

DOCKET No. <sup>6</sup>

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.

*Izueh Sutton*  
*E. Fry*  
*Geo H. Lecher*  
Viewers

DuBois Pa. July 21st 1927

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

*W. B. Bone*

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.

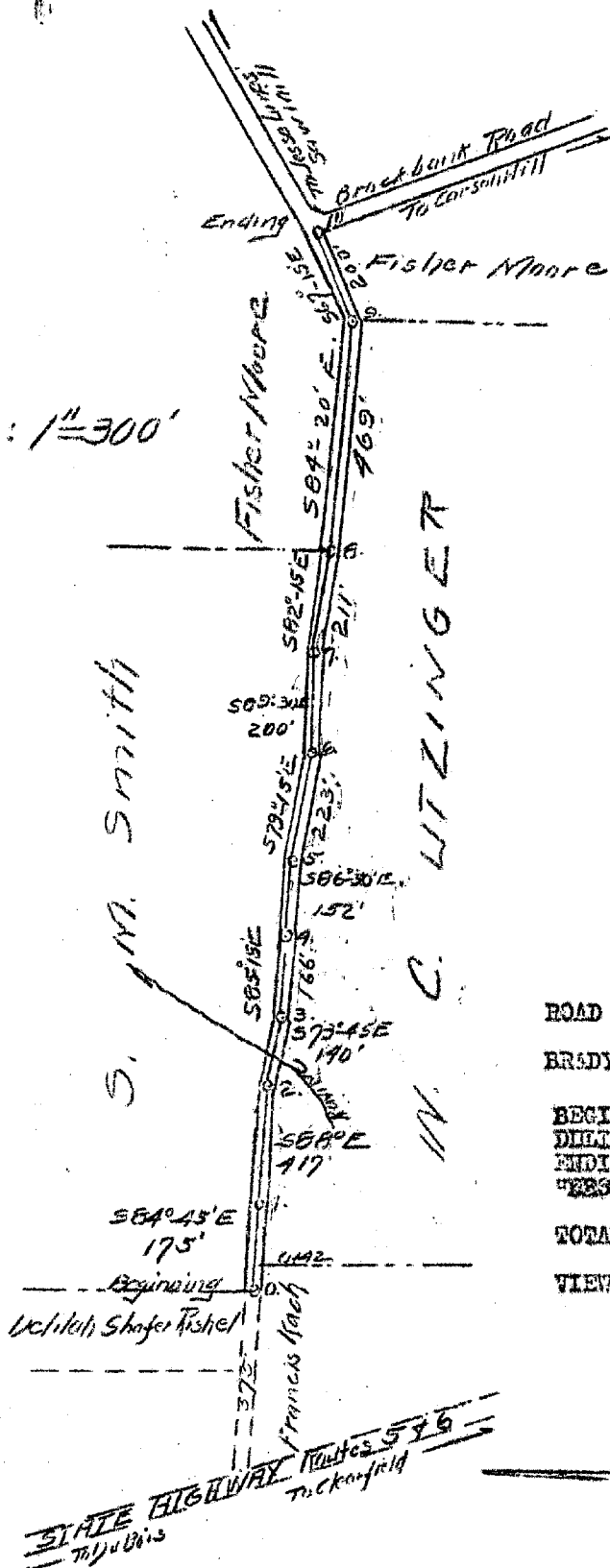
August Lutton  
E. Fry  
Geo. H. Shulber  
Viewers

DuBois, Pa. July 21st 1927.

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

L. C. Morris  
Clerk

Scale: 1"=300'



ROAD VIEW -- VACATION --

BRADY TWP. CLEARFIELD CO. PA.

BEGINNING AT THE HOUSE OF  
DILLIAN CHAMBER RISHEL AND  
ENDING AT A POINT IN THE  
"BRUCKBANK" ROAD.

TOTAL DISTANCE - 2353 FEET.

VIEWED AUGUST 14, 1927.

FRANK HUTTON )  
GEO. K. WEBER ) 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 20th day of July in the year of our Lord, one  
thousand nine hundred and twenty seven

By the Honorable ~~Stephen D. Kelly~~ <sup>A.R. CHASE</sup> 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 Luthersbyr,  
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 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.

  
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, 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 prop-  
erty 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 vacat-  
ing 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 ad-  
vantages 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

*Frank Hutton* [SEAL.]

*J. K. Fry* [SEAL.]

*George K. Weber* [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
J. M. Fry	3	25	25.00
Geo. K. Weber	2	32	18.20
Frank Hutton	4	40	34.00

No. 9 Sept Term 19 27

## ORDER TO VACATE

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.

Now Dec Sessions 19 27  
confirmed absolute.

By the Court.

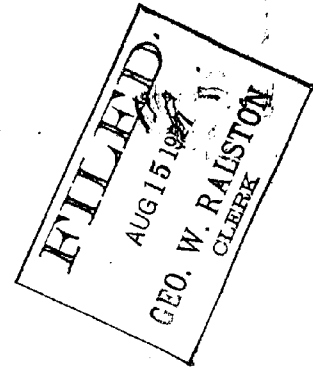
*AP Chase*  
*P. J.*

Filed \_\_\_\_\_ 19 \_\_\_\_

Atty, \_\_\_\_\_

Fees \$1.25 paid by EM

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;0

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 traveling 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

H. W. Bousell  
Supervisor of Brady Township

W. E. Naber  
Supervisor of Brady Township

Gottlieb Krach

Ralph E. Smith

Chas. Citzinger

S. W. Smith

W. H. Brown

Mrs. Dollie Miller

Wm. H. Zmiger

William C. Krach

Geo. G. Krinner

H. H. Kanner

J. R. Potter

H. E. Kerk

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, deposes and says upon his oath that the said facts as therein stated are true and correct.

*J. H. Snyder*  
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Sworn and subscribed before me  
the 15th day of July, 1927.

*Emory Buval*  
-----  
Notary Public

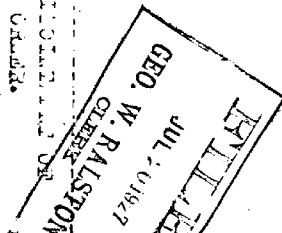
My Commission Expires Apr. 12, 1931.

-of-

9 CHARLETTON COUNTY.  
of September Sessions 1927.

No.-----

Re; Vacation of Public Road in  
Grady Township.



RECEIVED FOR ATTORNEY  
JUL 19 1927

For, July 19, 1927, the within  
petition read and the Court does  
order appoint *Frank H. Hatcher*  
*of the 1st Sec. 16, T. 12 N., R. 10 E.,*  
vicars as prayed for; the said  
vicars to view the said road and  
make a return to the Court on the  
first Monday of September, 1927.

By the Court,

*W. H. Hatcher*  
P.J.