

Road

DOCKET No. 6

Number	Term	Year
5	Dec	1934

Petition of James A. McPherson

for review of road in Pike Twp

Versus

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

IN RE: PROCEEDINGS TO :
VIEW AND VACATE ROAD SITUATE :
IN PIKE TOWNSHIP, CLEARFIELD :
COUNTY, PENNSYLVANIA :

ANSWER TO PETITION FOR REVIEW

TO THE HONORABLE W. WALLACE SMITH, PRESIDENT JUDGE OF SAID COURT:

John C. Smeal, Frank Bloom and Ralph Bennett, Supervisors of Pike Township, Clearfield County, Pennsylvania, answer the petition of James A. McPherson for a review in the above proceeding as follows:

- (1). Paragraph (1) of the petition for review is admitted.
- (2). Paragraph (2) of the petition for review is admitted.
- (3). Paragraph (3) of the petition for review is admitted.
- (4). Paragraph (4) of the petition for review is admitted.
- (5). In answer to Paragraph (5) of the petition for review, the Supervisors aver as follows:

(a). It is admitted that McPherson's camp has been used to some extent as a recreational center, and some people occasionally go to this camp to enjoy picnics and swimming, but the camp is not generally known as a recreational center.

(b). The owner of said camp has donated the use of the land gratuitously to individuals and small groups coming upon the premises, but has made charges to groups who have rented part of the premises for picnics and dancing.

(c). It is further averred that even if the petition to vacate is granted, the road leading to the McPherson farm will still be available to the owner of McPherson's camp, and to the public who may wish to visit the camp.

(d). In the event that the petition of the Supervisors is granted, the road leading from Route 43 up to McPherson's camp will remain as it is at the present time, and the owner of the said camp, together with the public, may use same as a means of access from Route 43 to the said McPherson's camp.

(e). Furthermore, it is averred that all of the land in the vicinity of the portion of Route 42 in question belongs to Mr. McPherson, he owning a large acreage in that vicinity, and is the only person who has any buildings at or near the portion of Route 42 in question.

(6). Paragraph (6) of the petition for review is admitted.

(7). The averments in Paragraph (7) of the petition for review are denied. It is averred that the said road was never a much traveled highway as far as any of your petitioners can remember, and that for the last number of years there has been no need for this road, and, in consequence thereof, your petitioners have not spent the Township's money in maintaining the said road.

(8). In answer to Paragraph (8) of the petition for review, it is admitted that the said bridge crossing Montgomery Creek at or near the point where said road joins unto Route 43 of the State Highway plan is becoming in a state of disrepair, but it is averred that the said road at this point is used solely for the benefit of the owner of McPherson's camp, and parties who may have occasion to visit same, but there is no general use for this said road. It is further averred that if the owner of the said camp desires to maintain the camp he may repair said ^{road} and in that way keep it in proper repair. The piece of road in question at this point is approximately four hundred (400) feet, and extends from Route 43 up to the McPherson line, which is approximately four hundred (400) feet more or less.

(9). It is averred, in answer to Paragraph (9) of the petition for review, that if the State Game Commission has any special interest to the use of lands adjacent to McPherson's camp, that the State Game Commission should, at its own expense and under its own supervision, take care and maintain the bridge. The said road is not used by the general public, excepting used by Mr. McPherson, the owner of the camp, and a few persons who may have occasion to visit the camp.

(10). In answer to Paragraph (10) of the petition for review, it is averred that if the Pennsylvania Department of Forests and Waters has any special interest to the use of lands adjacent to McPherson's camp, that the said Pennsylvania Department of Forests and Waters should, at its own expense and under its own supervision, take care and maintain the bridge. The said road is not used by the general public, excepting used by Mr. McPherson, the owner of the camp, and a few persons who may have occasion to visit the camp.

(11). It is further averred by the Supervisors of Pike Township that there is no general need for the said Route 42, and that this Route is used very little by the general public, and that its maintenance and upkeep is an undue hardship, under the present economic conditions, upon the taxpayers of the Township.

WHEREFORE, the Supervisors of Pike Township pray that the petition for a review be dismissed, and that the report of the Board of Viewers, which was confirmed nisi by the Court at the September Sessions, be confirmed absolutely at the next term of Court. And they will ever pray.

John C. Smeal
Frank Bloom
Ralph Bennett

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

Before me, the undersigned, personally appeared, John C. Smeal, Frank Bloom and Ralph Bennett, who being duly sworn according to law depose and say that the facts set forth in the foregoing petition are true and correct.

Sworn to and subscribed :
before me this 25th day :
of October A.D. 1934 :

W. R. Gallagher :
Prothonotary :

John C. Smeal
Frank Bloom
Ralph Bennett

5 Dec 1934

RECEIVED
NOV 13 1934
U.S. DEPT. OF JUSTICE
DIVISION OF INVESTIGATION

Nov, Nov, 5, 1934
Services accepted
by copy

W. E. Callahan
Attorney
Clearfield, Pa.

FILED

NOV 13 1934

W. E. CALLAHAN

BELL & STEBBINS

ATTORNEYS AT LAW
KURTZ BUILDING
CLEARFIELD, PENNA.

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

In re: Proceedings to view and :
vacate road situate in Pike Township, :
Clearfield County, Pennsylvania :

O R D E R.

NOW November 16, 1934, the petition of James A. McPherson for a review of the proceedings to vacate road in Pike Township having been presented, and it appearing that the prayer of the petition should be granted, the Court appoints John Scollins, Esq., H. A. Giles and E. D. Billotte as Viewers, with the usual powers in such proceedings. The question of the liability for costs in this proceeding shall be disposed of upon the termination of the proceeding.

By the Court,


President Judge.

5 Dec 22 14 34

IN THE COURT OF CLARKE
SESSIONS OF CLARKE COUNTY
PENNSYLVANIA.

In re: Proceedings to view
and vacate road situate
in Pike Township, Clear-
field County, Pennsylvania

C R E E R

NOV 15 1922

NOV 15 1922

W. R. GALLAGHER
PROTHONOTARY

NOV 15 1922

W. WALLACE SMITH

PRESIDENT JUDGE

46TH JUDICIAL DISTRICT
CLEARFIELD, PA.

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 16th day of November in the year of our Lord one thousand nine hundred thirty four

Judge of the same Court: Upon the petition of ~~sundry~~ James A. McPherson ~~known~~ of the Township of Pike

in said County, setting forth that a former proceedings was filed to No 2 Sept SS 1934, on July 7, 1934 and was confirmed ni si by the Court on the first Monday of September A.D. 1934.

That the report of said Board of Viewers found the road in question to useless, inconvenient and burdensome.

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. H. A. Giles and E. D. Billotte

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.

W. R. Gallagher, 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 Pike and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 13th day of December A. D. 1934, and the hearing to be held in the ^{Grand Jury} ~~Adoption~~ Room, at the Court House, in Clearfield, Pa., on the 15th day of December, 1934, at 10 o'clock A. M. That the three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view James McPherson and Thos. W. Smeal, Frank Bloom and John Smeal, Supervisors of Pike Township

parties in interest. That the hearing was held in the ^{Grand Jury} ~~Adoption~~ Room, in the Court House, at Clearfield, Pa., on the 15th day of December A. D. 1934, when the following appearances were noted: W. Albert Ramey, Esq., for petitioners; F. Cortez Bell, Esq., Solicitor for Pike Township, James McPherson, Thomas Liegey, Thos. W. Smeal, Harvey Keller, Howard Stewart, Jos. T. Bunnell, Charles Bailey, Caleb Boal, John Smeal, Frank Bloom and Ralph Bennett: All 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 no occasion for a road as desired by the petitioner, and that the same is not 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 petitioners and do return for~~ ~~the following described road, to wit:~~ Beginning at the point of intersection of the abandoned portion of the old public road leading from Clearfield to Mt. Zion, South 63 degrees East 194 feet from its present intersection with the Improved Road, Route #42, leading from Clearfield to Mt. Zion as aforesaid: thence South 63 degrees East 194 feet to said Improved Road, Route #42, and from said starting point (Northwest) 317 feet to its intersection with the aforesaid Improved Road, Route #42; and thence from said starting point South 54 degrees West 248 feet to Montgomery Creek; thence South 54 degrees West 100 feet to a private road leading to the Keller place; thence along along the lands of James McPherson and the State Game Refuge the following courses and distances, to wit: South 34 degrees West 400 feet; South 41 degrees West 682 feet; South 55 degrees West 200 feet; South 48 degrees West 200 feet; South 58 degrees West 600 feet; South 48 degrees West 548 feet; South 35 degrees West 552 feet to the line of the Boal Bros. tract; thence thereby South 34 degrees West 200 feet; thence still thereby South 44 degrees West 800 feet to the property-line of S.A. Smeal and Bailey Estate; thence thereby South 44 degrees West 500 feet; thence still thereby South 34 degrees West 200 feet; and thence still thereby South 0 degrees 3 minutes West 600 feet and ending in the public road leading from the Bailey Settlement to the Checker Fridge.

We find said public road to be unimproved, useless, inconvenient and burdensome to keep up, and recommend its vacation.

We further find that it is a short-cut from Mt. Zion to the Bailey Settlement; but is hilly, requires an adequate bridge over Montgomery Creek, which is in a dangerous condition and unfit for public travel; it is convenient to Harvey Keller, when traveling over it by wagon, but testifies that the bridge over Montgomery Creek is unsafe, and he has other out-let from his place; and when traveling by automobile uses the Improved Roads.

The aforesaid Road for for one-half its length passes along the line of the land of James McPherson, and is used by him for hauling cut-timber to his Saw-mill; he maintains a picnic grove and camp for hunting, fishing and campers, and is occupied by Thomas Liegey as a sheep-herder and Care-taker of McPherson's Camp. ✓ This site was formerly a Boy Scout Camp, but it was destroyed by fire about 2 years ago and has not been re-built; there is a pavilion 12 x 36 on it, with tables and fire-places, and frequented by guests, and access thereto is free.

Howard Stewart, of the State Game Commission, testified that the Commission prefers a public road along the boundary line of the Game Refuge; but it is fenced with one strand of wire only, and your Board is of the opinion that the Preserve could be more easily policed against poachers and illegal hunting by the vacation of this public road along its eastern boundary; and there would be less danger of fires.

Your Board finding that the said road is inconvenient, burdensome of up-keep and useless for public use and travel, recommends its vacation,

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, (said road being at an elevation not exceeding five degrees, excepting

when it was not practical to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from

No damages claimed or assessed

the following persons having refused to release the damages to which they respectfully may be entitled by reason of the location and opening 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 or assessed

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

WITNESS our hands and seals this 28th day of January

A. D. 1935..

John Seecina Seal
E. B. Billette Seal
H. A. Giles Seal
Seal

No. 5 Dec Sessions, 19 34

ORDER

To ~~viz~~ Re-view a
road for public use in the
township of Pike
Clearfield County

February Sessions, 19 35

read and confirmed Ni. Si. Road to be
opened 32 feet wide except where there
is a bridge or embankment and
bridging there to be 16 feet wide

W. R. Gallagher

May 6, 1935 - Confirmed by
W. R. Gallagher

FILED
FEB 4 1935
W. R. GALLAGHER
CLERK

Filed 19
Fees \$1.25 paid by
W. Albert Ramey, Atty.

W. R. Gallagher

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.
E. D. Pillotte	3	68	33.40
H. A. Giles	2	22	21.10
John Scollins	4	124	46.20

RELEASE OF DAMAGES

Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by

at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said

all damages that may arise to us respectfully by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this day of
A. D. 192

Seal
Seal
Seal
Seal

TO: The County Commissioners of Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 5, December Sessions, 1934, to re-view the proposed vacation of a public road in Pike Township, to wit: the Township Road leading from Local Route No. 45 and/or No. 42 of the State Highway, at or near Montgomery Creek, to McPherson's Camp, in Pike Township, will meet at the property of James A. McPherson in said Township on Thursday the 15th day of December, A. D. 1934 at two (2:00) o'clock P. M., to attend to the duties 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 Grand Jury Room in the Court House in Clearfield on Saturday the 15th day of December, A. D. 1934 at ten (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.

Wm. Collins
E. L. Billotte
H. A. Giles
Viewers

Dated, December 1, 1934.

CLEARFIELD COUNTY, SS:

Now, this 3rd day of December, A. D. 1934, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. C. Norris
Clerk

X

TO: Frank Bloom, John C. Smeal and Ralph B. Bennett, Supervisors of
Pike Township, Clearfield County:-

You are hereby notified that the undersigned Viewers,
appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania,
to No. 5, December Sessions, 1934, to re-view the proposed vacation of a public
road in Pike Township, to wit: the Township Road leading from Local Route No.
43 and/or No. 42 of the State Highway, at or near Montgomery Creek, to McPherson's
Camp, in Pike Township, will meet at the property of James A. McPherson
in said Township on Thursday the 13th day of December, A. D. 1934 at two
o'clock (2:00) P. M., to attend to the duties 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 ~~Grand Jury~~ ^{Grand Jury} Room in the
Court House in Clearfield on Saturday the 15th day of December, A. D. 1934
at ten (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 Scollins
E. L. Billotte
H. A. Giles
Viewers

Dated, December 1, 1934.

CLEARFIELD COUNTY, SS:

Now, this 3rd day of December, A. D. 1934, service of
the above Notice is accepted for the Supervisors of Pike Township, Clear-
field County.

John C. Smeal
Frank Bloom
Ralph B. Bennett
Supervisors

Said Board of Viewers reported also that "the burden of travel is confined to a certain portion of this road approximately 400 feet in length at or near Montgomery Creek, or where this road joins local Route No. 43 on the State Highway plan or map for this section. The road at this point is situated on the property of James McPherson, and is used almost exclusively in going to or from what is known as the McPherson Camp situated approximately 200 yards from this township road as on local Route No 42, and approximately 300 yards from local route, No 43 on the State Highway plan or map for this section".

It is averred that McPherson's Camp is a recreational centre and is greatly used by persons seeking recreation in this mountainous section. The owner of said McPherson's Camp, being your petitioner herein, has for many years donated the use of the land, accessible only by way of the road in question, to the interests of the public. The use of the land accessible only by way of said road, or such portion thereof as extends into McPherson's Camp, has been accepted by the public as a place of recreation for picnics, games and swimming. It is offered to the public without costs, and without any charge whatsoever being made by the owner thereof, your petitioner herein, for the use of the same. It is represented that said McPherson's Camp and the lands surrounding the same have been cleared and improvements have been erected thereon at great expense to your petitioner, for the free use of the public generally. It is represented that since the petition for an order to vacate said road was filed said road, or such portion thereof as leads to and affords the only access to said McPherson's Camp, had been used daily, and in said period of time hundreds of persons and automobiles have traveled said road.

The report of the Board of Viewers adopted the recommendation of the local Superintendent of the Dept of Highways, who stated by letter "that the road was found to be impassable and no work had been done on this road for several years."

It is represented that said road was formerly a much traveled highway but by reason of its neglect on the part of the Supervisors of Pike Twp. for many years it was permitted to become in an unused and grown up condition, but has never been impassable.

It is also averred that on said road proposed to be vacated is a bridge crossing Montgomery Creek at or near the point where said road joins on to Route No 43 of the State Highway plan and that said bridge is becoming in a state of disrepair and will, if said road is vacated, become dangerous in its use by the public desiring to make use of the recreational facilities afforded by McPherson's Camp and land adjacent thereto. It is represented that unless said bridge is kept in a state of repair that no other access can be had to McPherson's Camp and the public will thereby become deprived of the use thereof.

In addition thereto the State Game Commission is making valuable use of the lands adjacent to McPherson's Camp as a Game Preserve. For the continued use thereof by the said State Game Commission it is essential that the bridge crossing Montgomery Creek be kept in a state of repair and that said road leading to said lands where valuable investments have already been made by the State Game Commission be maintained. For that reason the State Game Commission through Howard Stewart of Clearfield joins in the prayer of this petition.

It is also represented that the Penna Dept. of Forests and Waters recognizes the need of gaining access to said lands for fire prevention and for fire fighting purposes, and also that said road when kept clear will tend to arrest the spread of fire in the vast acreage of timber land through which it passes. For that reason the Penna Dept of Forests and Waters through William F. Dague joins in the prayer of this petition.

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

In re: Proceedings to view and :
vacate road situate in Pike Town- :
ship, Clearfield County, Pennsylv- :
ania. :

TO HONORABLE W. WALLACE SMITH, PRESIDENT JUDGE OF SAID COURT:

The petition of James A. McPherson for a review of
the above styled proceedings respectfully represents:

(1). That A. B. Shaw, H. A. Reese, and H. W. Bonsall,
Viewers, appointed by this Honorable Court, made report to the
Court on June 30, 1934.

(2). That the report of said Board of Viewers was
filed in the office of the Clerk of the Courts on July 7, 1934,
and was confirmed ni si by the Court on the first Monday of Sep-
tember, A. D. 1934.

(3). That the report of said Board of Viewers found
the road in question to be useless, inconvenient and burdensome.

(4). Said Board of Viewers reported also that "the
burden of travel is confined to a certain portion of this road ap-
proximately 400 feet in length at or near Montgomery Creek, or
where this road joins local Route No. 43 on the State Highway plan
or map for this section. The road at this point is situate on the
property of James McPherson, and is used almost exclusively in
going to or from what is known as the McPherson Camp situated ap-
proximately 200 yards from this Township road on local Route No.
42, and approximately 300 yards from local Route No. 43 on the
State Highway plan or map for this section".

(5). It is averred that McPherson's Camp is a recre-

ational center and is greatly used by persons seeking recreation in this mountainous section. The owner of said McPherson's camp, being your petitioner herein, has for many years donated the use of the land, accessible only by way of the road in question, to the interests of the public. The use of the land, accessible only by way of said road, or such portion thereof as extends into McPherson's Camp, has been accepted by the public as a place of recreation for picnics, games and swimming. It is offered to the public without cost, and without any charge whatsoever being made by the owner thereof, your petitioner herein, for the use of the same. It is represented that said McPherson's Camp and the lands surrounding the same have been cleared and improvements have been erected thereon at great expense to your petitioner, for the free use of the public generally. It is represented that since the petition for an Order to Vacate said road was filed said road, or such portion thereof as leads to and affords the only access to said McPherson's Camp, has been used daily, and in said period of time hundreds of persons and automobiles have traveled said road.

(6). The report of the Board of Viewers adopted the recommendation of the local Superintendent of the Department of Highways, who stated by letter "that the road was found to be impassable and no work had been done on this road for several years".

(7). It is represented that said road was formerly a much traveled highway, but by reason of its neglect on the part of the Supervisors of Pike Township for many years it was permitted to become in an unused and grown-up condition, but has never been impassable.

(8). It is also averred that on said road proposed to be vacated is a bridge crossing Montgomery Creek at or near the point where said road joins on to Route No. 43 of the State High-

way plan, and that said bridge is becoming in a state of disrepair and will, if said road is vacated, become dangerous in its use by the public desiring to make use of the recreational facilities afforded by McPherson's Camp and land adjacent thereto. It is represented that unless said bridge is kept in a state of repair that no other access can be had to McPherson's Camp and the public will thereby become deprived of the use thereof.

(9). In addition thereto the State Game Commission is making valuable use of the lands adjacent to McPherson's Camp as a Game Preserve. For the continued use thereof by the said State Game Commission it is essential that the bridge crossing Montgomery Creek be kept in a state of repair and that said road leading to said lands, where valuable investments have already been made by the State Game Commission, be maintained. For that reason the State Game Commission, through Howard Stewart, of Clearfield, Pennsylvania, joins in the prayer of this petition.

(10). It is also represented that the Pennsylvania Department of Forests and Waters recognizes the need of gaining access to said lands for fire prevention and for fire fighting purposes, and also that said road, when kept clear, will tend to arrest the spread of fire in the vast acreage of timber land through which it passes. For that reason the Pennsylvania Department of Forests and Waters, through William F. Dague, joins in the prayer of this petition.

WHEREFORE, your petitioners pray for a review of said proceedings agreeable to the Act of Assembly in such case made and provided.

And they will ever pray

James A. McPherson
Howard Stewart
Wm. F. Dague

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :


Before me, the undersigned, personally appeared
JAMES A. McPHERSON, who, being duly sworn, according to law, de-
poses and says that the facts set forth in the foregoing Petition
are true and correct.

Sworn to and subscribed before :
me this 3 day of October, A.D. :
1934. :

James A. McPherson

R. C. Shaw
Justice of the Peace
MY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 1940

5 Dec 22 1934

IN THE COURT OF JUDICIAL SALS- TIONS OF CLEARFIELD COUNTY, PA.	IN RE: PROCEEDINGS TO VACATE AND VACATE HOLD SITUATION IN PIKE TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA.	PETITION	 W. ALBERT RAMEY ATTORNEY AT LAW CLEARFIELD, PA.	The Tuttle Law Print, Publishers, Rutland, Vt.
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And now Oct 17, 1934, service
accepted by copy.

Belknap Silhubblett
attys for Pike Township Supervisor