

Road

DOCKET No. 6

Number Term Year

4 Dec ss 1929

petition to vacate road

Goshen Twp.

Versus

X

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

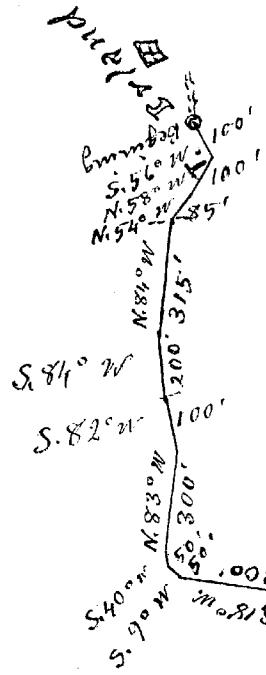
The Viewers having presented their report in this case to February Sessions for confirmation n. si. recommending vacation, there being petitions presented opposing the vacation and it appearing to the Court that due to the improved property along said road, although at the present time unoccupied, that there should be no vacation at this time, the Court will make the following order:-

NOW, January 30, 1930, ton recommendations of the Viewers, said vacation if not confirmed, and Clearfield County is directed to pay the costs of this proceeding.

By the Court,

H. R. Blase

P.J.



Draft Showing location
of a public Road in
Goshen Township,
Clearfield County, Pa.
viewed for location.
Oct. 24th. A.D. 1929,
A. G. Kramer;
E. D. Billotte;
J. S. Michalek;
viewers.

Scale $\frac{1}{4}$ " to 100 feet.

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A. C. Kranner;

E. O. Billiot & C.

J. S. Michæls.
Vinevers.

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6

TO JOSEPH, MORRIS, IRA. J. KRAMER AND BOYD. H. Kyler . THE SUPERVISORS
of Goshen Township Clearfield County Pa. appointed by the Court of
Quarter Session of Clearfield County Pa. to view and vacate and to
That public road or portion thereof leading from at or near the public
School House in Goshen Township to the Goshen Cmp at the property
line of C. B. Couser and extending from the said Grouser property in a
North Eastern direction about one mile in length to the Residence of
Thad. Ireland in the said Township. and that the said viewers in
order to perform the duties of their appointment and make said view
will meet at the house or residence of Thad Ireland on Thursday October
, the 24th day of October A. D. 1929 at half past ten o'clock A. M.
to make said view.

And that the public hearing as required by the Act of Assembly
and the Rules of Court will held by the viewers in order to give all
parties interested a chance to be heard by the viewers before the fil
ing of their report will be held by the viewers in the Arbitration
Room in the Court House in Clearfield Pa on Friday October the (25)
1929 at nine o'clock A. M. at which time and place all parties interest
ed either in favor of or opposed to the vacation of the said road
may appear and be heard.

A G Kramer
E D Billotte
J S Michaels

VIEWERS.

The only party that in the opinion
Now October the 17th 1929 served this notice personally by handinf to
Joseph Morris, Ira. J. Kramer and Boyd, H. Kyler to each of them
the Supervisors of Goshen Township a true and Correct copy of same

A G Kramer

The only party that in the judgment of the viewers in any way damaged
by the changes or vacation of either of said road is Thad Ireland
who is assessed by the viewers twenty (\$20.00)

None of the other parties are assessed any damages

A G Kramer

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TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PENNSYLVANIA.
SIRS.

YOU ARE HEREBY NOTIFIED, THAT THE undersigned viewers of Clearfield County have been appointed by the Court of Quarter Sessions of said County to view and vacate that public Road or portion thereof Leading from at or near the residence of Ed. Taylor in Goshen Township in the County and State aforesaid running in a North, Easterly direction past the residence of Tom, Tayler to the Goshen Church about half a mile in length And that the said viewers will meet to make said view at the end of the road at or near the residence of Ed, Taylor in Goshen Township on Thursday October the (24th) 1929 at nine O'clock A. M. of which time and place

See the J. C. W. for details.
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 in said road either in favor of or opposed to the vacation of said road a chance to be heard as to whether same 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 the(25.) 1929 at nine (9) O'clock A. M. at which time and place all parties interested either in favor of or opposed to the vacation of said road will be given a chance to be heard and any and be heard.

A G Kramer
E D Billotte,
J D Michaels

VIEWERS.
Now October the 17th 1929 service accepted for the County Commissions and personal service waived. for the Commissions of Clearfield Co .

L C Morris
Clerk.

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CLEARFIELD. COUNTY. SS.

That the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa. And that the said notice having been duly sworn and their Oath filed among the Records of the Court of Common Pleas of said County.

And the said viewers having due notices posted along the route of the said road to be vacated and notice served on County Commissioners of Clearfield County and the Supervisors of Goshen Township of the time set for the view, met at or near the Residence of Ed Taylor of the time set for the holding of said view met on Thursday October 24th

A. D. 1929 at nine (9) o'clock A. M. and made said view and that the only persons besides the viewers was Mr Ed, Taylor and certain other members of his family. at which time the said viewers viewed and measured said road to be vacated leading from near the Residence of Ed Taylor To the public road near the residence of Thom Taylors a short distance from the Goshen. The viewers therefore after having been duly sworn and qualified as required by the law and viewed the said road have been fully convinced has become useless and inconvenient as a public road and therefore recommend that the same be vacated as a public road for the following reason s. That there is no reason or convenience for any Person but Ed Taylor. That all the parties in that end of the Township have a nearer route to the Goshen Church on the upper or main road to the Goshen Church which goes right to or past the said church at a shorter distance and a better road which is always traveled and therefore required to be kept up in good condition The viewers therefore recomand that said road past the residence of Taylor be vacated being no longer used as a public road.

A G Kramer
E D Billotte
J S Michaels

Viewers

3
RETURN, OF, VIEWERS.

TO THE HONORABLE THE JUDGE OF QUARTER SESSIONS OF THE PEACE IN AND
FOR THE COUNTY OF CLEARFIELD. PA.

We the undwrsigned 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 filed Oaths of office in the Court of Common Please of Clearfield County, beg leave to report as follows. And that three legal notices of the time af 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 1829 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)th day of October A. D. 1925 at nine O,clock A. M. and that the only parties present besides the viewers were the Supervisors of the Township

A G Kramer

E D Billotte

J S Michaels.

Viewers.

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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 day of October in the year of our Lord, one thousand nine hundred and twenty nine;

By the Honorable Judge A. R. Chase of the said Court: Upon the petition of ~~the~~ ^{the} ~~Supervisors~~ ^{Supervisors} of the Township of Goshen, in the County aforesaid setting forth that ~~the~~

~~A Certain road in said Township of Goshen which has long since been laid out as township road but has though 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 a point near the residence of Ed Taylor in northeasterly direction about one half mile in length to the intersection of the road leading from Thom Taylors to the Goshen Church about half mile in length to the Goshen Church in said~~
~~That to keep and maintain said road at the expense of Goshen Township has become useless inconvenient and burdensome to the taxpayers of the township. Therefore praying the said Court to appoint proper persons to view and vacate said road between the points mentioned whereupon~~,

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., E. D. Billot &~~
~~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, and the said *Geo. W. Ralston*
~~viewers were duly sworn according to law and met at or near the Residence of Thad Ireland on Thursday~~ Clerk.
October the (24th) 1929 at ten thirty (10:30) o'clock A. M. at which time
and place all parties interested may appear and be heard whether in
favor of or opposed to the vacation of said road or not.

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 ~~was~~ was duly served according to law upon the Commissioners of Clearfield County, and the Board of Supervisors of the Township of Goshen, and that due 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, 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 (25th) day of October, A. D., 19²⁹, at nine 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 ~~besides the viewers the Supervisors of the Township to wit~~

~~Joseph Morris, Ira J. Kramer and Boyd H. Kyler in favor of the vacation of said road and Ed Taylor with other members of his family opposes to the vacation of said road the owner of the main part of the land over which said road passes, and thereby making the distance to the said Church and~~
~~parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held~~

~~Room in the Court House, in Clearfield, Pa., on the (24th) day of October, A. D. 19²⁹, when the parties interested in the said road were in attendance: 'view and vacate the public road from, at or near the Residence or house of Ed Taylor in said Township; County of Clearfield to the location of the Goshen Church at or near the Residence of Thomas Taylor and running in a north easterly direction. And whereas the said viewers in the discharge of the duties of their appointment met at at the residence of Ed Taylor~~

And that after the view and hearing above mentioned, the ~~said~~ Viewers do agree that said road has become useless, inconvenient and burdensome ~~and therefore recommend that the same be vacated~~ to the Taxpayers of the Township; and recommend the vacating, of said road as, having become ~~useless inconvenient and burdensome to the Taxpayers of the Township~~
~~As the distance by the main road to the Goshen Church by the main road is but very little if any further which passes by the same and a better road and that by the keeping up of the road by Ed Taylor Residence further justice will be done by the keeping up for the one family alone in sight of the case~~
~~The viewers therefore recommend that the same be vacated.~~

Before said view was made due proper notice of the view to be made was regularly served on the County Commissioners and time set for the view and hearing posted along the route of the road to be vacated ten days before the day set for the view and hearing

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, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from:

That in the judgment of the viewers the only party damaged is Thad Ireland to whom his damages are hereby assessed

And that the sum of twenty (\$20.00) dollars is required to be paid to the viewer of said road by the party damaged, and herewith return copies of the notices posted and served of the day the ad- and dated, and the day and date of the place and date of meeting

and we herewith return the seal, and copy of the notices.

Witness our hands and seals this (24th) day of October, A. D. 19 29

A. G. Kramer [SEAL.]

E. D. Billotto [SEAL.]

J. S. Michaels [SEAL.]
Viewers.

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No. 4 Dec Term 19 29

ORDER TO VACATE

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.

To view and vacate road situated in the Township of Yorkville Clearfield County.

Now Sessions 19

read and confirmed Ni. Si.

By the Court.

Now Sessions 19

confirmed absolute.

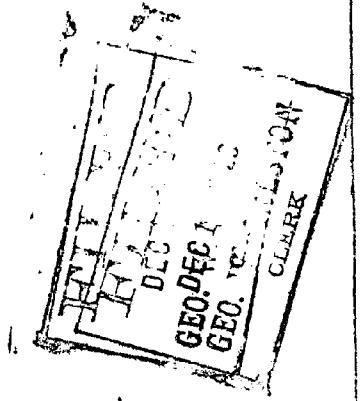
By the Court.

Filed 19

Atty,

Fees \$1.25 paid by

GEO. D. F. C.
GEO. D. F. C.
CLERK



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

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 a Township road but
has through time become abandoned to the use of the general pub-
lic, and at present is used exclusively as a private road or lane,
a more detailed description of same being a road beginning at a
point on the road from Goshen School to Goshen Camp at the C. B.
Couser property and extending in a northerly direction about one
mile in length to the property of Thad Irelands.

(2nd). That to keep and maintain said road at the expense
of Goshen Township has become useless, inconvenient and burden-
some 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. Kramer
C. Joseph J. Morris
B. H. Kyler
Supervisors of Goshen Township.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY,
PA.

4 Dec 1929

In re: Petition to vacate
road in Goshen Township.

Proc Oct 7th 1929

H. G. Beamer Esq.
Jack Daniels Esq.
Ed Elliotts are
Appointed members
to make & report
By the court.

FILED
OCT 7 - 1929
GEO. W. RALSTON
CLERK

A. B. SHAW
ATTORNEY AT LAW
CLEARFIELD, PA.

400