

Road

DOCKET No. 5

Number      Term      Year

9              Sept ss      1928

Petition to vacate road in

.....  
Morris Twp.

Versus

X

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

PETITION FOR THE VACATING OF A PUBLIC ROAD.

To the Honorable A. R. Chase president judge of said Court,-

The petition of the undersigned, inhabitants of the Township of Morris, Clearfield County, Pennsylvania, respectfully sheweth:

That a road has been long since laid out beginning at a point at Mike Meerwaw's residence on a road leading from the State road between Morrisdale and Alport and from there through the Village of Oak Grove, and from Mike Meerwaw's Residence leading through to Shaft no. 3 ending on the road leading from Munson road to Morrisdale Station, being about one mile long.

The above described road has not been used for about ten years, and your petitioners conceive, is now become useless, inconvenient and burdensome.

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

Albert Williams

Mayly Johnson

W. H. Hutton

Sam Lewis

J. T. Meyer

T. L. Sheriff

John Horow

S. N. Teller

Jos. H. Newham

W. H. Newham

Roy McGann

John F. O'Conor  
Frank Washburn  
John J. Longstreet  
Jacob J. legal  
Paul J. F.  
John G. Four  
Thos Davis

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD )

Personnally appeared before me the subscriber and after being duly sworn deposes and says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Peter Mc Dermott

Swernand subscribed to before me  
this 13<sup>rd</sup> day of August, A. D. 1928.

William Sleez J. P.

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Dear Mr. Smith 20. 1. 1925

J. S. Warner Esq.,  
Henry Meuse and  
Jack McCloud are  
appointed trainers  
to ride and report.

By the court.

Philippe

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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 Morris; \_\_\_\_\_, 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

23d day of October \_\_\_\_\_, 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 Wednes- day of twenty fourth A. D., 1928, at (9) 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 two of the Supervisors of Morris Township which were the only appearances except the appointed viewers; \_\_\_\_\_

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 24th day of October , A. D. 19 28, when the parties interested in the said road were in attendance: the Supervisors of said Township of Morris in said County which being the only parties interested being in attance; \_\_\_\_\_

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has \_\_\_\_\_, become useless, inconvenient and burdensome and therefore recommend that the same be vacated the same being a burden to the tax payers of the and of no benefit. Beginning on a road leading from State Highway leading from Morrisdale to Munson from a point known as the Oak Grove to shaft number three (3) in Morris Township at or near the residence of Mike Meerwas, thence running south seventy-nine (79) degrees, east two hundred and fifty two (252) feet, over land of an old abandoned coal field, thence running south twelve (12) degrees, East three hundred (300.) feet. Thence south thirty eight (38) degrees East four hundred and fifteen (415) feet. Thence south seventy eight (78) degrees East two hundred and eight (208) feet. Thence south thirty eight (38) degrees, East three hundred (300) feet. Thence East twenty seven (27) degrees East three hundred (300) feet. Thence south thirty two (32) degrees East three hundred (300) feet. Thence south eleven (11) degrees, East three hundred (300) feet. Thence south twenty three (23) degrees, East three hundred and seventy five (375)

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 20th day of August in the year of our Lord, one thousand nine hundred and twenty eight

A. R. CHASE

By the Honorable ~~Superior Court~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Morris, in the County aforesaid setting forth that ..... a road has been long since laid out beginning at a point at Mike Meerwaw's residence on a road leading from the State road between Morrisdale and Allport and from there through the Village of Oak Grove, and from Mike Meerwaw's residence leading through th Shaft No. 3) ending on the road leading from Munson road to Morrisdale Station, being about one mile long.

The above described road has not been used for about ten years and your petitioners conceive, is now become useless, inconvenient and burdensome

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 A. G. Kramer, Esq., Harry Reese

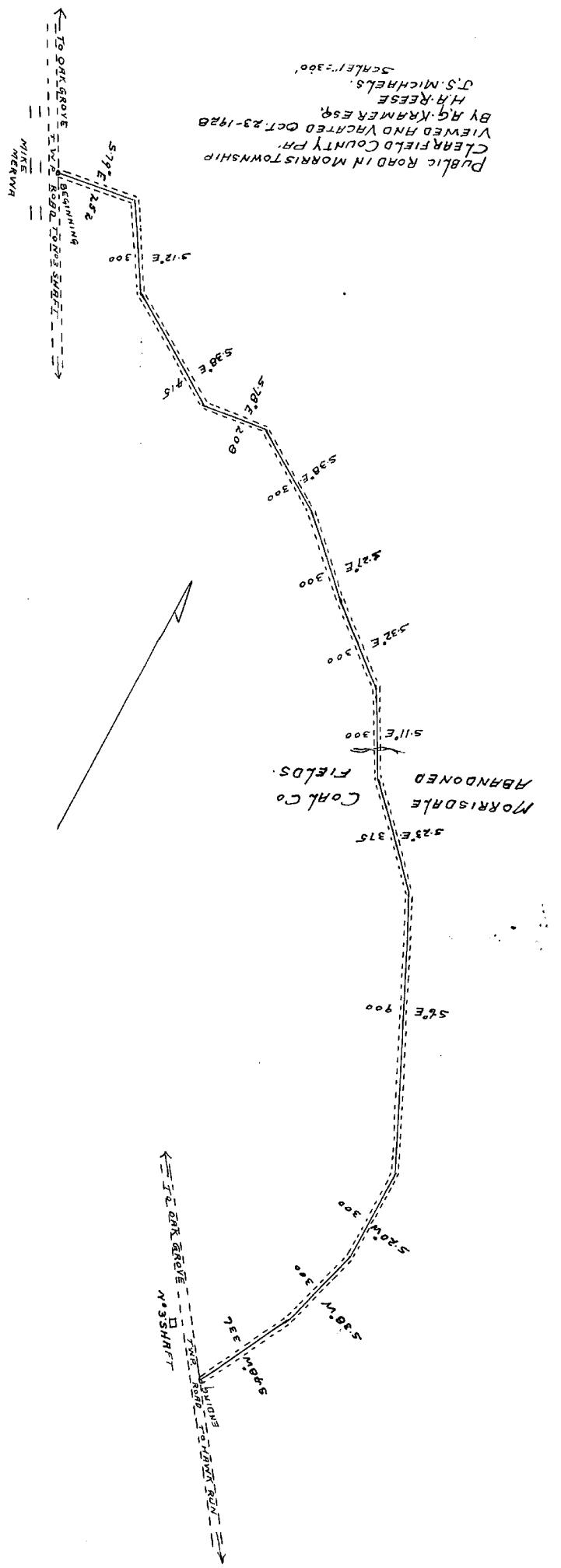
and Jack Michaels who have been duly appointed by the said Court on the

County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road; releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft, or plot, aforesaid. In which said reports they shall state that they have been sworn, or affirmed, according to law, and that due and legal notice was given of the time when and the place where they would meet, to view said road and the time and place of hearing.

By order of the Court.

*Geo. W. Ralston*  
Clerk.



TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of said County to view and vacate two portions of the public road in the Township of Morris, ..

FIRST: Beginning at Mrs. Krumshaw's residence on the road leading from the state Road Route 53; thence a westerly direction to a point where it intersects the Township Road leading from Allport to Bigler at Haws' Farm, approximately 3/4 of a mile.

SECOND: Beginning at a point at Ambrose Neff residence on a road leading from the State Road Route 53; from thence in a Southwesterly direction to a point at James Emiegh residence where it intersects the road leading from the State road route 53 through Lakeside Park. Approximately 1/2 of a mile, will meet for the discharge of the duties of their appointments at the residence of Mrs. Krumshaw on the road to be vacated on Tuesday the 23rd day of October, 1928 at 10:00 A. M. of which time and place all parties interested will please take notice.

And that a public hearing as required by the Act of ~~the State of Pennsylvania for the year 1921~~ Assembly and the rules of court in advance of the filing of their report will be held by the viewers in the Arbitration Room in the Court House at Clearfield, Pa., on Wednesday the 24th day of October, 1928 at 9:00 A.M. when and where all parties interested may appear with witnesses and be heard.

A. A. Kramer  
A. A. Reese  
J. S. Michaels.  
VIEWERS

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

Yours truly hereto notifying that the undersigned avowes

appointing by the Court of Common Pleas of said County to  
attend and advise the portions of the proceedings in the Township  
of Morris.

FIRST: Beginning at Ms. Krumm, a residence on the

road leading from the State Road Route 23; thence a westward  
direction of a point where it intersects the Township Road leading  
from the Village of Binger at Hwy. East, about 3/4 of

a mile.

SECOND: Beginning at a point at which the road leading

on a road leading from the State Road Route 23; from thence in a  
southerly direction of a point at James Pringle residence  
where it intersects the road leading from the State road Route

23 through Lakeside Park. About one-half mile, with  
meet for the purpose of their appointment at the

residence of Ms. Krumm on the road leading to the  
time and place of October, 1928 at 9:00 A.M. to witness the  
same in the Township Room in the

same will be present with the undersigned will release the notice  
and that a copy of the Act of

Now October 16, 1928 service accepted for the County Commissioners  
of Clearfield County Penna. and personal service waived.

John C. Morris  
Clerk.

October, 1928 at 9:00 A.M. when and where all business transacted may

be present with witnesses and, be present.

Respectfully yours,

John C. Morris

WITNESS

TO THE COUNTY COMMISSIONERS,  
Clearfield, Pennsylvania.

You are hereby notified that on Monday, August 20, 1928, a petition will be presented to the Court of Quarter Sessions asking for the appointment of viewers to vacate a certain road in Merris Township, beginning at a point at Mike Meerwaw's residence on a road leading from the State road between Morrisdale and Alport and from there through the Village of Oak Grove, and from Mike Meerwaw's residence leading through to Shaft No. 3 ending on the road leading from Munson road to Morrisdale Station, being about one mile long.

Carl A. Belin  
Attorney for Petitioners.

New August 16, 1928 Service accepted for County  
Commissioners.

BY

L. C. Morris  
Clerk.

feet (375) feet. Thence south six six (6) degrees. East nine hundred (900) feet. Thence south twenty (20) degrees. West three hundred (300) feet. Thence south thirty-eight (38) degrees. West three hundred (300) feet. Thence south forty-eight (48) feet west three hundred and thirty-six (336) feet to the connection <sup>ON</sup> of the public road leading from Oak Grove to Hawk Run in Morris Township County and State aforesaid a distance of over one mile in length which said road from all appearance is of no account is not and has not for some time been used the viewers therefore recommend the same to be vacated.

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.

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 by reason of the vacation and closing up of the said road, i.e., the undersigned Viewers, after having considered the advantages to be deriv'd to them, do assess their damages and make report thereof, as follows:

and we herewith return releases obtained, and copy of the notices.  
**attached** *served and posted up are hereo*  
Witness our hands and seals this 24<sup>th</sup> day of October, A. D. 1928

nd copy of the notices. served and posted up are hereo  
24<sup>th</sup> day of October A.D. 1928

A. G. Kramer..... [SEAL.]

..... W. A. Reese ..... [SEAL.]

... S. S. Michael... [SEAL.]

### Viewers.

AL Sept 20 1928

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.

## ORDER TO VACATE

To view and vacate road situated

in the Township of Morris  
Clearfield County.

Now Dec Sessions 1928

	Days	Miles	Amt
A. H. Kramer	3	\$2 25 00	
A. H. Reese	3	\$2 25 00	
J. S. Michaels	2	\$15 20 90	

read and confirmed Ni. Si.

By the Court,  
*F. J. Haggerty*  
Now Dec Sessions 1928

confirmed absolute.

By the Court.

*A. H. Haggerty*  
p. j.

Filed Nov 15 1928  
Geo. W. Bellin, Clerk  
Atty, W. A. Hagerty & Carl A.  
Bellin  
Fees \$1.25 paid by