

DOCKET No. ⁶

Number	Term	Year
9	Sept. 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 for the County of Clearfield to view for VACATION a section of Public Road beginning at the house of Delilah Shaffer about 350 feet from State Highway Route No. 59 and ending about 2400 feet South East therefrom at a point where the "Brockbank Road" intersects with said public Road and all of which road is in Brady Township, Will meet at the House of Delilah Shaffer in Brady Twp on Tuesday the ninth day of August 1927 at 8 o'clock A.M. to attend to the duties assigned them.

And that the required Public Hearing will be held at the Court House in the Borough of Clearfield, on Wednesday the tenth day of August 1927 at ~~nine~~ o'clock A.M. at which times and places you may attend and be heard if you so desire.

Frank Sutton
J E Fry
Lowell Leeder
Viewers

DuBois Pa. July 21st 1927

Now, July 21-1927 service of above notice is accepted for the Supervisors of Brady Township Road District.

Geo. B. Boal

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 for the County of Clearfield, to view for VACATION at section of public Road beginning at the house of Delilah Shaffer about 350 feet from State Highway Route No. 59 and ending about 2400 feet South East therefrom, at a point where the "Brockbank" Road intersects with said road and all of which is in Brady Township in said County, will meet at the house of Delilah Shaffer in Brady Township, aforesaid on Tuesday the 9th day of August 1927 at 8 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, on Wednesday the 10th day of August, 1927 at nine O'clock A.M. at which time and place you may attend and be heard if you so desire.

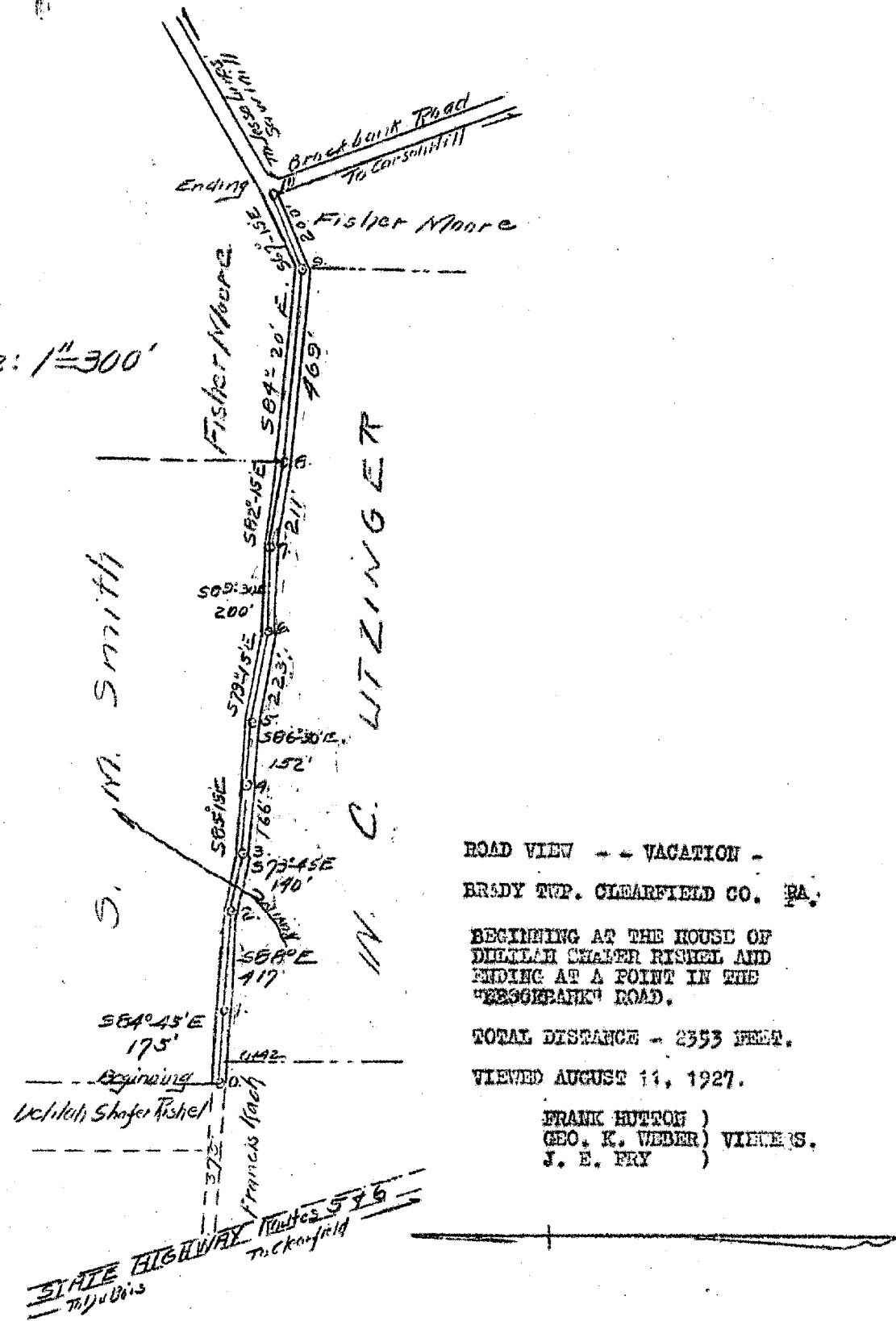
Frank Hellm
J. E. Fry
Geo. Kueber
Viewers

DuBois, Pa. July 21st 1927.

Now, July 22, 1927, service of above notice is accepted for to Commissioners of Clearfield County.

L. O. Morris
Clerk

scale: 1" = 300'



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 20th day of July in the year of our Lord, one thousand nine hundred and twenty seven

A.R.CHASE

By the Honorable ~~John H. Smith~~ President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of Brady, in the County aforesaid setting forth that Within said Twp. of Brady is a section of public road heretofore layed out by viewers appointed by the Judge of the Court of QSS of Clearfield Co. many years ago, which said section is a part of the public road beginning in State Highway No. 59 in the village of New Salem and ending in the public road leading from Luthersburg to Andrew Liddle's farm, and the section of said road begins at a point in said road at the house of Delilah Shafer, about 350 feet from the said State Highway No. 59 and ends 2400 feet southeast therefrom at the point where the "Brockbank" road intersects with the said public road.

That along said section of road there are no buildings and the said part has been practically abandoned by the traveling public and has become useless, inconvenient and burdensome

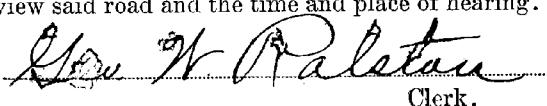
and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers Frank Hutton, Esq., J.E. Frye, and George K. Weber, who have been duly appointed by the said Court on the

County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft, or plot, aforesaid. In which said reports they shall state that they have been sworn, or affirmed, according to law, and that due and legal notice was given of the time when and the place where they would meet, to view said road and the time and place of hearing.

By order of the Court.


George 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 9th day of August, 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.

Continued to Aug. 12th at 9 A.M., Pa., on the 10th day of August, A.D. 1927, at 9 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 James H. Snyder, one of the Supervisors of Brady Twp. Road District

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 12th day of August, A. D. 1927, when the parties interested in the said road were in attendance: as follows:

James H. Snyder, Supervisor

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome to the Tax payers of Brady Township, that the facts set forth in the petition are true: that the road has no houses or dwellings along it; that portions of it are steep. That there is no indications that it has been used for years, that more than half of the roadway along the improved lands has been and is now under cultivation; that the authorities have done no work on it for years because it has not been used.

The viewers are of one mind that it should be vacated and the citizens of Brady Twp. be released from any liability that might arise by reason of its being a public road as well as expense in maintaining a useless road. They therefore report that in our opinion a public highway now existing in Brady Township, in said County of Clearfield, Beginning at a point or corner of land of Delilah Shaffer Rishel which point is South 84 degrees and 45' East 375 feet from the edge of the Concrete on State Highway Routes "5" & "6", thence S. 84 degrees and 45' East 175 feet; Thence S. 88 degrees East 417 feet; thence S. 73 degrees 45' E. 140 feet; thence S. 85 degrees 15' E. 166 feet; thence S. 86 degrees 30' E. 152 feet;

thence S.79 Degrees 15' E. 223 feet; thence S. 69 degrees 30' E. 200 feet; thence S.82 degrees 15' E. 211 feet; thence S.84 degrees 20' E. 469 feet; thence S.67 degrees 15' E. 200 feet to public road locally known as the "Brockbank" road.

Note:- The view in this case was originally fixed for Aug. 9th 1927 and Hearing for Aug. 10th. Owing to the fact that Viewers Fry and Weber were on another view in Burnside Twp which was fixed for the same days and this fact not being known until bills were posted and notices given Viewer Hutton appeared at the place of view and gave notice to interested parties and noted adjournment of view and Hearing until the 11th and 12th of Aug as heretofore reported.

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.

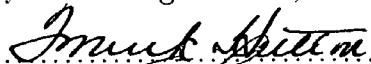
The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacating of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from: (no releases required)

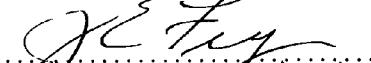
And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up of the said road, we, the undersigned Viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof, as follows:

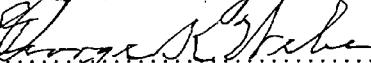
(No damages to assess.)

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

Witness our hands and seals this 13th day of August, A. D. 1927

 [SEAL.]

 [SEAL.]

 [SEAL.]

Viewers.

No. 9 Sept Term 19 27

ORDER TO VACATE

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 considera-

tion the advantages as well as the disadvantages

of the road, they will report to that effect.

	Days	Miles	Am't
J. M. Fry	3	35	26.00
Geo. K. Weber	2	32	18.20
Frank Hutton	4	40	54.00

To view and vacate road situate

in the Township of **Brady**

Clearfield County.

Now Sept Sessions 19 27

read and confirmed Ni. Si.

By the Court.
John H. Chase
Sessions 19 27

confirmed absolute.

By the Court.

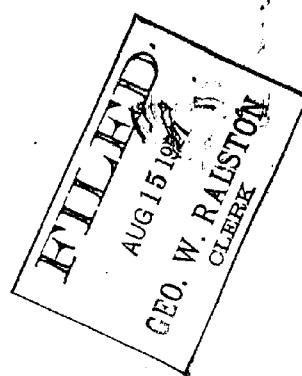
John H. Chase
19

Filed

Atty,

Fees \$1.25 paid by

E. G. Boose, Atty.



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

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

Your undersigned who are the Supervisors of Brady Township in said county of Clearfield, and others of said petitioners are citizens of said township, would respectfully represent:-

That within said township of Brady is a section of public road heretofore layed out by viewers appointed by the Judge of the Court of Quarter Sessions of Clearfield County, many years ago, which said section is a part of the public road beginning in State Highway No. 59 in the village of New Salem and ending in the public road leading from Luthersburg to Andrew Liddle's farm, and the section of said road begins at a point in said road at the house of Delilah Shafer, about 350 feet from the said State Highway No. 59 and ends 2400 feet Southeast therefrom at the point where the "Brockbank" Road intersects with the said public road;

That along said section of public road there are no buildings or other improvements and the said part has been practically abandoned by the graveling public and the same has become useless, inconvenient and burdensome by reason of steep grades and swampy places and because of there being no travel thereon, the upkeep thereof is a waste of the road funds of said township.

Your petitioners would therefore pray that the Court appoint viewers to view the premises and vacate the said section of public road in form and manner as provided by law in such case made and provided, And they will ever pray.

J. H. Snyder
Supervisor of Brady Township
W. W. Bonsall
Supervisor of Brady Township
R. E. Nader
Supervisor of Brady Township

Gottlieb Trach
Ralph E. Smiths
John Citzinger
E. H. Smith
John S. Womack

Mrs. Dolly Miller
John W. Ziegler
William C. Trach

Geo. A. Kriner
A. H. Lunn Jr.
J. Q. Potter
H. G. Kirk

Clearfield County,)
Pennsylvania,)^{ss}

On the 15th day of July, 1927, before me, a Notary Public
commissioned in and for Clearfield County, came J. H. Snyder,
who being duly sworn according to law deposes and says that he
is one of the Supervisors of Brady Township and one of the signers
to the foregoing petition, and having knowledge of the facts, de-
poses and says upon his oath that the said facts as therein stated
are true and correct.

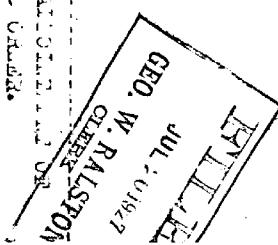
J. H. Snyder

Sworn and subscribed before me
the 15th day of July, 1927.

James B. Bussell
Notary Public

My Commission Expires Apr. 12, 1931.

9
CLARFIELD COUNTY.
12 September Sessions 1927.
No.-----
Re: Vacation of Public road in
Brady Township.



10: July 19, 1927, the within
petition read and the Court does
hereby appoint Frank H. Batten
John E. Gandy
as commissioners
to view the said
road and
make return to the Court on the
first Monday of September, 1927.

By the Court,

P.J.

Heaton