

Road

DOCKET No. 6

Number Term Year

3

Dec ss 1929

Petition to vacate road in Goshen

Twp

Versus

X

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

In re: Petition to vacate road)
in Goshen Township.)

To the Honorable A. R. Chase, President-Judge of said Court:

The
undersigned Supervisors for the Township of Goshen respectfully
represent:

(1st). That there is a certain road in said Township of
Goshen which has long since been laid out as Township road but has
through time become abandoned to the use of the general public,
and at present is used exclusively as a private road or lane, a
more detailed description of same being a road beginning at Ed.
Taylors and extending in a Northeasterly direction about one-half
mile in length to the intersection of the road leading from Tom
Taylors to the Goshen Church.

(2nd). That to keep and maintain said road at the expense of
Goshen Township has become useless, inconvenient and burdensome to
the taxpayers.

Your petitioners therefore pray your Honorable Court
that the road hereinabove mentioned may be vacated agreeably by
the Act of Assembly in such case made and provided.

And they will ever pray, etc.

Ira J. Kanner
Joseph J. Morris
B. H. Kaylor
Supervisors of Goshen Town
ship.

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FILED
OCT 7 - 1929
GEO. W. RALSTON
CLERK

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY PENNA. <i>3 Dec. 24, 1929</i>	
In re: Petition to vacate road in Goshen Township.	
<i>New Dec 7th 1929</i>	
<i>R.D. Hanna Esq, Local Justice and Ed Bell the are appointed referees in and out of the Big Ten Court</i>	
<i>A. B. Shaw ATTORNEY AT LAW CLEARFIELD, PA.</i>	

402

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

RE: Petition to Vacate Road :
: No.
in Goshen Township. :

This was a petition presented to vacate the road leading from the Township Road which leads from the Goshen School to the Pine Township line, leaving said road at a point opposite John Sipes and leading to the Thad Ireland homestead, petitions having been presented to the Court opposing said vacation, it appeared to the Court that it would not be proper to the property holder, Thad Ireland, to vacate the same at this time because of said road being the only public out-let from said farm, the Court will make the following order:-

NOW, January 30th, 1930, the report of the Viewers recommending vacation of said road is not confirmed and Clearfield County is directed to pay the costs.

By the Court,



P.J.

Oct 29 1929 *

To The Honorable Court of Clearfield
County in the matter before
petition against the vacating of the
Road leading East from G E Taylor
to the main Road. This Road being
used as a milk Road and used
every day in the year it is also
a short cut to the State Road for most
of the signs it also is a Road that is
always passable in winter

G E Taylor Clearfield Pa RD 2

W. H. Cowder Clearfield Pa RD 2

Thomas Taylor Clearfield RD 2

Wm B Taylor Clearfield Pa. RD 2

E. B. Singer Clearfield Pa RD 2

Mrs. E. B. Singer " " RD 2

X Mrs Thomas Taylor Clearfield Pa RD 2

A. F. Beauregard

Mrs A. F. Beauregard

X Cecil Taylor

X Mrs Cecil Taylor

Otis A Hooper

W H Liddle

Mrs W. H. Liddle

J D Fegal

EXAMINATION BLANK

No. Pupil Age Grade

Subject Teacher

Date Time used Standing

No. 50. Kurtz Bros., Stationers and Printers, Clearfield, Pa.

Clair, Lizier

~~Emma~~ Lizier

Mary E. Lizier

John W. McLaughlin

Emma J. McLaughlin

Lee Taylor

Curtis Taylor

Mrs Curtis Taylor

Goshen township

16

1.1

J. T. Murphy

Clearfield

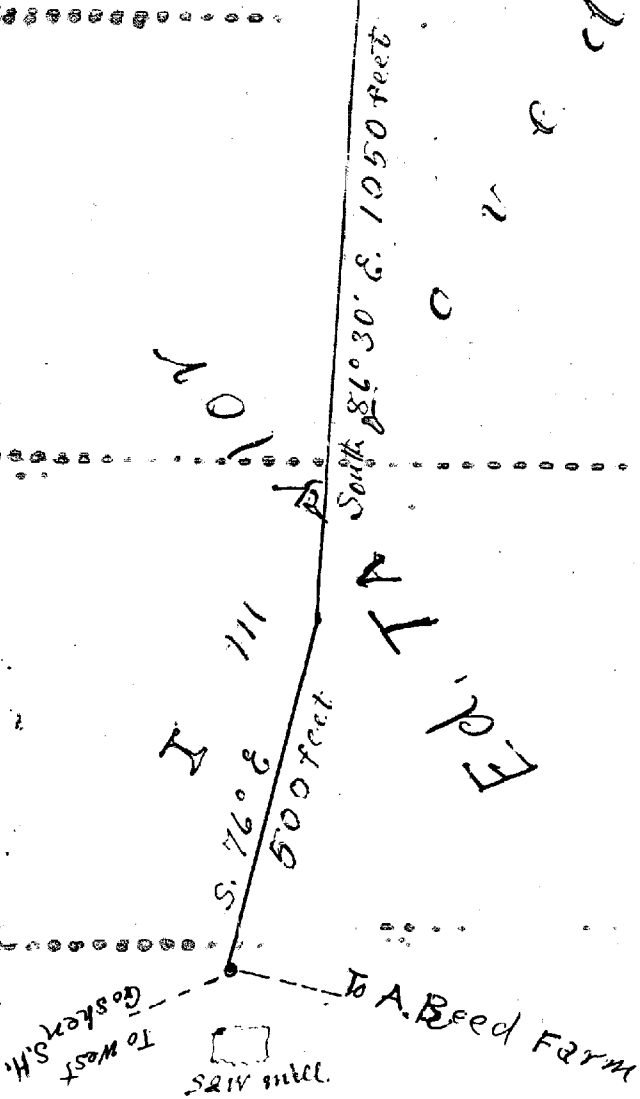
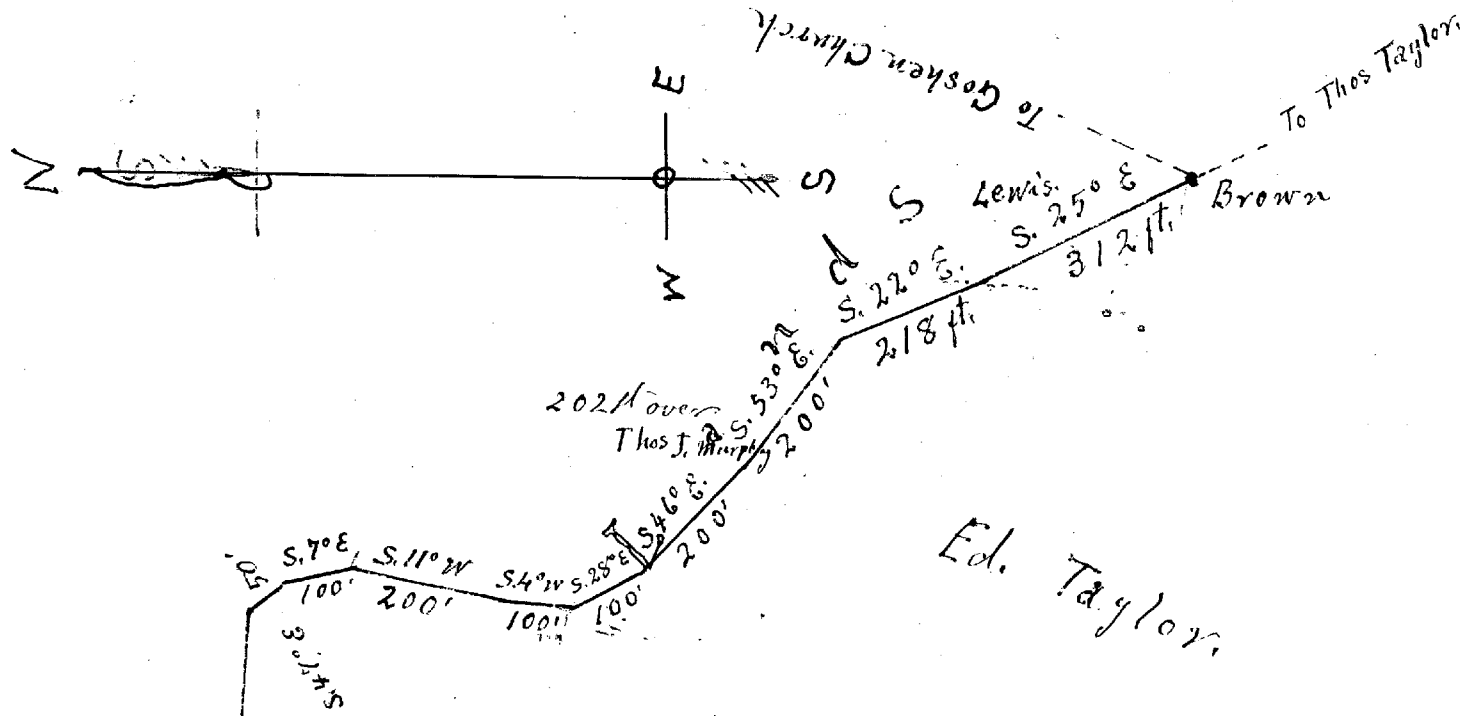
EXAMINATION BLANK

No. Pupil Age Grade

Subject Teacher

Date Time used Standing

No. 50. Kurtz Bros., Stationers and Printers, Clearfield, Pa.



Draft Showing location of a
Public Road. in Goshen Township.
Clearfield County, Pennsylvania.
Viewed for vacation by the under-
signed viewers. October 24th A.D. 1929.

A.G. Kramer,
E.D. Billotte,
J.S. Michaels,
Viewers.

Scale 1/2" to 100 ft.

TO JOSEPH MORRIS. IEA. J. KRAMER. AND BOYD. H. KYLER.
THE SUPERVISORS, OF GOSHEN, TOWNSHIP, CLEARFIELD COUNTY, PA.

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa. to view and vacate the public road running from at or near the residence or house of Ed. Taylor in said Township, County and State aforesaid in a North Easterly direction past the residence of Thomas Taylor about one half mile in length to the Goshen Church in said Township.

And Whereas the said viewers in the discharge of the duties of their appointment will meet at the residence or house of Ed Taylor in Goshen Township County and State aforesaid on Thursday October 24, 1929 at nine (9) o'clock, A. M. of which time and place all parties interested will please take notice.

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 a chance to be heard as to whether said road should be vacated or not by the viewers before the filing of their report in Court will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa on Friday October 25th. 1929 at nine (9) o'clock A. M. at which time and place all parties with their Attorney and Witnesses if any may appear and be heard.

A. J. Kramer

E. W. Billotte

J. S. Michaels

VIEWERS.

Now October the 17th 1929 served this notice on Joseph, Morris Ira. J. Kramer and Boyd H. Kyler on each of them personally by handing to each of them a true and correct Copy of same.

A. J. Kramer

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Pa. ...

You are hereby notified; That the undersigned viewers appointed viewers Appointed by the Court of Quarter Sessions of Clearfield County Pa; to view and vacate the public Road leading from at or near the Goshen Camp or Residence of C. B. Couser and extending ^{from} thence in a northly direction about one mile in length to at or near the residence of that Ireland in Goshen Township in the County Aforesaid ;

Will meet to make said view on Thursday October the twenty fourth (24th) at or near the residence of Thad Ireland at half past ten oclock A. M.

at or near the Residence of Thad Ireland in Goshen Township of which time and place all parties interested in said view will please take notice. And that the public Hearing as required By the Act of Assembly and the Rules of Court , 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 theit report in Court, Will be held by the viewers in the Arbitration Room in the Court House in Clearfield Pa at nine (9) Oclock A. M. at which time and place all parties interested in the 'said road either in favor of or opposed to the vacation of said road may appear and be heard.

But as the viewers see no benefit in said road except perhaps noe man and perhaps on a few occasions and perhaps a few hunters who may occasionally travel over it during the Hunting Season .The viewers therefore dont see sufficient reason for keepin up said road at the expense of the Taxpayers of the Township and would therefore recomend that the same be vacated.

No one by the opinion of the viewers by the vacation of said road therefore no damages are assessed.

A. G. Krasner
E. D. Billotte.
J. S. Michaels.
Viewers.

TO THE COUNTY COMMISSIONS OF CLEARFIELD COUNTY PENNSYLVANIA.

SIRS.

You are hereby notified, That the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view and vacate that Public road or portion thereof leading from the residence of Ed Taylor in a North Easterly direction to the Goshen Township Church in Goshen Township in the County aforesaid about half a mile in length;

And that the view of the second Road will be made on the same day For which the same viewers will meet or on some day specified in the view will meet at the Residence of Thad, Ireland at half past ten O'clock (10.30) A. M. and will measure view and inspect the said road Leading from a point on the road from the Goshen Township to Goshen Camp at the C. B. Couser property and extending in a south Easterly direction about one mile in Length to the property of Thad Ireland .

And that the public hearing as required by the Act of Assembly and the 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 either in favor of or opposed to the vacation thereof an opportunity to appear with their witnesses and be heard, will be held (at 9 o'clock A. M. at nine O'clock A. M. in the Arbitration Room in the Court House in Clearfield Pa when and where parties either in favor of or opposed to the vacation of said road may appear and be heard.

A. J. Kramer

E. D. Billotte

J. E. Dale

VIEWERS.

Now Done at the Court of Quarter Sessions of Clearfield County Pa. A. D. 1929 service accepted for the County Commissioners of Clearfield County and personal service waived.

L. C. Morris

Clerk.

3
RETURN, OF, VIEWERS.

TO THE HONORABLE JUDGE OF THE COURT 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 Board of viewers who have been duly appointed by your Honorable Court and have their Oaths Oath of office in the Court of Common Pleas of Clearfield County beg leave to report as follows, And that three legal notices of the time for the view and of the hearing day was duly served according to law upon the County Commissioners of Clearfield County and the board of Supervisors of the Township of Goshen and that three legal notices thereof were posted along the route of the said road to be vacated that the said view would be held on the 24th day of October 1929 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 (25) day of October A. D. 1925 at nine o'clock A. M. and that the only Parties besides the viewers were the Supervisors of the Township.

A G Kramer

E D Billotte

J S Michaels

VIEWERS

2

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 ^{24th} ~~fourth~~ day of ~~October~~ ^{November} A. D. of one thousand nine hundred and ~~and~~ ^{and} twenty nine (1929)

By the Honorable S. A. R. Chas. President Judge of the Court: Upon the petition of Supervisors of the Township of Goshen in the County aforesaid setting forth that that a certain road in the said Township of Goshen has been laid out as a township road but has through time become abandoned to the use of the general public and at present is used Exclusively as a private road or lane more detailed description of same being a road beginning near the residence of C. B. Couser (Goshen) as a private road beginning at or near the residence of Thad Ireland in Goshen Township And that the said viewers being duly sworn as directed by the Act of Assembly and the Rules of Court and that after posted bills and given due legal notice of the time and place of the view and the duly qualified to perform the duties of their appointment with impartiality and according to the best of their knowledge and judgment and decided that

that there is no necessity for said road and therefore vacate said road to the best of their ability information and, in prayer, 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 A. G. Kramer, Esq.

Jack Michaels And Ed. Billotte who have been duly appointed by the said Court to 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; and by the said road, and after having viewed the same, if they agree that there is no necessity for said road, they shall therefore 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.
and the said viewers were duly sworn according to law at the Residence of Ed Taylor on Thursday Township of Goshen on the 24, day of November A. D. 1929 at the residence of Ed. Taylor in said Township of Goshen On Thursday A. D. 1929 at nine o'clock A. M. at which time and place all parties interested may appear and be heard, whether opposed or in favor of

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 ~~public hearing~~ ^{public hearing was duly served} being to law upon the Commissioners of Clearfield County, and the Board of ~~Supervisors~~ ^{Supervisors} of the Township of Goshen from at or ~~near~~ ^{near} the Residence of C. B. Couser, thereof were posted along the route of the said road to be vacated, that the said view would be held on the 25th day of November, A. D. 1929 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 ~~Friday~~ ^{Friday} the 25th day of October A. D. 1929 at 10 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 ~~The supervisors of the Township of Goshen~~ ^{no one else} Except the viewers except the viewers that were present.

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 (25) day of October, A. D. 1929, when the parties interested in the said road were in attendance: the only parties were the Supervisors.

And that the view in both these cases was on the same day on October the 24th A. D. 1929 the one at Ed. Taylor's nine o'clock A. M. and the one leading from from the ~~Residence of~~ ^{Thad Ireland} to the Residence of C. B. Couser at half past ten thirty o'clock, and only occasionally used.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome ~~to the only way to get in or~~ from at or near the Residence ~~or~~ ^{home of Thad Ireland on} which one person with his wife reside and and only occasionally ~~over same and that only occasionally~~ ^{his farm or residence} Thad Ireland ~~of~~ ^{C. B. Couser} which is only ~~used occasionally~~ ^{used occasionally} by a few ~~times~~ ^{during the hunting season} and that the road between C. B. Couser's Residence and Thad Ireland is a distance six thousand (60000) feet.

The viewers therefore see no occasion or need for a public road between said two points and ~~be used as a private~~ ^{road} expensive and therefore recommend that the same be vacated.

The viewers assess the damages to Thad Ireland at the sum of twenty five (\$25.00).

Before said view was made due notice was regularly served on the County Commissioners and posted along the rout of the said road setting fourth the date said view would be made and the day for the hearing as shown by the copy on the said notices attached to +

A. G. Kramer
E. D. Billotte
J. S. Michaels
June 29

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:

That in the judgment of the viewers the only party Damages
is Thad Ireland to whom the damages are assessed.

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

Witness our hands and seals this (24th) day of October, A. D. 1929

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

E. D. Billotte..... [SEAL.]

J. S. Michaels..... [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>A. H. Spencer</i>	<i>3 1/2</i>	<i>10 1/2</i>	<i>\$20.00</i>
<i>G. D. Billotte</i>	<i>1 1/2</i>	<i>3 1/2</i>	<i>18.75</i>
<i>J. S. Michaels</i>	<i>1 1/2</i>	<i>4 1/2</i>	<i>9.60</i>

No. *3 Dec* Term 19 *29*

ORDER TO VACATE

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

Now _____ Sessions 19____
read and confirmed Ni. Si.

By the Court.

Now _____ Sessions 19____
confirmed absolute.

By the Court.

Filed _____ 19____

Atty. _____

Fees \$1.25 paid by _____

