

Road DOCKET No. 6

Number Term Year

4

Dec ss 1927

Petition to vacate road in Brady

Twp.

Versus

X

To The SUPERVISORS OF BRADY TOWNSHIP ROAD DISTRICT.

You and each of you are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view for Vacation a road leading from the house formerly of Joseph L. Kirk, now of George S. Swoope and in the public road leading from the Erie Turnpike to the Punxsutawney pike in Brady Township, thence extending about one mile in a South-
erly direction to the farm buildings of one Terve, and later of Adam Schoch, in Brady Township, will meet at the house of George S. Swoope in Brady Township, in the County aforesaid, on Thursday the ^{10th} ~~ninth~~ day of November 1927 at nine o'clock A.M., to attend to the duties assigned them.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield Pa. on Friday the ^{11th} ~~tenth~~ day of November 1927 at 9:30 o'clock A.M. when and where all parties interested may attend and be heard.

Frank Shullin
Geo. Myers
Jack Michaels
Viewers

DuBois, Pa., Oct. 27th 1927.

Now, Oct. ²⁶ 1927, service of above notice is accepted for the Supervisors of Brady Township Road District.

Edward B. Over

To THE COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA.

You and each of you are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view for vacation a road leading from the house formerly of Joseph E. Kirk, now of George S. Swoope and in the public road leading from the Erie Turnpike to the Punxsutawney Pike in Brady Township, thence extending about one mile in a Southerly direction to the farm buildings of one Terve and later of Adam Schoch in Brady Township, will meet at the house of George S. Swoope in Brady Township, in the County aforesaid, on Thursday the ^{10th} ~~11th~~ day of November 1927 at nine o'clock A.M. to attend to the duties assigned them.

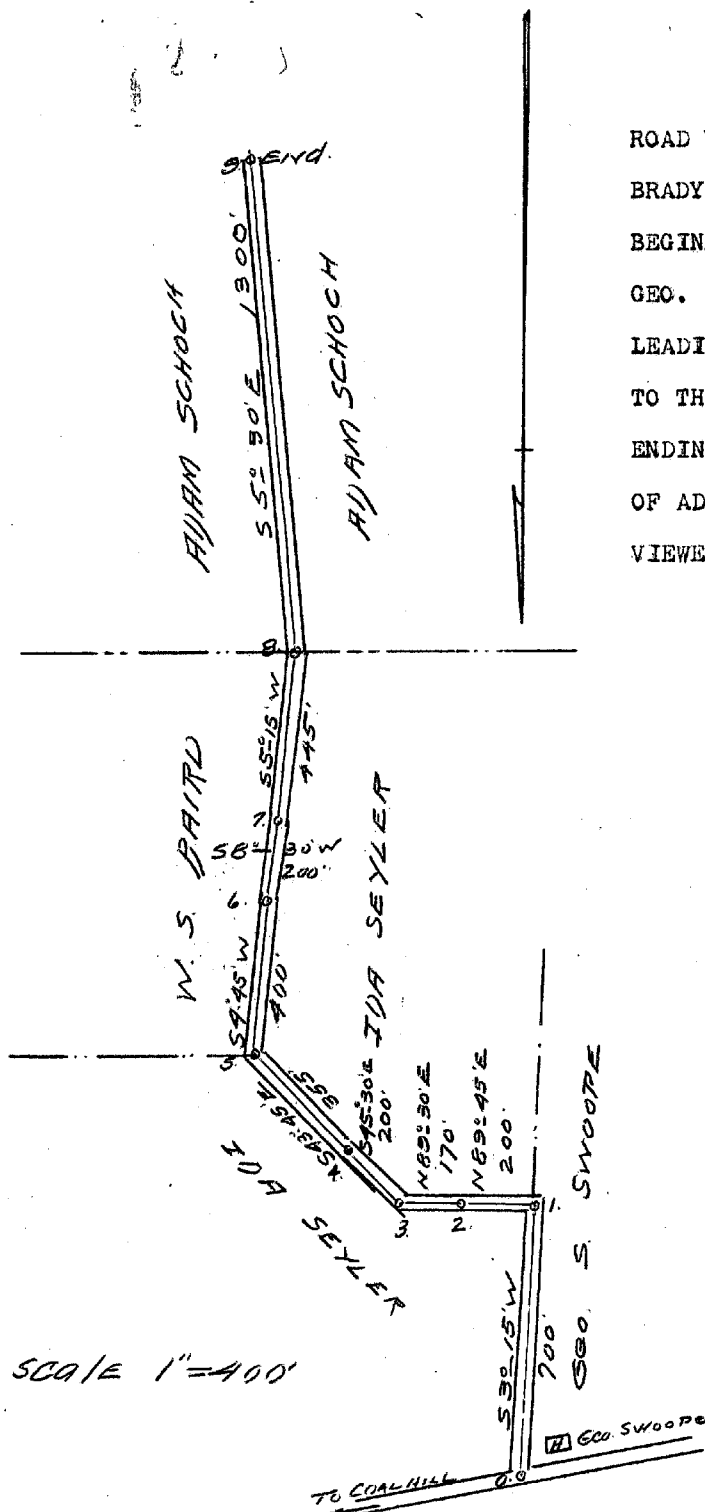
And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Friday the ^{11th} ~~12th~~ day of November 1927 at 9:30 o'clock A.M. when and where all interested parties may attend and be heard.

DuBois, Pa. Oct. 27th 1927

James Sullivan
L. C. Norris
Jack Michaels
Viewers

Now, Oct. 27, 1927, service of the above notice is accepted for the Commissioners of Clearfield County.

L. C. Norris Clerk



ROAD VIEW - VACATION - IN
 BRADY TWP. CLEARFIELD CO. PA.
 BEGINNING AT THE HOUSE OF
 GEO. S. SWOOPE IN THE ROAD
 LEADING FROM THE ERIE TURNPIKE
 TO THE PUNXSUTAWNEY PIKE AND
 ENDING NEAR THE FARM BUILDINGS
 OF ADAM SCHOCH. DISTANCE 3970 FT.
 VIEWED NOVEMBER 10, 1927.

FRANK HUTTON)
 JACK MICHAELS) VIEWERS.
 J. E. FRY)

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 October in the year of our Lord, one
thousand nine hundred and twenty seven

By the Honorable ~~Samuel H. Bell~~ A. R. CHASE, President Judge of the said Court: Upon the petition of ~~Samuel H. Bell~~ Supervisors
~~and others~~ of the Township of Brady, in the County aforesaid setting forth that
there was laid out and opened for public use a road in Brady Twp. approximately
one mile in length, beginning at the house formerly of Joseph H. Kirk, now of
Geo. S. Swoope, in the public road leading from the Erie Turnpike to the
Punxsutawney Pike, and leading in a southerly direction and ending at the
farm buildings of one Terve, and later of Adam Schoch.

That the said farm buildings are now gone and the farm on which they were
erected, is largely grown up in brush, and there are no improvements along said
road and the same has long since been abandoned by the traveling public and it
apparently serves no useful purpose, and is burdensome to the inhabitants of
Brady Twp by reason of its being through swampy ground

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 Frank Hutton, Esq. J. E. Frye and
Jack Michaels

who have been duly appointed by the said Court on the
County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the
County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their 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.

Geo. W. Ralston

Clerk.

RETURN OF VIEWERS.

TO THE HONORABLE THE JUDGE OF QUARTER SESSIONS OF THE PEACE, IN AND FOR THE
COUNTY OF CLEARFIELD, PA.

We, the undersigned Viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of the view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County, and the Board of Supervisors of the Township of BRADY, 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 November, A. D. 1927, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 11th day of November A. D., 1927 at 9:30 o'clock A. 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.SNYDER and Harry Nolder, Supervisors, and G.A.Faudie and Geo. S.Swoope, citizens and tax payers of Brady Twp

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 11th day of November, A. D. 1927, when the parties interested in the said road were in attendance: Harry Bonsall, J.H. Snyder and Harry Nolder, Supervisors of Brady Twp. Road District, Geo. Faudie, W.P. Wingert, George Wingert, Clair Wingert, Daniel Marshall, William H. Hatsfeldt citizens of Brady Twp

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome and it being the unanimous opinion of the Supervisors, all the citizens present and of the Viewers as well, that the road is useless, and has become burdensome to the citizens and taxpayers of Brady Township, your Viewers report in favor of the prayer of the petition and favorable to the vacation of the road as shown by draft hereto attached and made part of this report.

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: No releases required

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 to assess

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

Witness our hands and seals this 12th day of November, A. D. 1927

James Hutton [SEAL.]

J. E. Fry [SEAL.]

J. S. Michael [SEAL.]

Viewers.

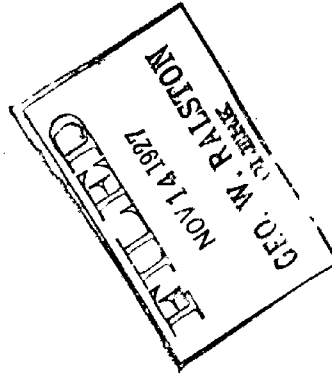
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

Reviewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

	Days	Miles	Am't



No. 4 Dec Term 19 27

ORDER TO VACATE

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

Now *held* Sessions 19 27
read and confirmed Ni. Si.

By the Court

W. H. Chase
Now *Feb* Sessions 19 28 *W. H. Chase*
confirmed absolute.

By the Court.

W. H. Chase
R. J.

Filed _____ 19 ____

Atty, _____

Fees \$1.25 paid by *W*

E. G. Boose, Atty.

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

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

Your undersigned petitioners, Supervisors of Brady Township,
in said Clearfield County, and divers other citizens of said
Township of Brady, would respectfully represent;

That many years ago, by virtue of order of the Court of
Quarter Sessions of Clearfield County, after view, there was
laid out and opened for public use, a certain public road in
Brady Township, Clearfield County, Pa., approximately one mile
in length, beginning at the house formerly of Joseph H. Kirk,
now of George S. Swoope, in the public road leading from the
Erie Turnpike to the Punxsutawney Pike, and leading in a south-
erly direction, and ending at the farm buildings of one Terpe,
and later of Adam Schoch:

That the said farm buildings are now gone and the farm on
which they were erected, is largely grown up in brush, and there
are no improvements along the said road and the same has long
since been abandoned by the traveling public and it apparently
serves no useful purpose, and in addition the said road has be-
come useless, burdensome and inconvenient to the inhabitants of
said Brady Township by reason of its being through swampy ground.

Your petitioners, the said Supervisors of Brady Township, and
divers other citizens of said township, therefore pray that your
Honorable Court appoint proper persons to view and vacate the
said public road, as is by law in such case made and provided.
And they will ever pray etc.

H. W. Bonsall
Supervisor of Brady Township

H. E. Nelder
Supervisor of Brady Township

J. H. Snyder
Supervisor of Brady Township

George Smith

George Smith

George Smith

George Smith

George Smith

George Smith

H. W. Bonsall

H. E. Nelder

J. H. Snyder

J. H. Snyder

J. H. Snyder

George Smith

George Smith

George Smith

George Smith

George Smith

CLEARFIELD COUNTY,)
PENNSYLVANIA.) SS

On the 22nd day of October, 1927, before me, a Notary Public commissioned in and for Clearfield County, personally came H. W. Bonsall, who by me being duly sworn according to law, deposes and says that he is one of the Supervisors of Brady Township, Clearfield County, Pa., and that he is cognizant of the facts averred in the foregoing petition, and that said averments are true and correct.

H. W. Bonsall

Sworn and subscribed before
me the day and year above written.

Timothy J. Bovee
Notary Public

My Commission Expires Apr. 12, 1931.

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

RE: Vacation of Public Road : Of December Term, 1927, No.
in Brady Township :

To the Commissioners of the county of Clearfield;

You will please take notice that the Supervisors and divers citizens of Brady Township, in said County of Clearfield, will present to the Judge of this court on Monday, the 24th day of October, 1927, at ten o'clock A. M. a petition for the appointment of Viewers to view and vacate a certain public road in Brady Township, aforesaid, which said public road is therein described as follows;

"Beginning at the house formerly of Joseph H. Kirk, now of George S. Swoope, in the public road leading from the Erie Turnpike to the Punxsutawney Pike, and leading in a southerly direction, and ending at the farm buildings of one Terpe, and later of Adam Schoch"

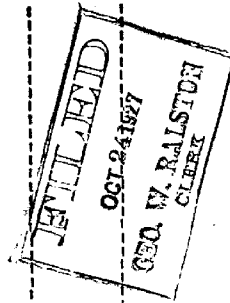
Edward Boose
Atty for Petitioners

Now, October 24th, 1927, the above notice is received and accepted for the Commissioners of Clearfield County.

L. C. Harris
Clerk.

IN THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY.
OF DECEMBER TERM, 1927, No. 4

Petition for appointment of
Viewers to view and vacate a
Public Road in Brady Township



Now, October 24, 1927, the within
petition read and by the court
considered and *Frank Hutton*
Ed. C. Dyer and *Jack Hutton*
are appointed agreeably to prayer
of the petitioners; the viewers to
make report the first Monday of
December, 1927. By the Court,

A. H. Hutton