

AD
DOCKET No. 6

Number	Term	Year
1	Dec	1931

petition to vacate and supply
a public road in Boggs Twp

Versus

P. D. #6 - Page 3 of

IN THE COURT OF QUARTER SS.
OF CLEARFIELD COUNTY, PENN'A
No. / December SS. 1931.

In re: Petition to vacate and
a public road in Boggs
Township, Clearfield County
Pennsylvania.

Four feet 15¹/₂ x 31
John Sells, Esq.
Henry Please Esq., H. P.
Walter are appointed
Surveyors and appraisers
to render report

By the Court
W. W. Chase.

FILED
SEP 15 1931
GEO. W. RALSTON
CLERK

Walter Welch
Attorney at Law
Clearfield, Pa.

In the Court of Quarter Sessions of Clearfield County, Pennsylvania.

In re: Petition to vacate and) No. December Sessions, 1931
supply a road in Boggs Township,)
Clearfield County, Penna.)

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

The petition of the undersigned, Supervisors of Boggs Township Road District, respectfully represents:

That a road Beginning at Salem Church and ending at the Woodside Road in said Township, being nine tenths of a mile, has become useless, and on account of hills and swamp is burdensome and expensive to keep up and in the opinion of the undersigned should be vacated and supplied by a road Beginning at the end of the road known as the Kyler Road, and ending at the Beish place, being a distance of one half mile.

Your petitioners therefor pray the Court appoint Viewers to view said road to vacate and supply. And they will ever pray, etc.

E. R. Bunn
J. W. Larusherry
Clark Goss

STATE OF PENNSYLVANIA : : SS;
COUNTY OF CLEARFIELD : :

Clark Goss being duly sworn according to law doth depose and say that the facts set forth in the foregoing petition are true and correct, to the best of his knowledge, information and belief.

Clark Goss

Sworn and Subscribed before
me this 11th. day of September,
1931.

Jennie E. Dailey
NOTARY PUBLIC
My Commission Expires March 6, 1935

KNOW ALL MEN BY THESE PRESENTS, That we, CLARK GOSS,
J. W. LANSBERRY and E. E. BURNS, are held and firmly bound to the
Commonwealth of Pennsylvania, in the sum of Fifty Dollars, lawful
money of the United States, to be paid to the said Commonwealth
of Pennsylvania, its certain attorneys, to which payment well and
truly to be made we do bind ourselves, our heirs and assigns, S.C.
firmly by these presents. Sealed with our seals and dated this
11th day of September, A. D. 1951. S.C.

THE CONDITION OF THIS OBLIGATION IS SUCH, That Whereas, S.C.
petition has been presented in the Court of Quarter Sessions of S.C.
Clearfield County to vacate and supply a certain road in Boggs
Township, Clearfield County, Pennsylvania, that if the said petition
is proceeded to a conclusion, then this obligation is null and
void; otherwise to be and remain in full force and effect.

Clark Goss (SEAL)

E. E. Burns (SEAL)

J. W. Lansberry (SEAL)

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
H. A. Reese	1	40	12.00
H. P. Dowler	1		10.00
John Scollins	2		20.00

Now See Sessions 1931
Clearfield County.

Now See Sessions 1931
By the Court.

By the Court.
Walter Welch
Sessions 1931

confirmed absolute.

By the Court.

FILED
NOV 17 1931
GEO. W. RALSTON
CLERK

Filed 19
Atty. Walter Welch
Fees \$1.25 paid by

No. 1 Dec Term 1931

ORDER TO VACATE

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 15th day of September in the year of our Lord, one thousand nine hundred and thirty one

A. R. CHASE
By the Honorable ~~Sixty~~ Ball, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of BOGGS, in the County aforesaid setting forth that a road beginning at Salem Church and ending at the Woodside Road in said Township, being nine tenths of a mile, has become useless and on account of hills and swamp is burdensome to keep and in the opinion of the undersigned should be vacated and supplied by a road BEGINNING at the end of the road known as the Kyler Road, and ending at the Beish place, being a distance of one half mile.

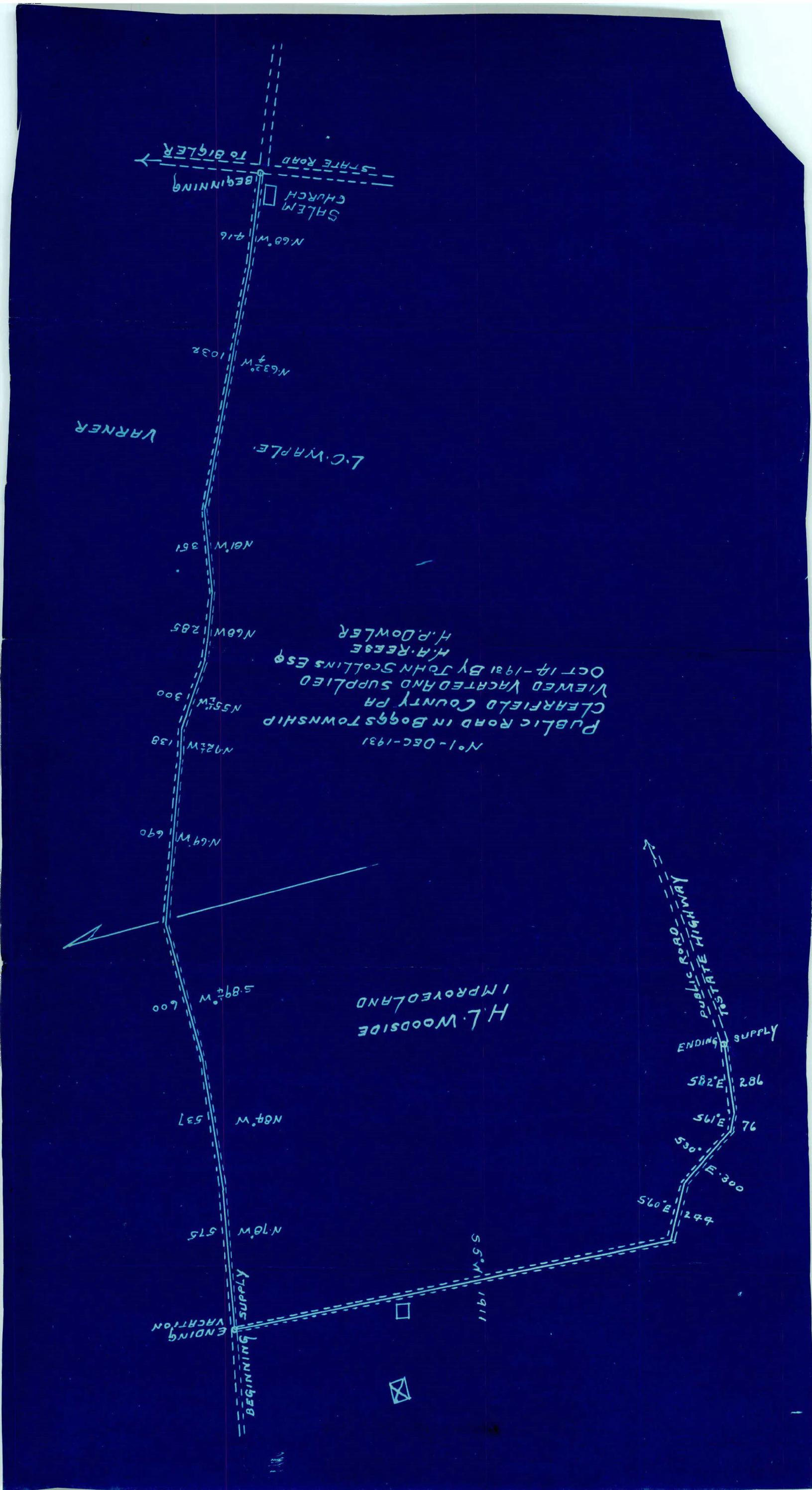
and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers John Scollins, Esq. Harry Reese and H. P. Dowler

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:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 1, December Term, 1931, to view and vacate a road beginning at Salem Church and ending at the Woodside Road in Boggs Township, being nine-tenths of a mile, and to supply the same by a road beginning at the end of the road known as the Kylor Road and ending at the Doish place, being a distance of one-half mile, in Boggs Township, in the County aforesaid, will meet at the Salem Church in said Township on Wednesday, the 14th day of October, A. D. 1931 at 11:00 o'clock A. M., to attend to the duties assigned them all parties interested will please take notice.

And that the public hearing as required by Act of Assembly and 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 roads an opportunity to be heard, will be held in the Arbitration Room in the Court House at Clearfield on Monday, the 19th day of October, A. D. 1931 at 10:00 o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Scellins
Harry Reese
H.P. Dowler

Dated, September 26th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 5th day of October A. D. 1931,
service of the above Notice is accepted for the Commissioners of Clearfield
County.

L. C. Morris
Clerk

J. W. Gausberry
TO: Clark Goss, Harry J. Goss and E. E. Burns, Supervisors of
Boggs Township, Clearfield County:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 1, December Term, 1931, to view and vacate a road beginning at Salem Church and ending at the Woodside Road in Boggs Township, being nine-tenths of a mile, and to supply the same by a road beginning at the end of the road known as the Kyler Road and ending at the Beish place, being a distance of one-half mile, in Boggs Township, in the County aforesaid, will meet at the Salem Church in said Township on Wednesday, the 14th day of October, A. D. 1931 at 11:00 o'clock A. M., to attend to the duties assigned them: all parties interested will please take notice.

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John Eelling
Harry Reese
H. Radawler
Viewers

Dated, September 26th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 5th day of October A. D. 1931, service of the above Notice is accepted for the Supervisors of Boggs Township, Clearfield County.

Clark Goss
J. W. Gausberry
E. E. Burns
Supervisors