

No. 4 March Term, 1880

Public Road

versus

Brady & Bell
Partnership

Contents:

No.

X

Names

John Reiter Jr.
H. L. Kearsley
W. H. McConnell
Loring M. Nichols
Michael Schucker Jr.
J. Miller
J. S. Kearsley
J. S. Schucker Jr.
J. F. Frazee
Samuel Cramer
Jacob Weber
Elijah C. Sawyer
Christ Germstain
John Zunstein
W. Kapp
J. F. C. Miller
George Schucker
W. H. Grinderman
Pauline H. Miller
Fayola Kapp
J. M. S. Jr.
John Parant

Names

P. Schrock Sub.
P. Kapp
Lewis Schrock
Christian W. Karp
Jacob F. Knarr
Daniel Kistel
L. Knarr
J. W. Cudler
John Cudler
Henry Haag
John M. M. Hendry
J. Alexander
William McHenry
Stan Haag
Andrew Knarr Jr.
Peter Knarr
John Oldenup

To the Honourable C. A. Mayer President,
and his associate Judges of the Court of Common
Pleas, of the County of Clearfield, now composing a
Court of General Quarter Sessions of the Peace
in and for Said County at March Sessions 1880.

The petition of divers Inhabitants of the
Township of Brady and parts adjacent, in Said
County, Respectfully Sheweth.

That your Petitioners labour under
great Inconveniance for want of a Road, beginning
at a Public Road leading from, or near W. L.
Weaver's in Brady Twp., to John Reiter Jr. on lands of
W. L. Weaver and John Reiter Jr and others, thence by
best and nearest Route until it intersects a Public
Road leading from Rishel's Grist Mill, to Dan.
Fryer's in Bell Twp., on the land of D. Rishel W. W. Weaver
and others, your Petitioners therefore Respectfully
pray your Honour, to appoint proper persons
to view and lay out the same according to law
and they will pray etc.

20th March 1880

Petition for the appointment
of viewers to view
and lay out a public
Road leading from
a point on a public
Road near 26th Weavers
in Brady to an
existing public Road
leading from Fishel's
Crisis to Hamby's
in Bell St

Filed 20th March 1880

And now, March 20th 1880
David Beams & Godfrey
Weaver & Gustavus Luther
appointed viewers

By the Court

Dr. B. H. C.

Order given to Astorino
Sommer 880

Kraemer.

Clearfield County, Pa.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 20th day of March A. D. 1880, before Judges of said Court, upon a petition of sundry inhabitants of the Township of Brady in said county, setting forth that they labor under great inconvenience, for want of a road, beginning at a public Road from, or near, H. L. Weavers in Brady Twp to John Reiter Jr on lands of H. L. Weaver and John Reiter Jr and others thence by least and nearest Route until it intersects a public Road leading from Rishel's Knob Mill to David Foyers in Bill Twp on the lands of D. Rishel H. W. Weaver and others

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and make report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint David Reams Godfrey Weaver Erastus Culver who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewer's agree that there is occasion for such road, they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do least injury to private property, and state particularly whether they judge the same necessary for a public or private road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose lands said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for the said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated lands through which the within road is intended to pass, of the time of the view, according to the 147th rule of Court.

BY THE COURT,

Eli Bloom
per amz

Clerk.

RELEASE OF DAMAGES.

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, owners of the 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 the at and before the ~~en sealing~~ and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease and forever quit-claim to the said all damages that may arise to us respectively 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
A. D. 188 .



ASSESSMENT OF DAMAGES.

The following named persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned, viewers, under oath in pursuance of our duty, under the Act of Assembly do assess their damages and make report thereof, as follows:

To the sum of

To the sum of

To the sum of

Witness our hands this day of A. D. 188 .

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 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.

No. 4 Mar Session, 1880

ORDER

To view and Lay out a Road

For Public Use in the township

of Brady Clearfield county.

Confirmed in the
House 1880
By the County
C. C.
Confirmed Admitted
4 over 880 By the County

Filed 24 May 1880

FEES \$1²⁵ Paid by H. L. Kramer

REPUBLICAN PRINT.

To the Hon. the Board of Commissioners of Clearfield Co Pa

We the subscribers appointed by the within order of court, to lay out the road therein mentioned, to wit "Beginning at a public road from at or near H. L. Weaver in Brady Twp. to John Reiter Jr on the lands of H. L. Weaver and John Reiter Jr and others, thence by best and nearest Route until it intersects a Public Road leading from Richlers Court mill to Daniel Freyers in Bell Township" do report that in pursuance of said order we have viewed the place where the road mentioned is requested and are of opinion that there is no occasion to lay out the same. Among our objections being in the first place, It would require another township bridge across the East Branch of Mahonny creek within three hundred yards of two other public bridges across the same stream one of which is a nuisance already and ought to be vacated and abandoned. Second objection is the best grade we could find is a rise of about a hundred rods of from 5 to 9 degrees or an average of 7 degrees elevation for 100 rods and being along a side hill of about 40 degrees slope and besides this hill there is another hill of about 8 to 12 degrees elevation on the Bell and Brady Twp line. We therefore as before mentioned, report in favor of No. Road, on the ground proposed by said petitioners

Witness our hands the 12th day of April 1880

Godfrey F. Gebe,
Erastus Luther
David Reams

Principals

Witness time and mileage

David Reams	1/2 day	4.5 miles
Erastus Luther	1 "	2 "
Godfrey F. Weaver	1 "	1 "