

No. 18, May Term, 1886

Vacate

~~VERSUS~~ in
Brady township

Contents:

X

To the Honourable David L. Krebs
 President and his Associate Judges of the Court
 of Common Pleas of the County of Clearfield
 now composing a Court of General Quarter
 Session of the Peace in and for said County,
 at September Session AD 1886. The petition of
 divers inhabitants of the Townships of Brady
 and parts adjacent in the said County, respectfully
 sheweth, That a road has been long
 since laid out, ^{commencing} at ~~gate~~ in Public road
 at R. B. Fausts leading from thence to Old
 Gilliox Saw-mill & from thence (Gilliox Saw-
 mill) to Public road near Jacob
 Edingers Grist Mill. Your Petitioners
 conceive is now become useless, inconvenient
 and burdensome to the inhabitants thereabouts,
 Your petitioners then for respectfully pray
 Your Honours, that the said road may
 be vacated according to the Act of General
 Assembly in such case made and provided
 And they will pray to

Names Names

Charles Schuerm
 J. B. Shugert
 Amos Bensall
 Philip Weaver
 E. R. Amboden
 Wm S Oswald

William Hufford
 J. B. Shugert
 J. Hamilton
 J. M. Schuerm
 J. M. Schuerm
 Henry H. C. Weber
 W. A. Weber
 Muel Schuchts
 Amos Bensall
 E. A. Weber
 J. C. Duncanson
 George J. M. Weber
 Christian Weber
 Samuel Miller
 Erastus Lutter
 George Kiser

No. 18 May 20 1886

Pittston

To vacate a road
in Oriskany town from the
gate of the public road
to R. C. French. Hence to
the St. John's church
& hence to the public road
near Jacob & Simpson's gate
mills

Free 28 July 1886

28 1/2 days 1886 Pittston
near Johnston Bldg. Co.
Kirk, Walter & others
and David Fordham
and David Fordham
at the first town
by, 1st Court
D. C. Kirk
19

7/28/86

CLEARFIELD COUNTY, SS:✧

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 28th day of July, A. D. 1886, before Judges of said Court, upon a petition of sundry inhabitants of the township of Brady, in said county, setting forth that a road has long

since been laid out commencing at gate in public road at R. C. Sauls, leading from thence to old Gillen Saw mill and from thence to public road near Jacob Edinger's Saw mill; that said road has become useless and burdensome to the inhabitants thereof

and therefore praying the Court to appoint proper persons to view and ^{view} ~~lay out~~ the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Geo. C. Kirk, Martin Sutter and Danl. Goodlander 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 viewers agree that there is ^{no} 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.

James Kerr

CLERK.

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 the _____ at and before the ensembling 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 .

+++++
[L. S.]
+++++

+++++
[L. S.]
+++++

+++++
[L. S.]
+++++

+++++
[L. S.]
+++++

ASSESSMENT OF DAMAGES.

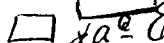
The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly do assess their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

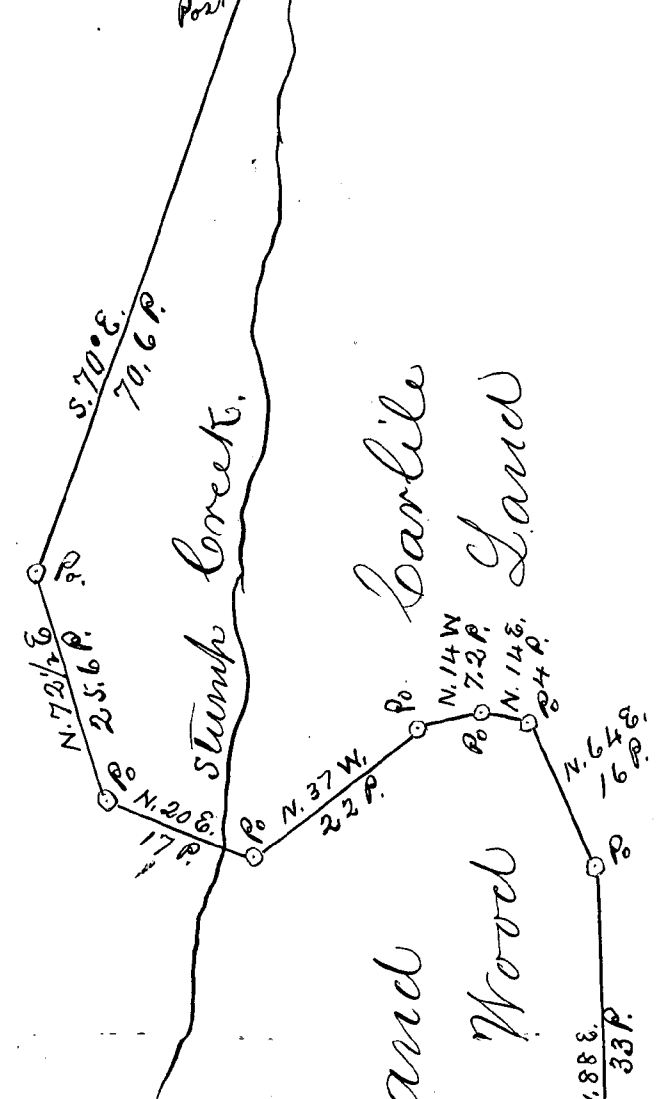
To _____ the sum of _____

To _____ the sum of _____

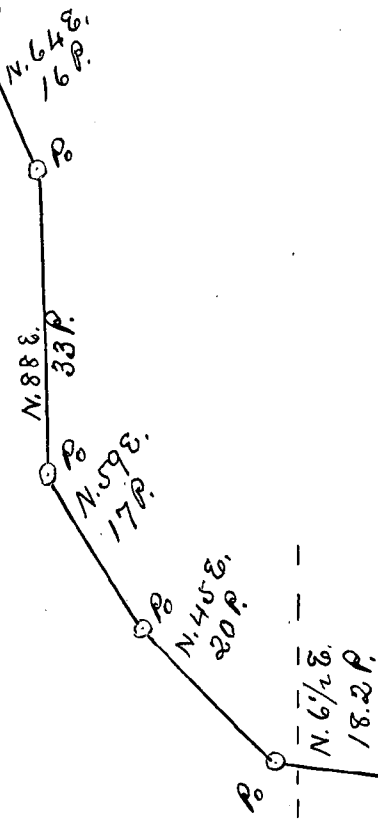
To _____ the sum of _____


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

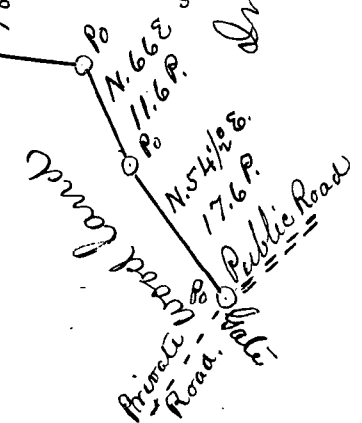
Public Road  J. Edingers Grain Mill.

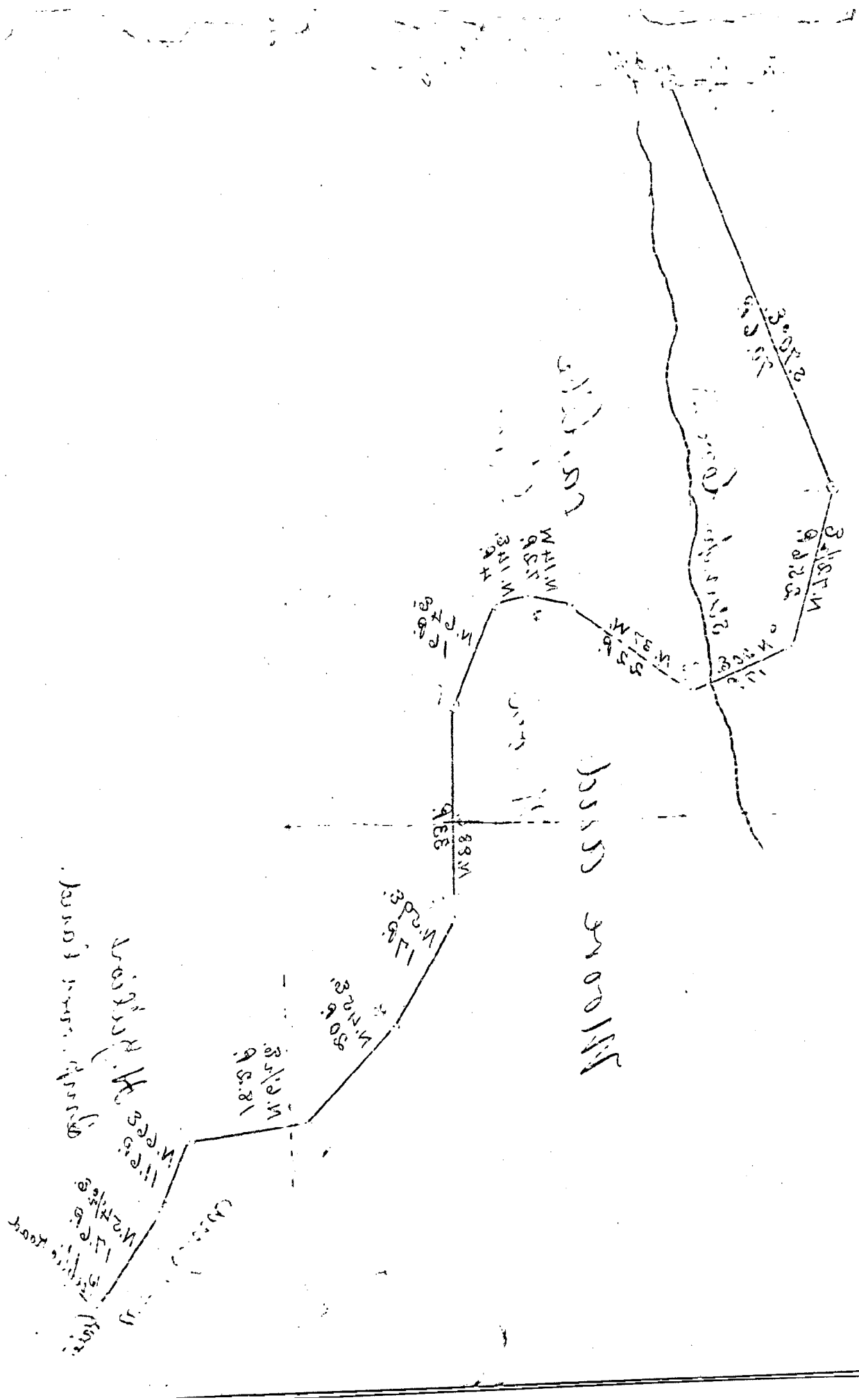


Moore and Wood Barlie Land



Private Road  H. Gillon Improved land. Public Road





To the Honourable the Judges within named:

We the subscribers appointed by the within order of Court to view the road therein mentioned, do report that in pursuance of the said order, having been respectively sworn according to law, we have viewed the road in the within order mentioned, and are of the opinion that the same is useless, inconvenient and burdensome, and therefore ought to be vacated. Witness our hands this sixth day of Sept, AD. 1886.

Geo. C. Kirk }
M. L. Luther }
Daniel Goodland }
viewers.

To the Honourable the Judges within named:

The report having been referred back to the viewers is amended to read as follows:

We the undersigned persons appointed by the within order of Court to view the road therein mentioned, respectfully report: That having been present at the view of the said road, and having all been first severally sworn or affirmed, in pursuance of the said order and having first previously given due notice of said view, we have viewed the said road, a draft of which is hereto attached and made part of this report, and that we are of opinion that the same has become useless, inconvenient and burdensome, and ought therefore to be vacated.

Witness our hands.

_____ }
_____ }
_____ }
viewers.

Let draft be made, and the road vacated. —

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.

Geo. C. Merrill { Days 1 Amount.
 Miles 2 4.20

M. H. Guther { Days 1
 Miles 2 2.20

H. Goodland { Days 1
 Miles 2 2.20

Geo. D. Hark { Days 1/2 2.00
 on reference ~~2.00~~

{ Days
 Miles

May 1883 Returned back to
 attack on May. 5th separate
 back 17th Court By the Court

Deftea with draft
 attached is June 1883
 At the Court

Sept 1883 Confirmed
 absolute By the Court

No 18 May Session, 1886

ORDER

To view and lay out a Road

For use in the township

of Broely Clearfield county.
 Commencing at a gate
 in the Public road at
 R. C. Staats' and thence
 extending to the old Gillispie
 farm and thence
 on to public road near
 Jacob Edingers' prior
 mill.

Report of viewers
 receding said road

Deft Russell Road confirmed
 in 21 By the Court

See Sept 1883. Confirmed
 By the Court
 Filed 14th Sept 1886
 At the Court

Fees paid by m. m. m. 1886

m. m. m. 9/6/86