

ROAD

DOCKET No. 6

Number

Term

Year

3

May SS

1939

BRADFORD TOWNSHIP--
Petition for Road

Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

Re: Application for a Township :
road from the crossroads to :
Fink's barn in Bradford Town- :
ship, Clearfield County, Penna.:

To the Honorable W. Wallace Smith, President Judge of said Court.

The Petition of citizens and tax payers of Bradford Township respectfully represents:

(1). That there is need for a road from the crossroads to Fink's barn, and which distance is six hundred ninety-three (693) feet.

(2). That the said road would be a short cut for traffic from Bishtown to Pleasant Valley.

(3). That the new proposed road has been used as a private road for the last thirteen years. Same having been used with permission of the A.E. Woolridge Estate who formerly owned same, and by Clair Fink who is now the present owner.

WHEREFORE, your Petitioners pray your Honorable Court that viewers be appointed to view said road, hold a hearing, and report on the supplying of said road to the Court; and they will ever pray.

<u>Abbie C. Lusherry</u>	<u>J. N. Palmer</u>
<u>Lynnet Lansberry</u>	<u>Walter Frazier</u>
<u>J. W. Hunter</u>	<u>Donald Owens</u>
<u>Chas R. Palmer</u>	<u>Guy Kline</u>
<u>W. H. Stewart</u>	<u>Alex. Goodrow</u>
<u>Geo. W. Muir</u>	<u>Walter Kline</u>
<u>W. H. Stephens</u>	<u>Harry Kline</u>
<u>E. B. H. H. H.</u>	<u>D. R. House</u>
<u>Andrew Gordon</u>	<u>A. V. Fink</u>
<u>R. D. Shirey</u>	<u>U. B. Bishop</u>
<u>A. D. Wolridge</u>	<u>Richard Lansberry</u>

STATE OF PENNSYLVANIA:
:SS
COUNTY OF CLEARFIELD :

Before me, the subscriber hereto, came A.B. Lansberry, who being duly sworn according to law, deposes and says that the facts set forth in the within Petition are true and correct.

Sworn and subscribed to before
me this 5 day of April A.D.
1939.

W. N. Gallagher
Prothonotary

A. B. Lansberry

MY COMMISSION EXPIRES FIRST
MONDAY IN JANUARY, 1940.

We, the Supervisors of Bradford Township, Clearfield County, Pennsylvania, do hereby join in this Petition, and do also hereby receive notice that this Petition will be presented to the Court on Monday April 10, 1939 at 10:00 A.M.

John Wilson

J. Wilson

C. O. English

O R D E R

AND NOW, Apr. 6 1939, the Petition to Supply
a New Road in the Township of Bradford having been presented,
A. B. Shaw, Esq., H. A. Ruse, H. A. Giles,
are appointed Viewers to go on the premises, examine the same and
lay out the proposed road, and after hearing had, to report to this
Court their recommendations, as required by law.

By the Court,

H. Walker Smith
P.J.

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

No 8 May 22 1939

RE: APPLICATION FOR A TOWN-
SHIP ROAD FROM THE CROSSROADS
TO FINK'S BARN IN BRADFORD
TOWNSHIP, CLEARFIELD COUNTY,
PENNA.

P E T I T I O N

514
Grand

FILED
APR 6 1939
W. R. GILLACHER
CLERK

BELL & SILBERBLATT
ATTORNEYS AT LAW
COUNTY NATIONAL BANK BUILDING
CLEARFIELD, PENNA.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the sixth day of April in the year of our Lord one thousand nine hundred thirty-nine

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Bradford

in said County, setting forth that there is need for a road from the crossroads to Finks barn, and which distance is six hundred ninety-three (693) feet.

That said road would be a short cut for traffic from Bishtown to Pleasant Valley. That said road has been used as a private road for the last thirteen years.

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A. B. Shaw, Esq.,

H. A. Reese and H. A. Giles

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgement, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road they shall proceed to lay out the same, as agreeable to the desire of the petitioner as may, be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; 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 place where, they should meet, to view and lay out said road, and the time and place of hearing

By order of the Court.

W. R. Gallagher, Clerk.

RETURN OF VIEWERS

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

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, be leave to report as follows:

That notice of the time of 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 Bradford and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the First day of June A. D. 19239, and the hearing to be held in the ^{Grand Jury} ~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the 3rd day of June, 19239 at 10:30 o'clock A.M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Geynet Lansberry, one of the petitioners.

parties in interest. That the hearing was held in the ^{Grand Jury} ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the 3rd day of June A. D. 19239, when the following appearances were noted: M. L. Silberblatt, Esq., of the Law Firm of Bell & Silberblatt, Attorneys for the Petitioners, together with Geynet Lansberry, one of the petitioners.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is public occasion for a public road as desired by the petitioner, and that the same is public necessary for a public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for public use the following described road, to wit Beginning at a point known as the crossroads near the Village of Bishtown, in the Township of Bradford, Clearfield County, Pennsylvania; thence south 45° 50' east 300 feet through land of Clair Fink; thence still south 70° east 377 feet to a point where said proposed road intersects with public road leading from Woodland to Pleasant Valley at or near Clair Find's barn in the Township of Bradford, Clearfield County, Pennsylvania.

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees, excepting _____

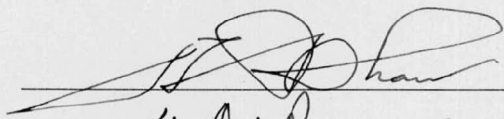

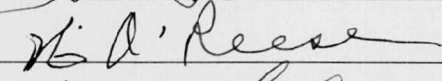

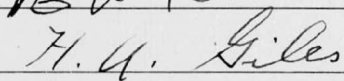


when it was not practical to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from _____
That the newly proposed road has been used by the travelling public for a number of years by permission of the previous owner of said land through which the proposed road will pass, as well as by permission of the present owner, and, therefore, the viewers have assessed no damages, and further, by reason of the fact that C. V. Fink, the present owner, is one of the petitioners requesting the establishment of said road for public use.

the following persons having refused to release the damages to which they respectfully may be entitled by reason of the location and opening 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 claims were assessed.

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

WITNESS our hands and seals this 31st day of August
A. D. 192 39.

No. 3 May Sessions, 19 39

ORDER

To view and lay out a
road for Public use in the
township of Bradford,
Clearfield County

Sept 20 Sessions, 19 39.

read and confirmed Ni. Si. Road to be
opened 33 feet wide, except where there
is side hill cutting or embankment and
bridging, there to be 16 feet wide.

W. R. Gallacher

Dec. 4, 1939 Confirmed
W. R. Gallacher

Filed _____ 19 ____.

Fees \$1.25 paid by _____

Bell & Silberblatt, Attys.

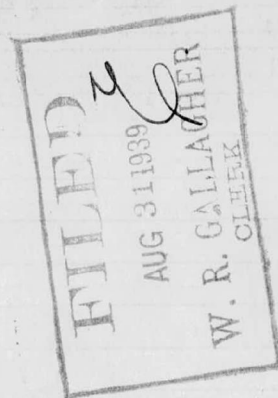
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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. A. Reese	3	88	34.40
H. A. Giles	2	24	21.20
A. B. Shaw	3	14	30.70



RELEASE OF DAMAGES

Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by Bradford Township Road District

_____ at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said Bradford Township Road District

_____ from
all damages that may arise to us respectfully by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this _____ day of June
A. D. 192 39.

Seal

Seal

Seal

Seal

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA:

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 6th day of April, A.D., 1939 to lay out and establish a road beginning at a point known as the crossroads near the Village of Bishtown in the Township of Bradford, Clearfield County, Pennsylvania, thence in an Easterly direction over the lands of Clair Fink, a distance of approximately 693 feet to a point at or near Clair Fink's Barn situate in the Township of Bradford, Clearfield County, Pennsylvania, will meet on the premises on Thursday the 1st day of June, A.D., 1939 at 10:30 o'clock A.M. to attend the duties assigned them 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 said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield on Saturday the 3rd day of June, A.D., 1939 at 10:30 o'clock A.M. at which time and place all parties interested may attend and be heard if they so desire.

A. B. Shaw

H. A. Giles

H. A. Reese

Viewers

NOW THIS *16th* day of May, A.D., 1939, service of the above notice is accepted for the County Commissioners of Clearfield County, Pennsylvania.

Myra E. Lucas
Clerk

TO THE SUPERVISORS OF BRADFORD TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA:

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 6th day of April, A.D., 1939 to lay out and establish a road beginning at a point known as the crossroads near the Village of Bishtown in the Township of Bradford, Clearfield County, Pennsylvania, thence in an Easterly direction over the lands of Clair Fink, a distance of approximately 693 feet to a point at or near Clair Fink's barn situate in the Township of Bradford, Clearfield County, Pennsylvania, will meet on the premises on Thursday the 1st day of June, A.D., 1939 at 10:30 o'clock A.M. to attend the duties assigned them 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 said road an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield on Saturday the 3rd day of June, A.D., 1939 at 10:30 o'clock A.M. at which time and place all parties interested may attend and be heard if they so desire.

A. B. Shaw

H. A. Giles

H. A. Reese

Viewers

NOW THIS ¹⁵ day of May, A.D., 1939, service of the above notice is accepted for the Supervisors of Bradford Township, Clearfield County, Pennsylvania.

James H. Palmer
Secretary

Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to ^{LAY OUT AND} ~~view a Road or~~ ^{ESTABLISH A ROAD} ~~assess damages, leading from~~ BEGINNING AT A POINT KNOWN AS THE CROSSROADS NEAR THE

VILLAGE OF BISHTOWN IN THE TOWNSHIP OF BRADFORD, CLEARFIELD COUNTY, PENNSYLVANIA, THENCE IN AN EASTERLY DIRECTION OVER THE LANDS OF CLAIR FINK, A DISTANCE OF APPROXIMATELY SIX HUNDRED AND NINETY THREE (693) FEET TO A POINT AT OR NEAR CLAIR FINKS BARN SITUATE

in Township to

in BRADFORD Township, in the County aforesaid, will

meet ^{ON THE PREMISES} ~~at the house of~~

in BRADFORD Township, on THURSDAY

the 1ST day of JUNE, A. D. 192 39, at 10:30

o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, 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 SAID ROAD AN OPPORTUNITY TO BE HEARD, WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD ON SATURDAY THE 3RD DAY OF JUNE, A.D., 1939 AT 10:30 O'CLOCK A.M. AT WHICH TIME AND PLACE ALL PARTIES INTERESTED MAY ATTEND AND BE HEARD IF THEY SO DESIRE.

A. B. SHAW

H. A. REESE

H. A. GILES

V I E W E R S

MAY 15, 19 39