

DOCKET No. 6

Number

8

Term

Sept. SS

Year

1931

---

Petition to vacate private road

in Bell Township and supply a new  
road and bridge.

**Versus**

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

In re: Petition : No. September Sessions 1931  
to vacate private road :  
in Bell Township :  
:

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

We, the undersigned citizens of Bell Township  
petition your Honorable Court as follows:

FIRST: That, formerly there existed a state  
highway running from McGees Mills to Burnside at or near the  
residence of Charles McGee which was located along the line of  
the Susquehanna River.

SECOND: That, in re-locating the said state  
highway the same was moved for some distance away from the  
River at this point.

THIRD: That, a portion of the old highway was  
abandoned, there remaining open a road leading from the concrete  
highway to and past the home of E. Sunderlin and thence down  
the road bed of the old state highway past the Methodist Church  
to and in front of the residence of Charles McGee.

FOURTH: That, there exists a private lane owned  
by Charles McGee leading from this concrete highway to the old  
dirt highway along the River which is in general use by the  
travelling public.

FIFTH: That, there exists on the opposite side  
of the Susquehanna River at this point a coal operation, known  
as Mt. Airie at which point there lives a number of coal miners  
and where there is located a number of houses.

SIXTH: That there are no means of access for  
said citizens across the Susquehanna River except by a foot  
bridge and there is no public highway leading into said village.

SEVENTH: That, to build a road to said village  
from the opposite side of the river would be extremely

expensive to construct and maintain.

EIGHTH: That, in the opinion of your petitioners it would be advisable and beneficial to the citizens of Bell Township and the travelling public in general if a Township highway were supplied leaving the new state highway at the Southern line of the intersection of said road with the line of the new concrete highway; thence in an Easterly direction along the line of the Methodist Church lot 500 feet more or less to the road bed of the old state highway; thence across said road bed and the Susquehanna River to the Mt. Airie Coal property, where a private road could be kept and maintained to the dwelling houses of the laborers in said mining village.

NINTH: That, by so doing the use of the said private lane of Charles McGee could be discontinued and it be recommended that the public township highway leading by the home of E. Sunderland hence down the old river to and past the residence of Charles McGee but abandoned as a township highway and that that portion of the same to and past the residence of E. Sunderland remain open as a private way.

WHEREFORE your Petitioners pray that viewers be appointed as required by the Act of Assembly to recommend on the prayer of the petition herein contained.

Wm J Jones  
J. L. Weaver  
Mary Weaver  
Margaret Jones  
David G. Graham  
Griffith V. Jones  
Wm. N. Jones  
Howard Woods

Leroy Weaver

Geraldine Weaver

Harold Crook

Leroy Winter

Allen Gill

Samuel Crickshank

Harry C. Pooler

Mabel Thomas

David Thomas

Octa Spaid

Norman Spaid

Dorothy Woods

Dean Woods

Philip Crook

Mary E. Woods

Walter Crook

Janne Jones

Edward Brown

Rhoda Brown

H. A. Shiner

J. Blinbach

Ross B. McDell

H. B. Richards

Bertie M. Jones

M. L. Holt

### BUSINESS PATRONS

Glynn Grocery Co.

A. D. Weber (pork & meat)

Perry & Co. Mahaffey

J. Frank Douglas M.D. Mahaffey Pa.

Wm. Wrigley Mahaffey Pa.

Wrigley's Mahaffey Pa.

L. C. Huss Mahaffey Pa.

Tenna Electric Co.

E. B. Lewis M.D.

Burnside Roller Mills

Miles & Co.

\_\_\_\_\_

Wm J Jones

J. E. Tull J. P.

 $\alpha$

And now, August 24<sup>th</sup> 1931, the within  
petition having been read and considered, *John Scully Esq.*  
*Ed Billotte*, and *J. S. Michaels*  
are appointed viewers to view said premises and after hearing  
had to make recommendation to the Court as required by the  
Act of Assembly in such cases made and provided.

By the Court

*A R Chase*  
*P. J.*

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

No. *8* September Sessions  
1931

In re: Petition to vacate  
private road in Bell Township

PETITION

~~RECEIVED FOR THE COURT~~  
ATTORNEYS AT LAW  
KURTZ BUILDING  
CLEARFIELD, PENNA.

The Tuttle Law Print, Publishers, Rutland, Vt.

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

IN RE:

PETITION TO VACATE PRIVATE  
ROAD IN BELL TOWNSHIP

)  
)  
) No. 8 September Sessions  
) 1931.  
)

TO THE HONORABLE A. R. CHASE, President Judge of said Court:

Your petitioner respectfully represents:

FIRST: That there was a petition to supply a road from the old Highway to Mt. Airie Village which was filed August 24th, 1931, and viewers were appointed and a hearing was held at the Court House on Friday, October 2nd, 1931 for the purpose of their view.

SECOND: That at said hearing, testimony being taken, it was agreed by the Supervisors and all parties present that there should be a public outlet and bridge from Mt. Airie Village to the improved State Highway leading from Burnside to McGees Mills.

THIRD: That the only objection to supplying said Highway and bridge was an interjection by the Supervisors that the financial condition of the Township was not sufficient to erect said bridge and they further stated that they had Fifteen Hundred (\$1500.00) Dollars total indebtedness and an assessed valuation of \$250,000.00.



FOURTH: That the viewers in reading said petition seem to be in doubt whether they could open and supply a road and bridge from the Mt. Airie Village to the improved State Highway leading from Burnside to McGees Mills by following any other course than that set forth in paragraph eight (8) of the petition.

FIFTH: We pray the Court to allow the amendment to the petition in the following particulars:

(A) That the viewers are to have the power and authority and are directed to view and if they saw, occasion to locate the same, a public outlet road and bridge from the Mt. Airie Village to the improved State Highway leading from Burnside to McGees Mills.

(B) That the viewers should have power and authority to decide whether a bridge is necessary and if the Township is able, and if it would be too expensive for the Township to erect said bridge and to place an estimate on said bridge.

(C) That the viewers shall have power and authority to open, vacate and supply a public road with the termin<sup>i</sup> at Mt. Airie Village to the improved State Highway lead-  
from  
ing/Burnside to McGees Mills.

(D) That the viewers shall have the power and authority in the same proceedings to decide as to the erecting of the bridge over the river between these two points and forming a part of said road that they may open and supply, with all the power and authority as set forth under the Act of Assembly of 1929, P. L. 1278, sec. 751 and all other sections of said Act and any amendments or supplements to said Act under

which the Board of Viewers are supposed to act.

WHEREFORE, we pray the Court to allow the amendments to the petition as aforesaid.

Wm. J. Jones

STATE OF PENNSYLVANIA    )  
                                  ) SS:  
COUNTY OF CLEARFIELD    )

Personally appeared before me the subscriber,

W. J. Jones, who after being duly sworn according to law deposes and says that the facts set forth in the above petition are true and correct.

Sworn and subscribed to  
before me this 2 day  
of October, A. D. 1931.

Wm. J. Jones

Geo. H. Ralston  
Notary

ORDER OF COURT

NOW THIS 2<sup>nd</sup> day of October, A. D. 1931, the Court after reading the foregoing petition and after giving it due consideration, grants the permission for the amendments as prayed for and now orders, adjudges and decrees that the viewers shall have the power and authority to act according to the amendments set forth in this petition and the original petition to open and supply a road with the termini beginning at the Mt. Airie Village and ending on the State Highway leading from Burnside to McGees Mills and shall also have the power and authority to act upon the necessity of a bridge, the financial condition of the Township to erect said bridge and all other powers as set forth in the foregoing petition and the original petition.

BY THE COURT,

A. R. Shaeffer  
P. J.

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

NO. 8 SEPTEMBER SESSIONS 1931.

IN RE:

PETITION TO VACATE PRIVATE  
ROAD IN BELL TOWNSHIP, AND  
SUPPLY A NEW ROAD AND BRIDGE.

AMENDMENT TO PETITION AND ORDER  
OF COURT ALLOWING SAID AMEND-  
MENT.

*ll*

FILED  
30th 1931  
GEO. W. WALSTON  
CLERK

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

PETITION TO VACATE PRIVATE : No. 8 September Term, 1931

ROAD IN BELL TOWNSHIP : Amendmant to petition and order  
of Court allowing said amendment


Now this 2nd day of October A.D. 1931, the Court after reading the foregoing petition and after giving it due consideration, grants the permission for the amendments as prayed for and now orders, adjudges and decrees that the viewers shall have the power and authority to act according to the amendments set forth in this petition and the original petition to open and supply a road with the termini beginning at the Mt. Airie Village and ending on the State Highway leading from Burnside to McGees Mills and shall also have the power and authority to act upon the necessity of a bridge, the financial condition of the Township to erect said bridge and all other powers as set forth in the foregoing petition and the original petition.

BY THE COURT,

A. R. CHASE, P. J.

STATE OF PENNSYLVANIA : Certified from the record this

COUNTY OF CLEARFIELD : 5th day of October A.D. 1931.

  
~~XXXXXXXXXXXX~~  
Clerk of Court of Quarter Session

That, formerly there existed a state highway running from McGees Mills to Burnside at or near the residence of Charles McGee which was located along the line of the Susquehanna River.

That in relocating the said state highway the same was moved for some distance away from the River at this point.

That a portion of the old highway was abandoned, there remaining open a road leading from the concrete highway to and past the home of E. Sunderlin and thence down the road bed of the old state highway past the Methodist Church to and in front of the residence of Charles McGee.

That there exists a private lane owned by Charles McGee leading from this concrete highway to the old dirt highway along the river which is in general use by the travelling public.

That there exists on the opposite side of the Susquehanna River at this point a coal operation, known as Mt. Airie at which point there lives a number of coal miners and where there is located a number of houses.

That there are no means of access for said citizens across the Susquehanna River except by a foot bridge and there is no public highway leading into said village.

That to build a road to said village from the opposite side of the river would be extremely expensive to construct and maintain.

That in the opinion of your petitioners it would be advisable and beneficial to the citizens of Bell Township and the travelling public in general if a township highway were supplied leaving the new state highway at the Southern line of the intersection of said road with the line of the new concrete highway; thence in an easterly direction along the line of the Methodist Church lot 500 feet more or less to the road bed of the old state highway; thence across said road bed and the Susquehanna river to the Mt. Airie Coal property where a private road could be kept and maintained to the dwelling houses of the laborers in said mining village.

That by so doing the use of the said private lane of Charles McGee could be discontinued and it be recommended that the public township highway leading by the home of E. Sunderlin thence down the old river to and past the residence of Charles McGee but abandoned as a township highway and that portion of the same to and past the residence of E. Sunderland remain open as a private way.

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 August in the year of our Lord, one  
thousand nine hundred and thirty one

By the Honorable ~~Singleton Bell~~ <sup>A.R. CHASE</sup>, President Judge of the said Court: Upon the petition of sundry  
inhabitants of the Township of BELL, in the County aforesaid setting forth that .....

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 JOHN SCOLLINS, Esq. ED. BILLOTTE

and J. S. 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 appoint-  
ment, 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.

use 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 trans-  
mit 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, <sup>to No. 8, September Term, 1931</sup> 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 30th day of September, 1931 at eleven o'clock A. M., and the adjourned view on the 20th day of October, A. D. 1931, 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, and the

Pa., on the 2nd day of October, A. D. 1931, at ten o'clock A. M., and that adjourned hearing on the 30th day of October, 1931 at ten o'clock A. M., said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view: B. H. Shaffer, D. D. Diem and H. M. Kaufman, Supervisors of Bell Township, and W. J. Jones and J. D. Weaver. And at the adjourned view: H. B. Shaffer, H. M. Kaufman and D. D. Diem, Supervisors aforesaid, and W. J. Jones.

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 2nd and 30th days of October,

A. D. 1931, when the parties interested in the said road were in attendance: Carl A. Belin, Esq., with W. J. Jones, S. C. Richards, Quay Bocker, Ross McCardell, J. B. Lunsbaugh, upon part of petitioners. D. D. Diem, B. H. Shaffer and H. M. Kaufman, Supervisors; E. Sunderlin, I. H. Ifert with them M. L. Silberblatt, Esq., as counsel. Adjourned hearing: Carl A. Belin, Esq., with W. J. Jones, P. J. Strickler and Wm. Hawkins. M. L. Silberblatt, Esq., with D. D. Diem, B. H. Shaffer and H. M. Kaufman, Supervisors and J. N. Work. All witnesses sworn, examined and cross-examined by counsel and your Board.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has not become useless, inconvenient and burdensome, to wit: NO. 1 - Beginning at an abandoned School House, near the residence of Charles McGee; thence running South 24 degrees West between the lands of Charles McGee and the Susquehanna River 296 feet to a post; thence thereby South 12 degrees West and along the M. E. Church Lot to a post; opposite the foot-bridge leading to Mt. Airie Village; thence still along lands of Charles McGee and the River aforesaid South 15 degrees West 345 feet to a post; thence still thereby South 3 degrees West 345 feet to a post; thence thereby South 12 degrees West 621 feet to a post; thence the River; thence South 25 degrees West 483 feet to a post; thence 621 feet to a post; thence South 55 degrees West 169 feet to a post; thence South 169 feet to a post; and thence along the lands of E. Sunderlin North 44 degrees West 707 feet to the Right-of-way of the P. R. R. crossing and thence North 44 degrees West 48 feet and ending at the State Highway leading from Mahaffey to Cherry Tree.

In lieu thereof petitioners prayed that NO. 2 be viewed and supplied, Beginning at a post on the concrete State Highway aforesaid 2100 feet, more or less, Northeast of the terminus of No. 1 hereinbefore described; thence South 73 degrees East 48 feet to Right-of-way of Penna. Railroad; thence along lands of Charles McGee South 73 degrees East 518 feet to corner of Lot of M. E. Church; thence thereby, following the same course



213 feet to a post; thence intersecting Road No. 1 and across the Susquehanna River aforesaid, following the same course 332 feet to a post on land of Mt. Airie Coal Co.; thence

thereby South 43 degrees East 276 feet and ending at the crossing over the New York Central RR right-of-way, which said proposed supply Road would require an additional grade crossing over the Pennsylvania Railroad; to be built over low, swampy lands of Charles McGee; and a bridge across the Susquehanna River and a new road for use by the public and the inhabitants of Mt. Airie mining village, who are in need of an out-let.

Your Board being of the opinion that a public road and bridge across the River are necessary, but that the proposed vacation of Road No. 1 and supply of Road No. 2 with a bridge at the designated place were not in the public interest and convenience, on motion of petitioners counsel, to which no exceptions were taken, granted a continuance, pending application to the Court for enlargement of powers as provided by Act of Assembly and Rules of Court which being granted, viewed and laid out as a public Road No. 3 -(on plan hereto attached and made a part hereof): Beginning at the New York Central Railroad crossing on lands of Mt. Airie Coal Company and thence running thereby South 54 degrees West 450 feet to a post; thence running South 82 degrees West along lands of Mt. Airie Coal Co. 100 feet to a post; and thence still thereby North 82 degrees West 40 feet to a post; and thence crossing the Susquehanna River -with a Bridge-16 feet high- North 82 degrees West 76 feet and ending at its intersection with Road No. 1 hereinbefore described.

We further find that a concrete Bridge 14 feet wide, with a 76-foot span 16 feet high could be built at an estimated cost of approximately \$7500.00 with local material and labor, but that the Township of Bell is financially unable to build such a bridge, and therefore recommend that the County of Clearfield supply and build said bridge.

We further find that the Mt. Airie Coal Company has agreed to supply a right-of-way and will build the public road over its property to said bridge at no cost to the Township, to be dedicated for public use; that they have a mining investment of some \$15,000.00 and no out-let for public travel; that they own 25 tenement houses and when operating normally employ 85 miners and laborers with undeveloped territory approximating 2000 acres of merchantable and mineable coal; that the nearest bridges to them is one at McGees, 2 miles down the River and one above at Burnside, 2½ miles distant. That there are 13 families living there in need of immediate relief, and your Board therefore recommends that Road NO. 1 be retained as a public road, and that Road NO. 3 be supplied with a County Bridge at the designated site.

We submit herewith the Annual Report of the Auditors of Bell Township, as of December 31, 1930, in support of the contention of the Supervisors of Bell Township of its inability to bear the burden of building said Bridge.

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

Witness our hands and seals this 4th day of November, A. D. 19 31.

*John J. Collins* [SEAL]  
*E. B. Illotto* [SEAL]

*J. S. Michael* [SEAL]  
*J. S. Michael* 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
J. S. Michaels	6	184	\$69.20
E. D. Billotte	8	208	\$90.40
John Scollins	7	282	\$84.10

No. 8 Sept Term 19 31

## ORDER TO VACATE

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

Now *per* Sessions 1931  
read and confirmed Ni. Si.

By the Court  
*W. B. Ralston*  
Now *Feb* Sessions 1931

confirmed absolute.

By the Court.

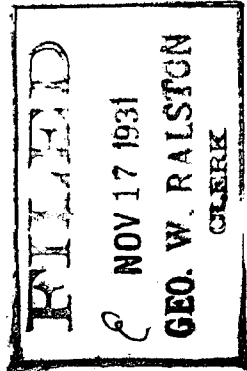
*A. R. Chase*  
*P. J.*

*E*

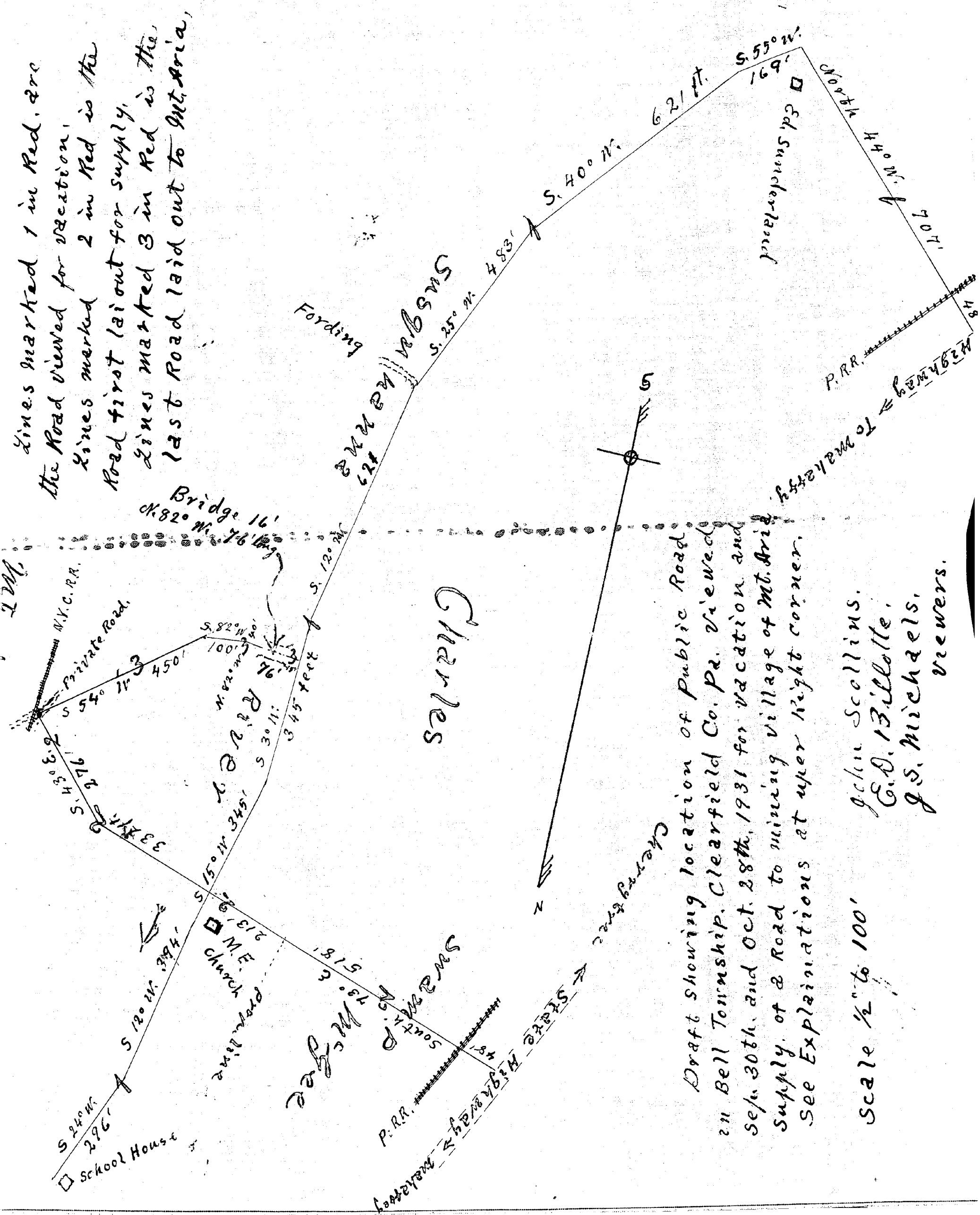
Filed 19

Atty, none

Fees \$1.25 paid by



Lines marked 1 in Red, are  
 the Road viewed for vacation,  
 Lines marked 2 in Red is the  
 Road first laid out for supply,  
 Lines marked 3 in Red is the  
 last Road laid out to Gutaria,



John Scollins.  
 E.D. Billotte.  
 J.S. Michaels.  
 Viewers.

Scale 1/2" to 100'

TO: The County Commissioners of Clearfield County, :-

We are hereby notified that the undersigned attorney, appointed by the Court of Quarter Sessions of Clearfield County to do, September Twentieth, 1931, to view and lay out a public road leading from the new State Highway at the Southern End of the intersection of said road with the 22nd of the new corporate highway, as directed by Order of Court dated the 1st day of October, A. D. 1931. We are and supply a road with the boundary beginning at the N. E. Corner Village and ending on the State Highway leading from Hamlet to Fulton Mills and shall also have the power and authority to cut upon the necessity of a bridge, the proposed condition of the Township to erect said bridge, and all other powers as set forth in the foregoing resolution and the original petition in said Township, in the County aforesaid, with most of the interested parties opposite the N. E. Corner Village in said Township, on Wednesday, the 20th day of October, A. D. 1931 at 11:00 o'clock A. M., to attend to the day and time and all parties interested with their motion.

And that the public hearing as required by Act of Assembly and Order of Court to be held by the witnesses before the filing of their report in Court, in order to give all parties interested in the said road an opportunity to be heard, will be held in the intersection room in the Court House in Clearfield on Friday, the 23rd day of October, A. D. 1931 at 10 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 Collins  
Ed. Billotte  
J. D. Michael  
Witness

Witness, October 27, 1931.

CLEARFIELD COUNTY, SS:

Now, this 17th day of October, A. D. 1931, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. E. Norris  
Clerk

TO: B. H. Shaffer, D. D. Diem and Mark Kauffman, Supervisors of  
Bell Township, Clearfield County:-

You are hereby notified that the undersigned viewers,  
appointed by the Court of Quarter Sessions of Clearfield County to No. 8,  
September Sessions, 1931, to view and lay out a Public Road leading from the  
new State Highway at the Southern line of the intersection of said Road with  
the line of the new concrete Highway, as amended by Order of Court dated the  
2nd day of October, A. D. 1931- "to open and supply a Road with the termini  
beginning at the Mt. Airie Village and ending on the State Highway leading  
from Burnside to McGees Mills and shall also have the power and authority to  
act upon the necessity of a bridge, the financial condition of the Township to  
erect said bridge, and all other powers as set forth in the foregoing petition  
and the original petition"- in Bell Township, in the County aforesaid, will  
meet at the Methodist Church opposite Mt. Airie Village in Bell Township, on  
Wednesday, the 28th day of October, A. D. 1931 at 11:00 o'clock A. M., to  
attend to the duty assigned them: all parties interested will 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 road an oppor-  
tunity to be heard, will be held in the Arbitration Room in the Court House  
in Clearfield on Friday, the 30th day of October, A. D. 1931 at ten (10)  
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 Zellmer  
Ed. Billotte  
J. D. Michael  
Viewers

Dated, October 17, 1931.

CLEARFIELD COUNTY, SS:

Now, this 19<sup>th</sup> day of October, A. D. 1931, service  
of the above Notice is accepted for the Supervisors of Bell Township, Clear-  
field County.

B. H. Shaffer  
D. D. Diem  
Mark Kauffman  
Supervisors

TO: The Commissioners of Clearfield County:-

The undersigned is directed that the undersigned vicar, appointed by the Court of Quarter Sessions of Clearfield County to the 0, September term, 1931, to view and lay out a public road leading from the new State Highway at the western line of the intersection of said road with the line of the new concrete highway, in an easterly direction along the line of the Methodist Church lot and east more or less to the road bed of the old State Highway, thence across said road bed and the Susquehanna River to a private road in the village of the M. Mary Earl Camp, designating the private line of Charles Baker as a public highway and recording the public highway leading by the house of E. Cumberland thence down the old River to and past the residence of Charles Baker that portion of the same to and past the residence of E. Cumberland to serve as a private way, in 1931 term, in the County aforesaid, will meet at the Methodist Church in Haverhill, Bell County, on Wednesday, the 14th day of September, A. D. 1931 at 12:00 o'clock A. M., to attend to the duty assigned them at which time and place concerned all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the vicar before the filing of their report in Court, in order to give all parties interested in the road an opportunity to be heard, will be held in the Courtroom here in the Court House in Clearfield on Friday, the 2nd day of October, A. D. 1931 at 10:00 o'clock A. M., or at some other place as ordered can be heard, at which time and place all parties interested may attend and be heard.

John Collins  
Ed. Billotte  
J. J. Michaels  
Vicars

Dated, September 8th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 16th day of September, A. D. 1931, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Norris  
Clerk

TO: B. H. Shaffer; D. D. Diem and Mark Kaufman, Supervisors  
of Bell Township, Clearfield County, Pennsylvania:

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 8, September Sessions, 1931, to view and lay out a Public Road leading from the new State Highway at the Southern line of the intersection of said Road with the line of the new concrete Highway; in an Easterly direction along the line of the Methodist Church Lot 500 feet more or less to the road bed of the old State Highway; thence across said road bed and the Susquehanna River to a private road in the mining Village of the Mt. Airy Coal Company: discontinuing the private land of Charles McGee as a Public Highway and vacating the public Township Highway leading by the home of E. Sunderland; thence down the old River to and past the residence of Charles McGee; that portion of the same to and past the residence of E. Sunderland to remain as a private way, in Bell Township, in the County aforesaid, will meet at the Methodist Church in Bell Township, on Wednesday, the 30th day of September, A. D. 1931 at 11:00 o'clock A. M., to attend to the duty assigned them: all parties interested will 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 road an opportunity to be heard, will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 2nd day of October, A. D. 1931 at ten (10) 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.

Wm. Beckett  
Ed. D. Beckett  
J. J. Michaels  
Viewers

Dated, September 15th, 1931.

CLEARFIELD COUNTY, SS:

Now, this 16<sup>th</sup> day of September, A.D. 1931, service of the above Notice is accepted for the Supervisors of Bell Township, Clearfield County, each of us having received a copy thereof.

B. H. Shaffer  
D. D. Diem  
Mark Kaufman  
Supervisors.

## Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the 28 day of July in the year of our Lord one thousand nine hundred thirty one

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Morris

in said County, setting forth that your petitioners labor under incovenience for want of a public road or highway to lead from the public school in Morrisdale to the methodist church to another township road being an approximate distance of 800 feet. the purpose of the road being to relieve the school children from the necessity/the State Highway to and from school

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned; whereupon the 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 Harry P. Dowler

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgement, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road they shall proceed to lay-out the same, as agreeable to the desire of the petitioner as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; 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 place where, they should meet, to view and lay out 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 the Court of Quarter Sessions of the Peace for the County of Clearfield:

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, be leave to report as follows:

That notice of the time of 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

Morris and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 12th day of August

A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 14th day of August, 1923 at ten o'clock A. M. That

three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view: William Weaver, James Amotto, George Strange, Robert Ennis, George Edwards, William Slee, Sr., Charles Woomer, William Densham, George Hill, Samuel W. Miller, Frank Capotoski, and William Heckman and Mike Francisco, Supervisors of Morris Township,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 14th day of August A. D. 1923, when the following appearances were noted: George Strange, George Trumble, William Weaver and William Densham, with their Attorney, Wm. C. Chase, Esq.; Witnesses sworn, examined and cross-examined by counsel and your Board.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is necessary for a public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for public use the following described road, to wit Beginning at a post in the public road leading from the State Highway to Hawk Run opposite Morris Township High School; thence running South 5 degrees, 30 minutes West 168 feet to a post; thence running South 12 degrees, 15 minutes West 486 feet to post and intersecting with Church Street.

We further find that approximately 200 school children attend the public school from the locality to be served by the aforesaid road and an equal number of parishioners of the M. E. Church would be safely accomodated thereby; those living in the Northern end of the Village of Morrisdale.

We further find that the only passable road, in inclement weather, is the State Highway and due to the heavy traffic thereon it is dangerous for pedestrians, there having been many unfortunate fatalities in that immediate vicinity; furthermore the route is long and unaccomodating to the children living in the Company houses in the Southern section of the Village, not giving them sufficient time at the noon recess to go home for lunch.

The aforesaid described road being essentially necessary for public travel and use, and there being no opposition thereto from any source and the location being over a right-of-way in public use for over 40 years and so dedicated by the owner, your Board recommends the laying out thereof as a public road.

# ANNUAL REPORT

Of the Board of Supervisors of Bell Township Chasfield  
 County Pa for the year ending First Monday of Dec., 1930

RECEIPTS.			
Balance in Township Treasury from preceding year,		\$ 414	58
1	Amount of cash collected on Road Tax duplicate for this year,	\$ 1566.97	
2	Amount of cash collected on old Road Tax duplicates for preceding year,	\$ 1525.29	
3	Amount received from County Commissioners as Road Tax on unseated land,	\$ 969.17	
Total Road Tax collected in cash entitled to bonus,		4061	43
4	Amount received from State as Cash Tax Bonus,		
5	Amount received from Liquor Licenses,		
6	Amount borrowed or received from other sources,	89	83
TOTAL AMOUNT AVAILABLE FOR ROAD PURPOSES,		\$ 4550	
EXPENDITURES.			
Expended for repairs or maintenance of earth roads, including sluices,		\$ 2098	82
"	" opening or building new roads,		
"	" permanent improvement of township roads,	138	30
"	" permanent bridges and culverts, including permanent sluices,		
"	" new tools and machinery,		
"	" repairs to tools and machinery,	14	70
"	" wages of roadmasters,	786	40
"	" compensation to Treasurer and Secretary, <i>for two years</i>	135	00
"	" compensation of Collector,	163	11
"	" removing snow and other obstructions,	10	00
Miscellaneous expenditures		326	60
<i>Note and interest paid</i>		789	00
7	TOTAL EXPENDITURES,	\$ 4381	93
8	BALANCE IN TREASURY,	\$ 176	91

RESOURCES.				LIABILITIES			
Cash on hand, if any		\$ 176	91	Due Treasurer, if any		\$	
Amount due from Collector		1548	98	" on unsettled bills			
Amount due from other sources				" outstanding orders			
Value of Machinery and Tools		300	00	Amount borrowed and unpaid		none	
Liabilities in excess of resources,				Resources in excess of liabilities,		3017	89
Total,		\$ 3017	89	Total,		\$	

STATEMENT OF TAXES ASSESSED, ETC.			
9	Real estate assessed,	\$ 287826	
10	Personal property assessed,	\$	
11	Occupation assessments,	\$ 18390	
12	Total assessments for year,		\$ 306216.00
13	Number of mills levied <u>10</u> mills.		
14	Amount of Road Tax levied,	\$ 3062.14	
DEDUCTIONS			
15	Rebate on taxes paid before June 1, \$ <u>45</u> <u>10</u>		
16	Exonerations this year, \$ <u>36</u> <u>54</u>		
17	Allowance on water troughs <i>none</i> (If paid on warrant do not include here.)		
18	Sundry deductions on this year's Taxes, \$		
19	Total Rebates and Allowances, (Deduct from item 14,)	\$ 81.64	
20	Net Road Tax to be collected on this year's Duplicate, (NOTE:—Item 20 represents amount it was possible to collect on duplicate after deductions were made at beginning of year.)	\$ 2980.52	
21	Balance to be collected on old Duplicates other years, (NOTE:—Item 21 represents amount at beginning of year on old duplicates to be collected.)	\$ 2632.72	
22	Total Road Tax to be collected this year,	\$ 5633.24	
23	Total Road Tax collected in cash (NOTE:—Item 23 should equal Items 1 and 2 under Receipts.)	\$ 3092.26	
24	Total amount on unpaid Duplicates in hands of Collector, (NOTE:—Item 24 represents amount still to be collected on all duplicates at end of year.)	\$ 2540.98	

MILEAGE OF ROADS KEPT UP BY THE TOWNSHIP			
25	Earth Roads	MILES	65
26	Hard Surfaced Roads		None
27	Total		65

NOTE—Hard surface roads should include state-aid roads for which the Township pays half the costs of maintenance but should not include State Highways.

We hereby certify that we have examined the above and find it correct.

W. F. Campbell  
D. E. Baird  
 Auditors.

Witness our hands this 20 day of Dec 1930.

D. D. Drum Chairman.  
D. E. Baird Secretary.