

Road

DOCKET No. 6

Number Term Year

6 Sept ss 1929

Petition to vacate road in

Bell Twp

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNA.
Honorable A. R. Chase, President Judge of said Court.

The petition of the undersigned who are residents and tax payers of Bell Township, Clearfield County, Pennsylvania respectfully represents:

That there is now existing in said Township an old public road a portion of which is practically useless and which imposes an unnecessary burden upon the Township and in the opinion of your petitioners should be vacated.

Said road is substantially described as follows: Beginning at a point at the cement highway near Wallace Semple's house below Mahaffey and thence running up a stream about 1 1/2 miles to a road leading to the Bush place and the road desired to be vacated being commonly known as Miller "un road. Further description of said road may be attached hereto.

The petitioners pray that the said road be vacated and that viewers be appointed to act as required by law and report to the Court.

And they will ever pray.

G. F. Davidson

J. W. Davidson

Foster Beatty

H. M. Davidson

Jackie Davidson

E. L. Laiiser

John Beatty

J. G. Hoch

Chas. S. Bietz

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John Beatty

J. C. Hock

John S. Bier

CLEARFIELD COUNTY: SS

being sworn according to
law deposes and says that he is one of the supervisors
of the Township of Bell and that the facts stated in the above
petition are true and that in the opinion of the Board
of Supervisors the road so asked to be vacated is unnecessary
for public use and is a burden and source of danger to the
Township of Bell.

B H Shaffer.

Sworn and subscribed to
before me this Third <sup>3rd day of
August ~~1929~~ A. D. 1929.</sup>

Jack Byers
Supervisors

B H Bell, Justice of Peace

B. H. BELL, JUSTICE OF THE PEACE
Mahaffey, Clearfield, Co., Pa.
My Commission Expires 1st Mon. in Jan. 1934

John J. B. 1000 West 10th

James Thompson 6 1/2
Bank of Commerce, City, Treasury Dept.
and French Bond Co.
are a prominent insurance
Co. for bonds as insurance companies
and reflect the trend of
Suffolkian Insurance
Co. in the country.

John J. B.
1000 West 10th

EMP. BONDED & INSURANCE
ADMITTED AND APPROVED
BY THE BONDED & INSURANCE
COMMISSIONER OF MASS.

No. 6 Sept 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.

	Days	Miles	Amt'
Earl G. Boose	2	112	20.60
Jack McMichael	1	66	10.80
Harr. Reese	2	117	20.85

To view and vacate road situate

in the Township of Bel
Clearfield County.

Now Sept Sessions 1926

read and confirmed Ni. Si.

By the Court
G. W. Ralston
Sessions 1926

confirmed absolute
G. W. Ralston
By the Court

FILED	
SEP 2 - 1929	
GEO. W. RALSTON	
CLERK	
Filed	19

Atty, Bell & Bell

Fees \$1.25 paid by

FILED
SEP 2 - 1929
GEO. W. RALSTON
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 vacating 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: As none of the parties in interest asked that any damages be awarded them, none were awarded and no releases were obtained. It appearing to the viewers from the testimony offered that no ascertainable or tangible damage had been sustained by any one by the vacation of said road.

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:

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

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mit
shall
of the

Witness our hands and seals this

day of

, A. D. 19

..... *Ernest Boos* [SEAL.]

..... *K. A. Reese* [SEAL.]

..... *J. S. Michaels* [SEAL.]

Viewers.

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 Bell, 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

22nd day of August, 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 26th day of August A. D., 1929, at 9.00 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 no person or

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 26th day of August,

A. D. 1929, when the parties interested in the said road were in attendance: George Sutton, who appeared to oppose the vacation of the said public road, and he being sworn, his testimony was taken. After testifying, he requested that the hearing be continued until Aug. 30th, 1929, which was granted and at that time he appeared with Clemp Miller and Dallas Miller to oppose the said vacation. In favor there appeared B. H. Shaffer and John Beatty, all of whom were sworn and testified.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome for the reason that the people in the neighborhood served by said road, have also two other public roads which are equally convenient for public purposes and the road sought to be vacated appears to be used only occasionally and to keep it in proper repair it is necessary to replace a bridge across Miller Run which would impose upon the township a considerable, and as it appears to the viewers, an unnecessary expense.

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 5th day of August in the year of our Lord, one thousand nine hundred and twenty nine

By the Honorable ~~John M. Bix~~ A. R. CHASE President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Bell, in the County aforesaid setting forth that an old public road beginning at a point at the cement highway near Wallace Semple's house below Mahaffey and thence running up a stream about 1 1/2 miles to a road leading to the Bush place and the road desired to be vacated being commonly known as Miller Run road

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 Earl G. Boose 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 persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating 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 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 at 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
TO NEWTONBERRY MILLER

BUSH ROAD
COMMENCING

S 97° E 300

S 40° E 160

S 32° E 300

S 28° E 302

S 0° E 300

S 21° E 299

S 0° E 300

S 2° W 700

S 0° E 300

UNIMPROVED
LAND

S 0° E 397

PUBLIC ROAD IN BELL TOWNSHIP
CLEARFIELD COUNTY PA
VIEWED AND VACATED AUG 22 1929
BY EARL BOOZE ESG
H. R. REESE J. S. MICHAEL'S

SCALE 1:500

S 44° E 302

S 43° E 300

S 40° E 296

S 0° E 300

S 1° E 160

S 0° E 300

WALLACEVILLE
NEWTONBERRY
STATE HIGHWAY
CONTINUED
CORRIDOR

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

RE; Vacayion of Public Road : Notice of View and Public
In Bell Township. : hearing to Supervisors of
Of September Sessions, 1929 : Bell Township and Commissioners
No. 6 : of Clearfield County.

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Please take notice that the undersigned have been appointed by the Court to view and Vacate a certain Public Road in Bell Township and to make return thereof to the Court on the first Monday of September, 1929. The said road proposed for vacation. The said road is described in the Order to view as follows; "Beginning at a point at the cement highway near Wallace Semple's house below Mahaffey and thence running up a stream about 1-1/2 miles to a road leading to the Bush place and the road desired to be vacated being commonly known as Miller Run Road"

The Viewers will meet at the house of Wallace Semple----- in said Bell Township on THURSDAY, the 22nd day of August, 1929 at 3.00 o'clock, P. M. for purpose of said view and will hold the public hearing thereon required of the viewers by law, in the Arbitration Room of the Court House at Clearfield, Pa., on Monday, the 26th day of August, 1929 at 9.00 o'clock A. M., at which time and place you may appear and be heard if you wish.

VIEWERS

James B. Rose
Harry Reese
Jack Michaels

Now, August 10th, 1929, service is accepted for the Supervisors of Bell Township.

Bell Bell
Attorneys

Be it also, service is accepted for the Commissioners of Clearfield County.

L. L. Morris
Clerk

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a certain public Road leading from a point in the cement highway near Wallace Semple's house below Mahaffey

in Bell Township to and thence running up a stream about 1-1/2 miles to a road leading to the Bush place and the road to be vacated being commonly known as the Miller Run Road

in Bell Township, in the County aforesaid, will meet at the house of Wallace Semple

in Bell Township, on Thursday the twenty-second day of August, A. D. 1929, at 3.00 o'clock P. M., to attend to the duty assigned them, of which

time and place aforesaid, all parties interested will take notice. The public hearing by law required of the Viewers will be held in the Arbitration Room of the Court House at Clearfield, Pa., Monday, August 26th 1929, at 9.00 o'clock A. M.

Carroll Bruce
Harry Bruce

Jack Michaels

Viewers.