

DOCKET No.

Number      Term

6

Sept ss 1930

Petition to vacate road in

Beccaria Twp

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY,

In Re; Vacation of Public :  
Road in Beccaria Township; : VIEWERS' NOTICE.  
Of September Term, 1930 :  
Number 6. :

To the Commissioners of Clearfield County, and to the Supervisors of Beccaria Township;

You will hereby please take notice that the undersigned viewers have been appointed by the Court to view and vacate a part of the public road in Beccaria Township, which part was formerly a part of State Highway Route 234-6, and which part is described in the Order given the Viewers by the Clerk of said Court, as follows; .

"from a point at Station 1961 plus 80 to a point at Station 2022 plus 57, a distance of approximately 1.197 miles"

The said part to be vacated is between the town of Irvona in Beccaria Township and Madera in Biglet Township.

The Viewers have appointed Tuesday, the ninth day of September, 1930, at ten o'clock A. M. as the time, and the said point or Station No. 1961 as the place of meeting of the Viewers.

The public hearing in the premises will be held in the Arbitration Room of the Court House at Clearfield, Pa., on Wednesday, the tenth day of September, 1930, at ten o'clock A. M. at which times and places you may attend if you desire.

Aug. 26, 1930.

Ernest Boase  
Ed. Beattie  
Jack Michaels  
Viewers

Now, August 26, 1930, service of the above notice given by copy and service thereof for the Commissioners of Clearfield County, is hereby accepted.

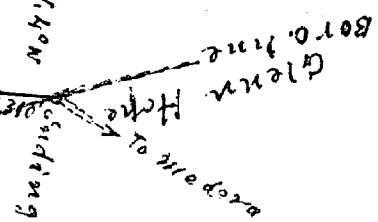
L. C. Morris  
Clerk

Now, August 26, 1930, service of the above notice given by copy and service thereof for the Supervisors of Beccaria Township, is hereby accepted

W. A. Hagerty Carl A. Belin  
Solicitors. per J. C.



Earl G. Boose  
G.O. 1311066  
J.S. Michaels  
Newer



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 **25th** day of **August** in the year of our Lord, one thousand nine hundred and **thirty**

By the Honorable **A. R. CHASE**, ~~Singletary Ben~~ President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of **Beccaria**, in the County aforesaid setting forth that **there.. was a State Highway Route 234-6, Beginning at the town of Irvona, thence towards the town of Maderas Bigler Township. The Dept. of Highways, in re-constructing said route, within the boundaries of Beccaria Township, found it expedient to divert the course or direction of said Highway from a point at Station 1961 plus 80 to a point at Station 2022 plus 57, a distance of approximately 1.197 miles. The Highway Department has abandoned that part of the road which was diverted and has filed a Blue Print or drawing, which is attached to this petition and marked Plaintiff's Exhibit "A"** This road or part of road abandoned by the State Highway Dept. has 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 appoint from and among the County Board of Viewers **E. G. Boose, Esq., Ed Billotte 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.

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 Beccaria, 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

ninth day of September, A. D. 1930, 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 tenth day of September A. D., 1930, at 10.00 o'clock AM., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view none of the Supervisors of Beccaria Township and none of the landowners affected by the proposed vacation or counsel representing any party in interest.

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 tenth day of September, A. D. 19 30, when the parties interested in the said road were in attendance: None of the parties or their counsel attended the hearing.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has to Beccaria Township because the the new improved State Highway parallels the old road practically its entire distance, and it is low and much of the time is swampy and the inhabitants of the township living along the old road can easily have access to the new paved State Highway by short private roads leading from their dwellings to the new road.


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,~~ interviewed the land owners at the time of making the view and they found none who objected to the vacation of the old road or who claimed any damages done them by reason of the vacation of the 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.

Witness our hands and seals this 13th day of September, A. D. 1930

 [SEAL]

 [SEAL]

 [SEAL]

Viewers.

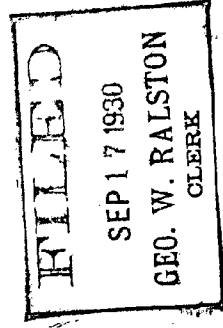
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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
	3	108	\$27.90
	2	202	\$25.10
	4	200	\$40.00



No. 6 Sept Term 19 30

## ORDER TO VACATE

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

Now Dec Sessions 1930

read and confirmed Ni. Si.

By the Court.

Now John Sessions 1931 pt  
confirmed absolute.

By the Court.

*W. A. Haggerty*  
*P. J.*

Filed 19

W. A. Haggerty and  
Atty, Carl A. Belin

Fees \$1.25 paid by

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

IN RE:

VACATION OF ROAD IN  
BECCARIA TOWNSHIP.

)  
)  
)  
)  
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TO THE HONORABLE A. R. CHASE, PRESIDENT JUDGE OF SAID COURT:

The petition of the undersigned, the inhabitants of the Township of Beccaria, in said County, respectfully sheweth: That there has been a road long since laid out:

FIRST: There was a State Highway Route 234-6, BEGINNING at the town of Irvona; thence towards the town of Madera, Bigler Township. The Department of Highways, in reconstructing said Route, within the boundaries of Beccaria Township, found it expedient to divert the course or direction of said Highway from a point at Station 1961 plus 80 to a point at Station 2022 plus 57, a distance of approximately 1.197 miles. The Highway Department has abandoned that part of the road which was diverted and has filed a Blue Print or drawing, which is attached to this petition and marked Plaintiff's Exhibit "A".

SECOND: This road or part of road, abandoned by the State Highway Department, has become useless, inconvenient and burdensome, as it is just a part of the old Highway Route, and begins and ends on the present new State Highway.

Your petitioners, therefore, pray the Court that the said part of the road may be vacated, agreeably to the Act of Assembly in such case made and provided;;



And they will ever pray, etc.

J W Niebauer  
Ashley Diller  
L. Seiple  
Supervisors of Beccaria Twp.  
A E Groom  
Ed Berger  
Philip S. Dotts  
Harold B. Cording  
John Easbennes  
Frank Weibauer  
Leo T. Messlein  
Edward Dittel  
John Youngborn

STATE OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

Personally appeared before me the subscriber, a Justice  
of the Peace, a Supervisor of Beccaria Township, who after being  
duly sworn states and deposes that the facts in the foregoing  
petition are true and correct to the best of his knowledge and  
belief.

Sworn and subscribed to before  
me this 9-day of June, 1930.

J H King JP.

J W Niebauer

IN THE COURT OF COMMON PLEAS OF

CLAREMONT COUNTY, PA.

6 Sept 22 1930

IN RE:

WILLIAM OF 1000 IN

WILLIAM OF 1000 IN

Shower August 25<sup>th</sup> 1930  
G. H. Brown, Jr., & others,  
and Jack H. H. H. H.  
are appointed trustees  
to run & report  
By the court  
J. H. H. H.

FILED  
AUG 25 1930  
GEO. W. RALSTON  
HONORABLE CLERK

CLAREMONT, PA.

