

Road

DOCKET No. 6

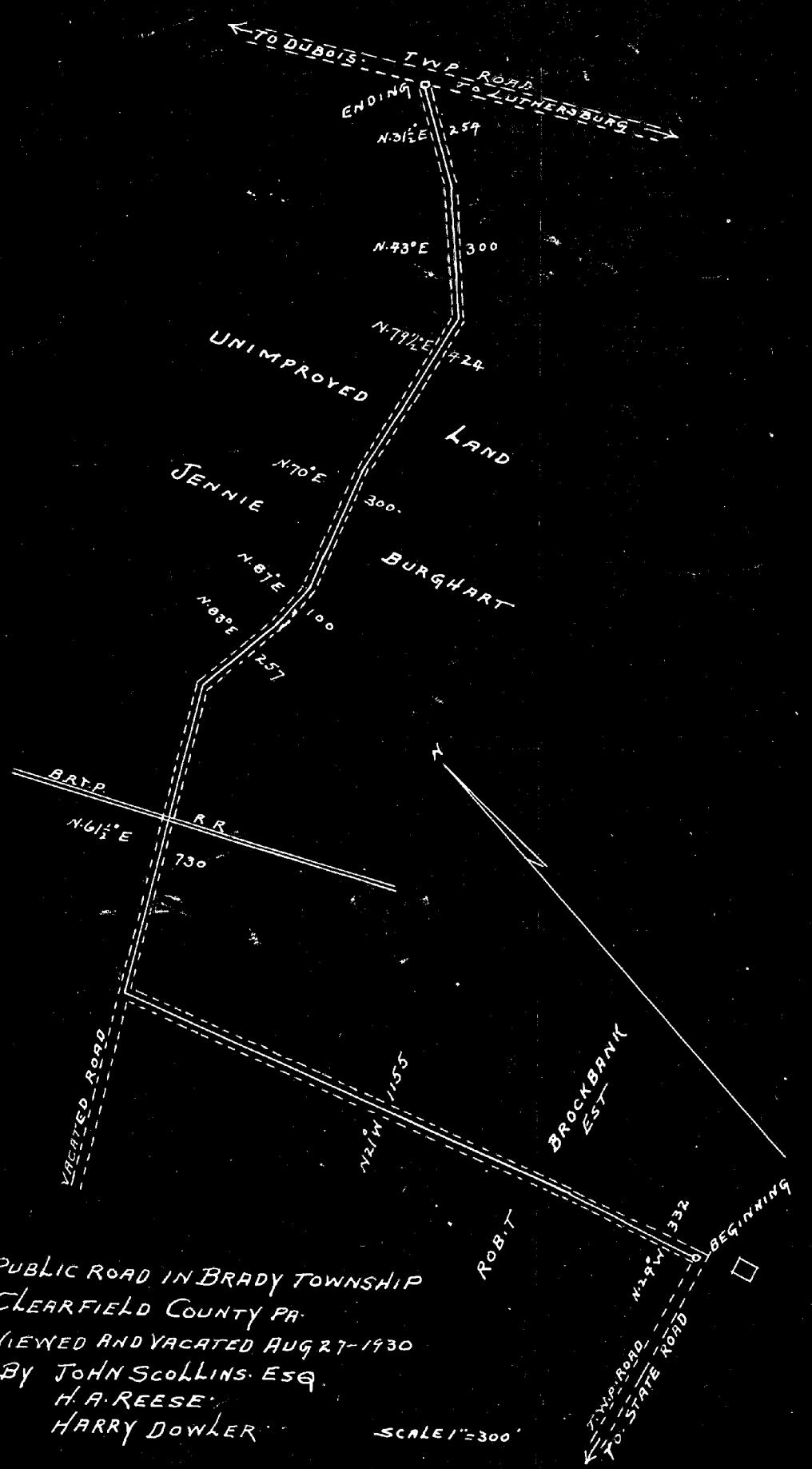
Number Term Year

3 Sept ss 1930

Pet. to vacate road in Brady Twp

Versus

X



To:- H. E. Nolder, W. H. Bonsall and James H. Snyder, Supervisors of Brady Township, Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 3, September Sessions, 1930, to view and vacate a certain public road in the Township of Brady, beginning at the farmhouse on what is commonly known as the "Robert Brockbank Place", running first northerly to where it is intersected by a road (now vacated) leading to New Salem; thence easterly to the site of the Jesse Lines Saw Mill, on public road leading to the Andrew Liddle place, in Brady Township, in the County aforesaid, will meet at the "Robert Brockbank Place" in said Township on Wednesday, the 27th day of August, A. D. 1930 at 11:00 o'clock A. 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 Arbitration Room in the Court House at Clearfield on Friday, the 29th day of August, A. D. 1930 at ten (10) 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  
Harry Reese  
H. P. Dowler  
Viewers.

Dated, August 16th, 1930.

CLEARFIELD COUNTY, SS:\*

Now, this 20th day of August, A. D. 1930, service of the above notice is hereby accepted for the Supervisors of Brady Township, Clearfield County.

James M. Bruce  
Acting - for  
Supervisors -

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

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 3, September Sessions, 1930, to view and vacate a certain public road in the Township of Brady, beginning at the farmhouse on what is commonly known as the "Robert Brockbank Place", running first northerly to where it is intersected by a road (now vacated) leading to New Salem; thence easterly to the site of the Jesse Lines Saw Mill, on public road leading to the Andrew Liddle place, in Brady Township, in the County aforesaid, will meet at the "Robert Brockbank Place" in said Township on Wednesday, the 27th day of August, A. D. 1930 at 11:00 o'clock A. 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 Arbitration Room in the Court House at Clearfield on Friday, the 29th day of August, A. D. 1930 at ten (10) 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 Scollin  
Harry Reese  
N. P. Dawler  
Viewers.

Dated, August 16th, 1930.

CLEARFIELD COUNTY, SS:

Now, this 16th day of August, A. D. 1930, service of the above notice is hereby accepted for the Commissioners of Clearfield County.

L. C. Morris  
Clerk

No. 3 Sept Term 19 30

**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 consideration the advantages as well as the disadvantages of the road, they will report to that effect.

	Days	Miles	Am't
H. P. Dowler	1	70	\$11.00
H. A. Reese	2	108	\$20.40
John Scollins	2	108	\$20.40

To view and vacate road situate in the Township of Brady

Clearfield County.

Now Sept Sessions 19 30

read and confirmed Ni. Si.

By the Court  
J. H. Moore  
Now Sept Sessions 19 30

confirmed absolute.

By the Court.

J. H. Moore  
P. J.

Filed ..... 19 .....

Atty, E.G. Boose,

Fees \$1.25 paid by W.

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: .....

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 or assessed.

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

Witness our hands and seals this 30th day of August, A. D. 19 30.

John Stoecking ..... [SEAL.]

W. A. Reese ..... [SEAL.]

H. P. Mohler ..... [SEAL.]

Viewers.

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

27th day of August , A. D. 1930 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 29th day of August A. D., 1930, at ten 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 C. H. Nolder, Supervisors of Brady Township, with E. G. Booze, Esq., Counsel for the Supervisors,

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 29th day of August , A. D. 1930 , when the parties interested in the said road were in attendance: J. H. Snyder, H. W. Bonsall and C. H. Nolder, Supervisors of Brady Township, with their Counsel, E. G. Booze, Esq. J. H. Snyder, H. W. Bonsall and C. H. Nolder, 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 a point of intersection of the township road leading to the State road, at what is known as the Robert Brockbank Estate, now the property of W. F. Moore, and running North 29 degrees West 332 feet to a post; thence North 21 degrees West 1155 feet to its intersection with the vacated road leading to New Salem; thence North 61 $\frac{1}{2}$  degrees East 730 feet (across the tracks of the B. R. & P. Railway at grade) to a post; thence North 83 degrees East 257 feet to a post; thence North 87 degrees East 100 feet along the lands of Jennie Burghart to a post; thence thereby North 70 degrees East 300 feet to a post on unimproved land; thence thereby 79 $\frac{1}{2}$  degrees East 424 feet to a post; thence North 43 degrees East 300 feet to a post; thence North 31 $\frac{1}{2}$  degrees East 254 feet and ending in the Township Road leading from Luthersburg to DuBois.

Your Board further finds that this road is inconvenient of access, the territory is uninhabited; there is a dangerous railroad crossing to be passed over, and that the road is useless and inconvenient and a burden on the Township in that it serves no public interest.

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 **16th** day of **August** in the year of our Lord, one thousand nine hundred and **thirty**

**A. R. CHASE**  
By the Honorable ~~Sayezeeck~~, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of **Brady**, in the County aforesaid setting forth that **a certain public road in said Twp. layed out and opened by an order out of this Court many years ago, has become useless inconvenient and burdensome because it has for a long time been abandoned. Said road begins at the farmhouse on what is commonly known as the "Robert Brockbank Place" running first northerly to where it is intersected by a road (now vacated) leading to New Salem; thence easterly to the site of the Jesse Lines Saw Mill, on public road leading to the Andrew Liddle place**

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. Harry Reese and**

**H. 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 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.

*Geo. W. Ralston*  
Clerk.

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

In Re Petition for Viewers : Of September Sessions,  
to view and vacate part of : 1930,  
a public road. : No.-----

To the Honorable, the President Judge of the said Court;

Your undersigned petitioners, Supervisors and citizens of  
Brady Township, Clearfield County, Pa., would respectfully repre-  
sent:-

That a certain public road in said Township of Brady, layed  
out and opened by an order out of this Court many years ago, has  
become useless, Inconvenient and burdensome to the said township  
because that it has for a long time been abandoned by the traveling  
public generally and the upkeep of said road imposes upon the town-  
ship an unnecessary expense.

Said road begins at the farmhouse on what is commonly known  
as the "Robert Brockbank Place", running first northerly to where it  
is intersected by a road (now vacated), leading to New Salem; thence  
easterly to the site of the Jesse Lines Saw Mill, on public road  
leading to the Andrew Liddle place.

Your petitioners would therefore respectfully pray that  
the Court appoint Viewers to view and to vacate the said public  
Road, And they will ever pray.

H W Bonsall Supervisor H. H Kriner Jr  
C. H. Holder J. R. Potter  
J. H. Smyder Ester Krack  
Etta Clark C. C. Clark  
Hazel A. Shaffer William C. Krack  
J. V. Shaffer Clinton Henry  
B. M. Smith George Krack  
Gottlieb Krack

CLEARFIELD COUNTY, )  
PENNSYLVANIA. ) SS

On the ninth day of August, 1930, before me, a Notary Public personally came James H. Snyder, one the petitioners whose name is subscribed to the foregoing petition, and he being by me duly sworn according to law, deposes and says that the matters therein set forth are true and correct.

*James H. Snyder*

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

Charles Board  
Notary Public

My Commission Expires Apr. 12, 1931.

3 Sept 22/430

IN THE COURT OF QUARTER  
SESSIONS OF CLAIRFIELD  
COUNTY.

Of September Sessions

1930

No. -----

Petition for Viewers to  
view and vacate a public  
Road in Brady Township

Now, August 11, 1930, the  
within petition read, and  
considered and the Court  
appoints Henry G. House  
and W.H. Hall ~~and~~  
Viewers, the viewers to  
view and make report to  
Court on the first Monday  
of September next.

By the Court,

G.W. Ralston  
P.J.

FILED  
AUG 16 1930  
GEO. W. RALSTON  
CLERK

Henry G. House  
Attorney-at-Law  
Johnstown, Pa.  
HENRY HALL PRINT - INDIANA, PA.

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