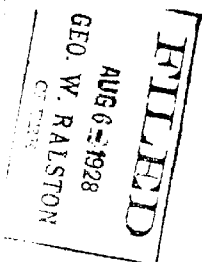
8 Sept 22 1928

IN THE COURT OF QUARTER SESSIONS
OF CLERK FIELD C. UNIT, I.A.

Petition for viewers to vacate
a road in Bradford Township.

Deans Aug 6th 1825,
John Debbins Esq. Ed. Riddle
and Jesse Riddle

we offered view
to view and report
By the Court
- Will have
P. J.



To: R. E. Dale, A. B. Lansberry and W. H. Kephart, Supervisors
of Bradford Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 8 September Sessions, 1928, to view and vacate a public road long since laid out in Bradford Township, beginning at a point at or near Chestnut Grove School House and ending at the Bogg's Township line, in Bradford Township, in the County aforesaid, will meet at the Chestnut Grove School House in said Township on Wednesday, the 10th day of October, A. D. 1928 at ten (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 12th day of October, 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 Collins
Ed. Billotte
Jesse Dale
Viewers

Dated, September 25th, 1928.

CLEARFIELD COUNTY, SS:

AND NOW, this 26th day of September, A. D. 1928, Service of the above Notice is hereby accepted for the Supervisors of Bradford Township, Clearfield County.

W. H. Kephart
A. B. Lansberry
R. E. Dale
Supervisors

To: R. E. Dale, A. B. Lansberry and W. H. Kephart, Supervisors

of Bradford Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 8 September Sessions, 1928, to view and vacate a public road long since laid out in Bradford Township, beginning at a point at or near Chestnut Grove School House and ending at the Boggs' Township line, in Bradford Township, in the County aforesaid, will meet at the Chestnut Grove School House in said Township on Wednesday, the 10th day of October, A. D. 1928 at ten (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 12th day of October, 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.

James H. Dale
W. H. Kephart
W. B. Lansberry
Viewers

Dated, September 25th, 1928.

CLEARFIELD COUNTY, ss:

AND NOW, this 25th day of September, A. D. 1928, Service of the above Notice is hereby accepted for the Supervisors of Bradford Township,

Clearfield County.

W. H. Kephart
W. B. Lansberry
James H. Dale
Supervisors

To:- 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 to No. 8 September Sessions, 1928, to view and vacate a public road long since laid out in Bradford Township, beginning at a point at or near Chestnut Grove School House and ending at the Hogg's Township line, in Bradford Township, in the County aforesaid, will meet at the Chestnut Grove School House in said Township on Wednesday, the 10th day of October, A. D. 1928 at ten (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 12th day of October, 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
Ed. Billotte
Jesse Dale
Viewers.

Dated, September 25th, 1928.

CLEARFIELD COUNTY, SS:

Now, this 26th day of September, A. D. 1928, service of the above Notice is hereby accepted for the Commissioners of Clearfield County.

E. C. Norris
Clerk

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 20th day of November, A. D. 1928.

John Seccia [SEAL]
Ed Billotte [SEAL]
James Ehale [SEAL]

Viewers.

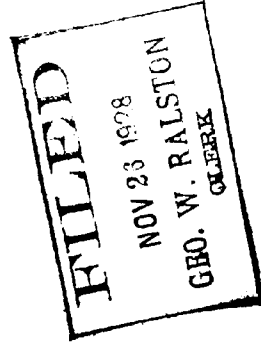
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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 |
|-----------------------|------|-------|---------|
| <i>F. D. Billotte</i> | 4 | 44 | \$32.20 |
| <i>John Scollins</i> | 4 | 80 | \$34.00 |
| <i>J. E. Dale</i> | 2 | 16 | \$16.80 |



No. 8 Sept Term 19 28

ORDER TO VACATE

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

Now *Dec* Sessions 19*28*

read and confirmed Ni. Si.

By the Court.

W. A. Hager
Now *Nov* Sessions 19*28*
confirmed absolute.

By the Court.

W. A. Hager
P. J.

Filed 19

Atty, W. A. Hager

Fees \$1.25 paid by

W

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 6th day of August in the year of our Lord, one thousand nine hundred and twenty eight :

By the Honorable ^{A. R. CHASE} ~~Supervisor~~, President Judge of the said Court: Upon the petition of ~~some~~ Supervisors and citizens ~~inhabitants~~ of the Township of Bradford, in the County aforesaid setting forth that a public road long since laid out from a point at or near Chestnut Grove School House and ending at the Bogg's Township line, has become useless and burdensome to the taxpayers of Bradford Township to keep up.

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., 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 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.

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 Bradford, 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

10th day of October, A. D. 19 28, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield.

Pa., on the 12th day of October A. D., 1928, 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 A. B. Lansberry, Supervisor; Fred Hite and Abe Robison

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 12th day of October, A. D. 19 28, when the parties interested in the said road were in attendance: Carl A. Belin, Esq., Attorney for petitioners, with A. B. Lansberry, Supervisor. A. B. Lansberry 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: Beginning at the intersection of public road leading from Mineral Springs with roads leading to the Boggs Township line at the Chestnut Grove School House; thence South 25 degrees West 100 feet to a post; thence South 21 degrees 30 minutes West 545 feet to its point of intersection with the Boggs Township Line.

We further find that this Road was originally laid out on petition of the Supervisors of Bradford Township, with the understanding that the Supervisors of Boggs Township would similarly act for their constituents, and have vacated two roads in Bradford Township built over steep grades and eliminate two dangerous hills, and in accord with the foregoing understanding this piece of road was built by Bradford Township and extended it to the Boggs Township line in a practically straight line over the best grade obtainable; but the Supervisors of Boggs Township failed to act in conjunction with the Bradford Township Supervisors and as a result the road has been of no public use or benefit, having no connecting outlet in Boggs Township, the public continuing to use the only two open roads available with outlets in Boggs Township.

Your Board therefore recommends that the aforesaid described public road be vacated.

Clearfield Penna July 27th 1928

To Commissioners of Clearfield County

You are hereby notified that a petition signed by the Supervisors and Citizens of Bradford Twp will present a petition to vacate that portion of a public road in said Township of Bradford from a point at or near Chestnut Grove School house and ending at the Boggs twp line as the same has become useless and burdensome to the taxpayers of said Township

W. A. Hagerty

Atty for petitioners

NOW, July 30, 1928, service accepted for the County Commissioners.

L. C. Norris
Clerk