

DOCKET No. 6

Number Term Year

2

Feb ss 1932

Petition to vacate road in

Union Twp

Versus

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

In re; Road in Union Township : No. February Sessions 1932  
Clearfield County, Pa. :

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

The petition of P. A. Sheeser, J. H. Riddle and J. B. Smith, Supervisors of Union Township, respectfully represents;

That the said P. A. Sheeser, J. H. Riddle and J. B. Smith are duly qualified Supervisors of the said Township of Union, Clearfield County, Pennsylvania.

That there is a certain road lying in the Township of Union, known as the Narrows Creek Road, has become useless, inconvenient and burdensome and the same is hereinafter described:

Wherefore your petitioners pray the Court that the following described road, lying in said Township, be vacated:

That certain piece of road beginning at the south boundary of the Bowersox place continuing Northwestward to the township line, said road being known as the "Narrows Creek Road". And they will ever pray.

BOARD OF SUPERVISORS UNION TOWNSHIP

By P. A. Sheeser

By J. H. Riddle

Clearfield County, SS:

P. A. Sheeser and J. H. Riddle being duly sworn according to law, doth depose and say that they are both Supervisors of the Township of Union, and that the facts set forth in the foregoing petition are true and correct.

Sworn & Subscribed before me:

this 23<sup>rd</sup> day of January 1932 :

P. A. Sheeser  
J. H. Riddle

Dorsey Duff

ALDERMAN

COMMISSION EXPIRES JANUARY 3<sup>d</sup>. 1938

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

No. 2 Feb. Sessions 1932

In re: Road in Union Town-  
ship, Clearfield County,  
Penna.

PETITION FOR VACATION OF  
ROAD

Now January 20, 1932  
13 3/4 ft. Road  
between Gettysburg and  
Henry R. Howler and  
affiliated owners  
to Union and adjacent  
by D. A. Gault

FILED  
JAN 24 1932  
CLEARFIELD, PA.  
J. H. GALT  
CLERK

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

A. R. CHASE  
By the Honorable ~~Singleton~~ ~~Ball~~, President Judge of the said Court: Upon the petition of <sup>supervisors</sup> ~~inhabitants~~  
P. A. Sheesser, J. H. Riddle and J. B. Smith, in the County aforesaid setting forth that.....

there is a certain road lying in the township of Union known as the  
Narrows Creek road, has become useless, inconvenient and burdensome  
beginning at the south boundary of the Bowersox place continuing north  
westward to the township line, said road being known as the "Narrows Creek  
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 ap-

point from and among the County Board of Viewers John Scollins, Esq. Edward Billotte

and Harry 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 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.

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 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.

H. R. Gallagher

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 Union, 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 10th day of February, A. D. 1932, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Grand Jury Room in the Court House, in Clearfield, Pa., on the 12th day of February, A. D., 1932, at 1:30 o'clock P. 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: J. H. Riddle, Supervisor of Union Township,

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Grand Jury Room in the Court House, in Clearfield, Pa., on the 12th day of February,

A. D. 1932, when the parties interested in the said road were in attendance: J. C. Arnold, Esq., Solicitor for Union Township. J. H. Riddle and P. A. Sheeser, Supervisors; J. A. Lyons, A. E. Larson, Bernard Jacobson, C. B. Woodford and C. G. Schwem. 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 become useless, inconvenient and burdensome, to wit: Beginning at the Southern boundary of the Jos. Bowersox place at road leading to the cemetery at the property of Levi Dressler; thence along lands of Jos. Bowersox North 4 degrees, East 1500 feet to line of Fleck, now Gifford lands; thence thereby and along lands of Jos. Bowersox North 4 degrees East 1000 feet to post on Blanchard lands; thence thereby and along lands of Fleck, now Gifford, North 80 degrees West 1000 feet to post on line of lands of Pentz & Hoover, formerly Able DuBois; thence thereby North 75 degrees West 400 feet; thence still thereby North 70 degrees West 2500 feet; thence still thereby North 60 degrees, West 2200 feet; and thence still thereby North 31 degrees West 200 feet to Run; and thence still thereby North 31 degrees West 195 feet and ending at the Sandy Township line.

We further find that the aforesaid road passes principally through woodland and an uninhabited section; that there is no public necessity for this road and the road leading from the Naugle place to the Levi Dressler place (the latter recommended for re-opening in the Re-View to No. 7, September Sessions, 1931) and there being no opposition to the vacation hereof, your Board recommends its vacation, upon confirmation of the return of the Re-View to No. 7, September Sessions, 1931, for the re-opening and maintenance of the "Second Road" therein described, in accordance with the prayer of the



petitioners and other parties interested.

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:

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:

No damages claimed, assessed or awarded,

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

Witness our hands and seals this 26th day of February, A. D. 19 32.

*John Scasins* [SEAL.]  
*Ed Willotte* [SEAL.]  
*W. H. Howler* [SEAL.]

Viewers.

No. 2 Feb Term 19 32

# ORDER TO VACATE

To view and vacate road situate

in the Township of Union

Clearfield County.

Now May Sessions 1932

read and confirmed Ni. Si.

By the Court

confirmed absolute

By the Court

Filed

Atty, Arnold & Smith

Fees \$1.25 paid by

A. H. B. B. B.

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. P. Dowler	2	66	\$18.30
E. D. Billotte	5	146	\$44.80
John Scollins	4	150	\$37.50

FILED  
MAR 19 1932  
W. R. CALDWELL  
CLERK





Sandwich  
Union Township  
N. 100° E. 1000'  
N. 100° W. 2800 feet

Wood  
New Pence & Hoover  
2500 feet  
Wood  
New Pence & Hoover  
2500 feet  
North 70° West

ABLE. DuBois  
ABLE. DuBois  
New Pence & Hoover  
2500 feet  
North 70° West

Now Gifford  
Fleck  
N. 40° E. 1000'  
N. 80° W. 1000'  
N. 150° W. 400'  
Blanchard  
Old Road

Jos. Bowersox  
N. 40° E. 1500'  
Jos. Bowersox

Cemetery  
Levi Brassey  
Public Road  
Begin

Draft Showing location of  
a public road in Union Twp. Ctd. County  
Pennsylvania. Viewed for vacation  
Feb. 10th. 1932.

John Scollins.  
G.D. Billette  
H.P. Dowler.  
viewers.  
Scale  $\frac{3}{16}$ " to 100'  
Total Length 8.995'  
No. 2 Feb. SS. 1932.

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

In re: Vacation of Public Road  
in Union Township.

No. 2, February Sessions, 1932.

TO: The County Commissioners of Clearfield County:

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 Road lying in the township of Union known as the "Harrows Creek Road", beginning at the south boundary of the Bowersox place, continuing North westward to the Township line, in Union Township, in the County aforesaid, will meet at the property of Levi Bressler in Union Township, on Wednesday, the 10th day of February, A. D. 1932 at two (2:00) o'clock P. M., to attend to the duty assigned them: of which time and place aforesaid all parties interested will take notice.

And the public hearing in the matter required by the Act of Assembly and Rules of Court, to be held by the Viewers before the filing of their report in Court, will be held in the Grand Jury Room of the Court House, at Clearfield, Pennsylvania, on Friday, the 12th day of February, A. D. 1932 at 1:30 o'clock P. M., or as soon thereafter as Counsel can be heard, at which time and place all parties interested in the said road may attend and be heard.

John Collins  
E. L. Billatte  
Harry P. Fowler  
Viewers

Dated, January 28th, 1932.

CLEARFIELD COUNTY, SS:

Now, this 1st day of February A. D. 1932,  
service of the above Notice is accepted for the Commissioners of Clearfield  
County.

L. E. Morris  
Clerk

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

In re: Vacation of Public Road  
in Union Township.

No. 2, February Sessions, 1932.

TO: P. A. Sheeser, J. H. Riddle and J. B. Smith, Supervisors of Union Township.

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 Road lying in the township of Union known as the "Narrows Creek Road", beginning at the south boundary of the Bowersox place, continuing North westward to the Township line, in Union Township, in the County aforesaid, will meet at the property of Levi Bressler in Union Township, on Wednesday, the 10th day of February, A. D. 1932 at two (2:00) o'clock P. M., to attend to the duty assigned them: of which time and place aforesaid all parties interested will take notice.

And the public hearing in the matter required by the Act of Assembly and Rules of Court, to be held by the Viewers before the filing of their report in Court, will be held in the Grand Jury Room of the Court House, at Clearfield, Pennsylvania, on Friday, the 12th day of February, A. D. 1932 at 1:30 o'clock P. M., or as soon thereafter as Counsel can be heard, at which time and place all parties interested in the said road may attend and be heard.

Ohu Collins  
E. S. Billotte  
Harry C. Fowler  
Viewers

Dated, January 28th, 1932.

CLEARFIELD COUNTY, SS:

Now, this 2d day of February, A. D. 1932, service of the above Notice is accepted for the Supervisors of Union Township.

P. A. Sheeser  
William J. B. Smith  
J. H. Riddle  
Supervisors