

Number

1

Term

Sept. SS

Year

1932

Petition to vacate and supply road
in Brady Township.

Versus

W. A. 76 - Va. 22 1/2

IN RE CONGRESSIONAL RECORD
SIXTH OF APRIL 1932
C. 17
No. 1 - 39 - 1000 - 1000

SECTION FOR REACTION
IN STATE OF ILLINOIS
OFFICE OF THE CLERK

FILED
MAY 16 1932
W. R. GALLAGHER
CLERK

Mon, Feb 16th 1932
1932, petition for the
State Appointee Earl Brady
Frank Nye W. R. Gallagher

W. R. Gallagher, for, the
pleading to the report of his
first term in September 1932.

7 the Court
W. R. Gallagher

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

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

Your petitioners who are residents and citizens of Brady Township in said county would respectfully set out that there is a section of public road in said township, long since layed out and opened by order of this court, which by reason of having thereon within very short distances three sharp curves making it dangerous for traffic thereon and that the said angles ought to be eliminated, and the road made reasonably straight.

The said piece of public road above mentioned begins at a point in the public road which leads from the Troutville road, near the house of W. P. Aurand to what is commonly known as the Wingert road, almost opposite the house of Daniel Hauck and ends almost opposite the dwelling of S. O. Muth, a distance of approximately four hundred feet.

Your petitioners therefore pray that your Honor may appoint viewers to view and vacate the said section of public road above described and supply the same by laying out between the said two points, a new section of road in a straight direction, and the said sharp curves or angles thus be eliminated. And they will ever pray.

G. A. Frudie

E. E. Hartzfeld

Manuel S. Shus

Mrs. Manuel S. Shus

Roy Ellinger

Mr. D. Hartzfeld

Clare Hartzfeld

C. M. Hartzfeld

S. S. Hartzfeld

Harry Valentine

A. W. Bonsall

C. O. Swartzlander

G. D. Muth

M. C. Muth

V. R. Peace

Clarence Marshall

Paul Oswald

Wm. Oswald

Harry Valentine

J. F. Stover

E. N. Kohler

Clearfield County,)
Pennsylvania.) SS

On the day of May, 1932, personally appeared before me a Justice of the Peace in and for Clearfield County, George Gallentine, who being by me duly sworn according to law says that he is one of the foregoing petitioners and that the matters set out in said petition are true and correct.

G W Galentine.

Sworn and subscribed before me
the day and year aforesaid.

Justice of the Peace/

MY COMMISSION EXPIRES
FIRST MONDAY, JANUARY 1932

Luthersburg Pa, May 14 1932

To County Commissioners

Clearfield Pa.

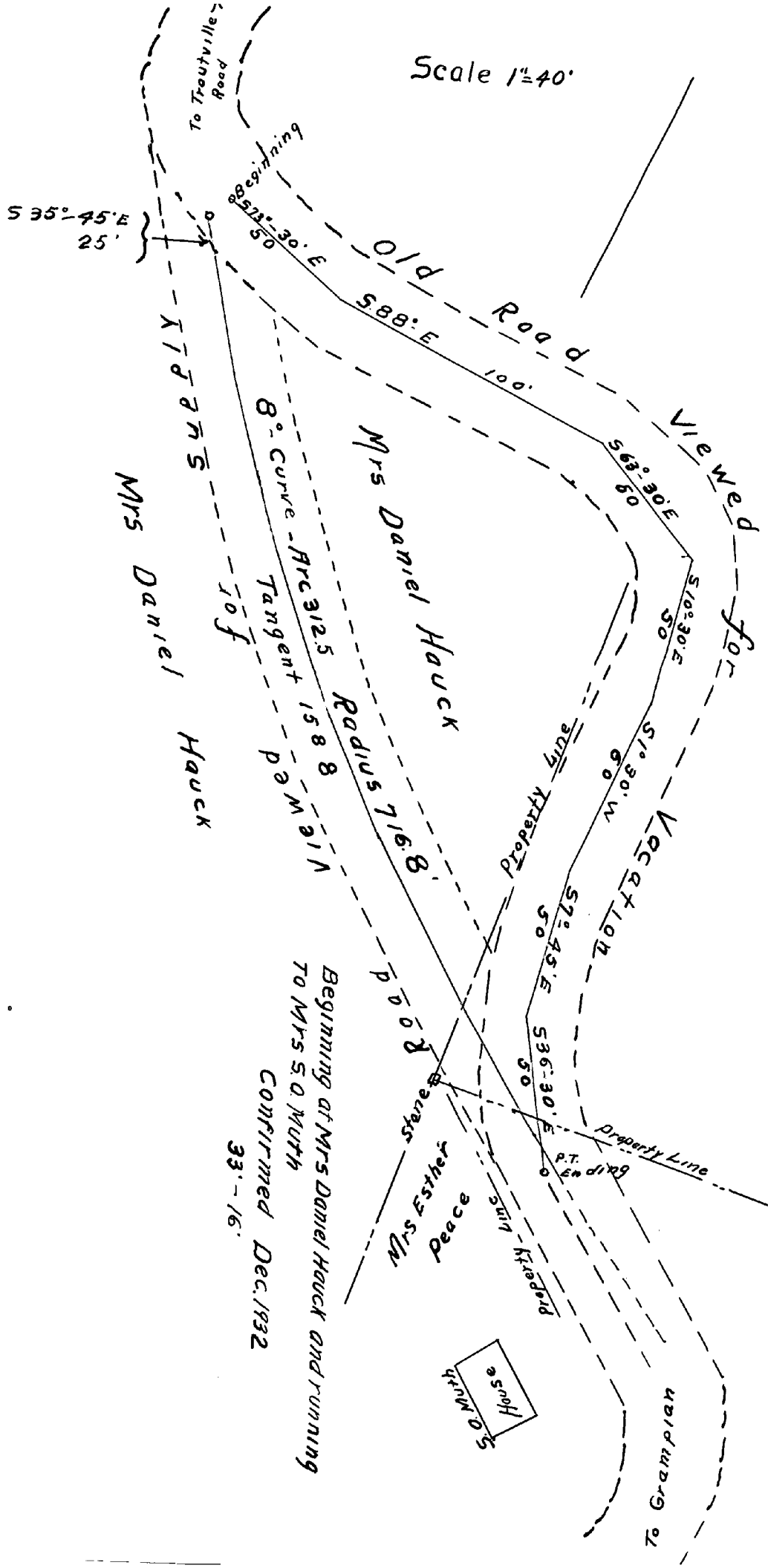
Dear Sirs:-

As a number of citizens of Brady Township have drawn a petition for the purpose of view, to making a short out in public road and eliminate two curves. Now as this road runs through the field of the undersigned (heirs of the late Daniel Hauck) We here by agree to take Fifty(50.00) dollars for this privilege and thus eliminate the cost of view and condemnation proceedings

Yours Respectfully

x Mary J Hauck
Wesley S. Hauck
Mrs. Lloyd Shaffer
Chauncey Hauck.
Charley Hauck
Louis Hauck.
Mrs. Perry Kramer
Mrs. Roy Beck

Scale 1"=40'



[illegible]

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 **May** in the year of our Lord, one
thousand nine hundred and **thirty two**

A. R. CHASE
By the Honorable ~~Singleton~~, President Judge of the said Court: Upon the petition of sundry
inhabitants of the Township of **BRADY TOWNSHIP**, in the County aforesaid setting forth that ~~there was~~
~~long since~~ layed out by order of Court, which by reason of having thereon within
very short distances three sharp curves making it dangerous for traffic thereon
and that the said angles ought to be eliminated, and the road made reasonable
straight.

The said piece of public road above mentioned begins at a point in the public
road which leads from the Troutville road near the house of W. P. Aurand to what
is commonly known as the Wingert Road, almost opposite the house of Daniel
Hauck and ends almost opposite the dwelling of S. O. Muth, a distance of
approximately four hundred feet.

Your petitioners pray that viewers may view and vacate the said section
of public road above described and supply the same by laying out between the
said two points, a new section of road in a straight direction, and the
said sharp curves or angles this be eliminated

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 **EARL G. BOOSE, ESQ. J. E. Fry and**

Geo. 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. **Returnable first monday of Sept. 1932**

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 27th. day of May, A. D. 1932 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 31st. day of May, A. D., 1932, at 9.00 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 H. W. Bonsall, Supervisor of Brady Township, and also W. P. Wingert, Clair Wingert, Samuel Hartzfeld and numerous other citizens of Brady Township.

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 31st day of May, A. D. 1932, when the parties interested in the said road were in attendance: H. W. Bonsall Supervisor of Brady Township. None of the parties thru whose lands the proposed supply road is layed out appeared at the hearing.

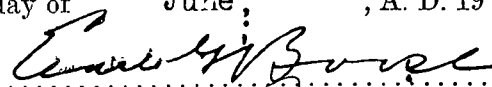
And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has, become useless, inconvenient and burdensome; which said piece begins at a point nearly opposite the house of Daniel Hauck, extending from thence, S. 73° 30' E. 50 ft. to point in middle of said road; thence S. 88° E. 100 ft. to point in middle of road; thence S. 63° 30' E. 50 ft. to point in middle of road; thence S. 10° 30' E. 50 ft. to point in middle of road; thence S. 1° 30' W. 60 ft. to point in middle of road; thence S. 7° 45' E. 50 ft. to point in middle of road; thence S. 36° 30' E. 50 ft. to point in middle of road almost opposite the house of S. O. Muth. To supply such vacation the Viewers layed out a piece of public road beginning at the point of vacation of the piece just above described, almost opposite the house of Daniel Hauck, running thence, S. 35° 45' E. to point in middle of the supply road; thence by a 8° Curve- Arc 312.5 - Radius 716.8, Tangent, a distance of 312.5 feet to point in middle of road nearly opposite the house of S. O. Muth, the place of ending of vacated piece above described.

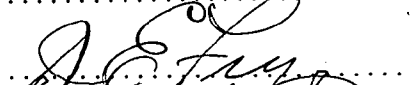
and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

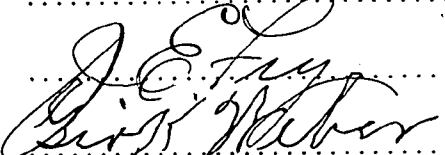
The undersigned Viewers further report that ~~they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation thereof; and that they procured such release from:~~ it appearing from the record in this case that all parties in interest in the lands of the Daniel Hauck estate, have filed in the office of the County Commissioners of Clearfield County, a stipulation that they would be satisfied to take the sum of Fifty Dollars in payment of damages for the land taken in the supplying of this road, the Viewers believing that this would be an adequate price, have awarded to said parties said sum of Fifty Dollars as damages for the land so taken. ~~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:-~~ It appears that lands of no other owners were taken and that the vacation and supply so recommended would damage no one, the Viewers awarded no other damage than that above stated.

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

Witness our hands and seals this first day of June, A. D. 19 32.

 [SEAL.]

 [SEAL.]

 [SEAL.]

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
<i>Carroll Bros</i>	<i>4</i>	<i>76</i>	<i>\$47.00</i>
<i>Johny</i>	<i>3</i>	<i>48</i>	<i>27.30</i>
<i>Geo. K. Webb</i>	<i>2</i>	<i>27</i>	<i>17.00</i>

No. *I* Sept Term 19 *32*

ORDER TO VACATE

To view and vacate/road situate _____ and supply

in the Township of *Brady*
Clearfield County.

Now *Sept* Sessions 19*32*
read and confirmed Ni. Si.

By the Court
Now *Dec* Sessions 19*32*
confirmed absolute.

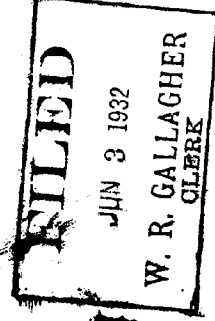
By the Court.

APB Chase
P. J.

Filed _____ 19 _____

Atty. _____

Fees \$1.25 paid by _____



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

Re: Vacation & Supply) Of Sept. Sessions, 1932
Public Road in Brady Twp.) No. 1.

To the Commissioners of Clearfield County & the Supervisors
of Brady Township;

You and each of you will hereby take notice that of the
above number and term of said Court, there has been issued to the
undersigned Viewers, on Order by the Clerk of said Court and under
its seal, an Order to View, vacate and supply a certain piece of
Public Road in said Township, which said piece is described in
said Order as follows;

"The said piece of public road above mentioned begins at a
point in the public road which leads from the Troutville
road near the house of W. P. Aurand to what is commonly known
as the Wingert road, almost opposite the house of Daniel
Hauck and ends almost opposite the dwelling of S. O. Muth,
a distance of approximately four hundred feet"

The Viewers have fixed upon Friday, May 27th, 1932, at 1.30
o'clock P. M. as the time of the view; the Viewers to meet at the
house of Daniel Hauck, above named for said purpose.

The public hearing in the matter as required by law and the
Rules of this Court, will be held in the Grand Jury Room in the
Court House at Clearfield, Pa., on Tuesday, the 31st day of May,
1932, at 9.00 o'clock A. M., at which time and place parties in
interest may appear and be heard.

May 21, 1932.

Emilio Bore

J. H. Snyder

Georg Weber

Viewers.

Now, May 21 1932, notice given and copy thereof served, and
service is accepted for the Supervisors of Brady Township.

J. H. Snyder

Supervisor

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

Re; Vacation & Supply) Of Sept. Sessions, 1932
Public Road in Brady Twp.) No. 1.

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of Brady Township;

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interest may appear and be heard.

Charles Bous

J. E. Fry

Geok Weber

Viewers.

May 21, 1932.

Now, May 1932, notice given and copy thereof served, and
service is accepted for the Commissioners of Clearfield County.

L. C. Morris

Clerk

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

Petition to vacate and supply : No. 1 September Sessions, 1932.
road in Brady Township :

Luthersburg Pa., May 14, 1932.

To County Commissioners,
Clearfield, Pa.

Dear Sirs:-

As a number of citizens of Brady Township have drawn a petition for the purpose of view, to making a short cut in public road and eliminate two curves. Now as this road runs through the field of the undersigned (heirs of the late Daniel Hauck) we hereby agree to take fifty (50.00) dollars for this privilege and thus eliminate the cost of view and condemnation proceedings.

Yours respectfully

(Signed)

Mary J. Hauck
Wesley S. Hauck
Mrs. Lloyd Shaffer
Chauncey Hauck
Charley Hauck
Louis Hauck
Mrs. Perry Kramer
Mrs. Roy Beck

STATE OF PENNSYLVANIA :
 : SS
COUNTY OF CLEARFIELD :

Certified from record this
18th day of May, A. D. 1932.

W. R. Gallagher
Clerk.

Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view, vacate and supply, a part of a public

Road leading from a point in the Troutville road, near the house of W. P. Aurand, to what is known as the Wingert road: the piece to be ~~in-~~ vacated and supplied ~~xTownship,x~~ beginning almost opposite the house of Daniel Hauck and ending opposite the house of S.O. Muth, in Brady Township, in Clearfield County, aforesaid, will meet at the house of Daniel Hauck in Brady Township, on Friday the 27th day of May 1932, at, 1.30 o'clock, P.M. to attend the duty assigned them, of which time and place aforesaid all parties interested will take notice.

The Public Hearing in the matter required by the Act of Assembly, and the Rules of the aforesaid Court, to be held by Viewers, will be held in the Grand Jury Room of the Court House at Clearfield, Penna., on Tuesday the 31st day of May 1932, at 9.00 o'clock A.M. at which time and place parties in interest may attend and be heard.

May 21st 1932.

Ernest Boock

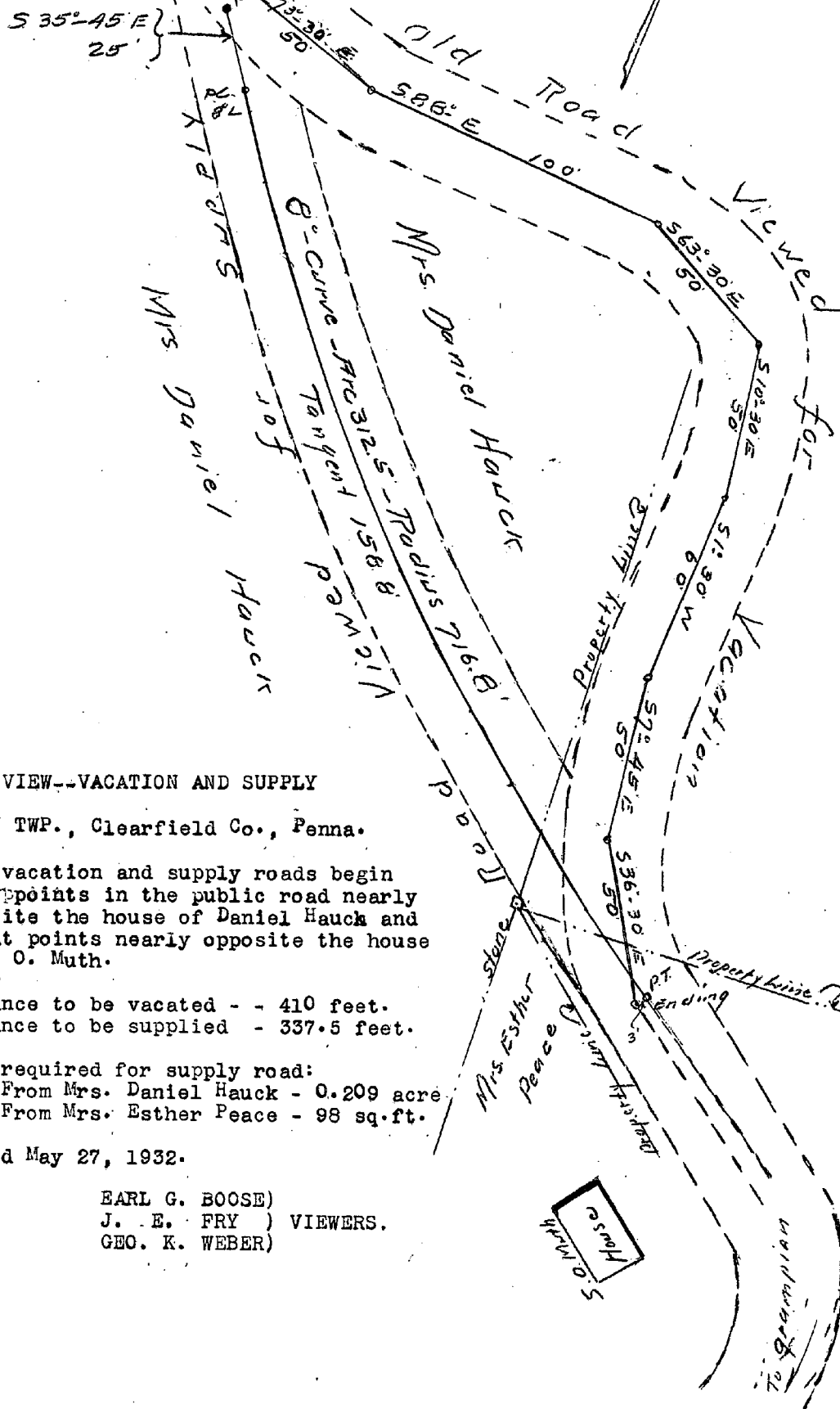
J. E. Fry

Geo. H. Weber

Viewers.



Scale $1'' = 40'$



ROAD VIEW--VACATION AND SUPPLY

BRADY TWP., Clearfield Co., Penna.

Both vacation and supply roads begin at ~~at~~ points in the public road nearly opposite the house of Daniel Hauck and end at points nearly opposite the house of S. O. Muth.

Distance to be vacated - - 410 feet.
Distance to be supplied - 337.5 feet.

Land required for supply road:

From Mrs. Daniel Hauck - 0.209 acre
From Mrs. Esther Peace - 98 sq.ft.

Viewed May 27, 1932.

EARL G. BOOSE)
J. E. FRY) VIEWERS.
GEO. K. WEBER)