

No. 5, Feby Term, 1817

Public Road

~~COMMONWEALTH~~

versus

in

Brady & Union  
Townships

Contents:

X

Clearfield County, ss: (C)

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 10<sup>th</sup> day of

February, A. D. 1880, before Judges of said Court, upon a petition of sundry inhabitants of the township of Bradys Union —, in said county, setting forth that they lay out and

incorporate for want of a public road to begin in  
Old Cream Hill Township at or near John Reams house  
in Bradys Township said County and to end in a public  
road leading from Erie Township to M. Kallafeters  
at a point at or near the Shirley farm in the Township  
of Union in said County. The petitioners

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, make report to the Court  
whereupon the Court, upon due consideration had of the premises, do order and appoint Geo. C. Kirk Daniel Gouldman W. P. Beam 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 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 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.

Am. Blom  
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, release 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 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 *Rev. John Reams*, the sum of *Fifty (\$50.<sup>00</sup>)* dollars.  
To \_\_\_\_\_ the sum of \_\_\_\_\_  
To \_\_\_\_\_ the sum of \_\_\_\_\_

Witness our hands this *21<sup>st</sup>* day of *April*, A. D. 18*90*.

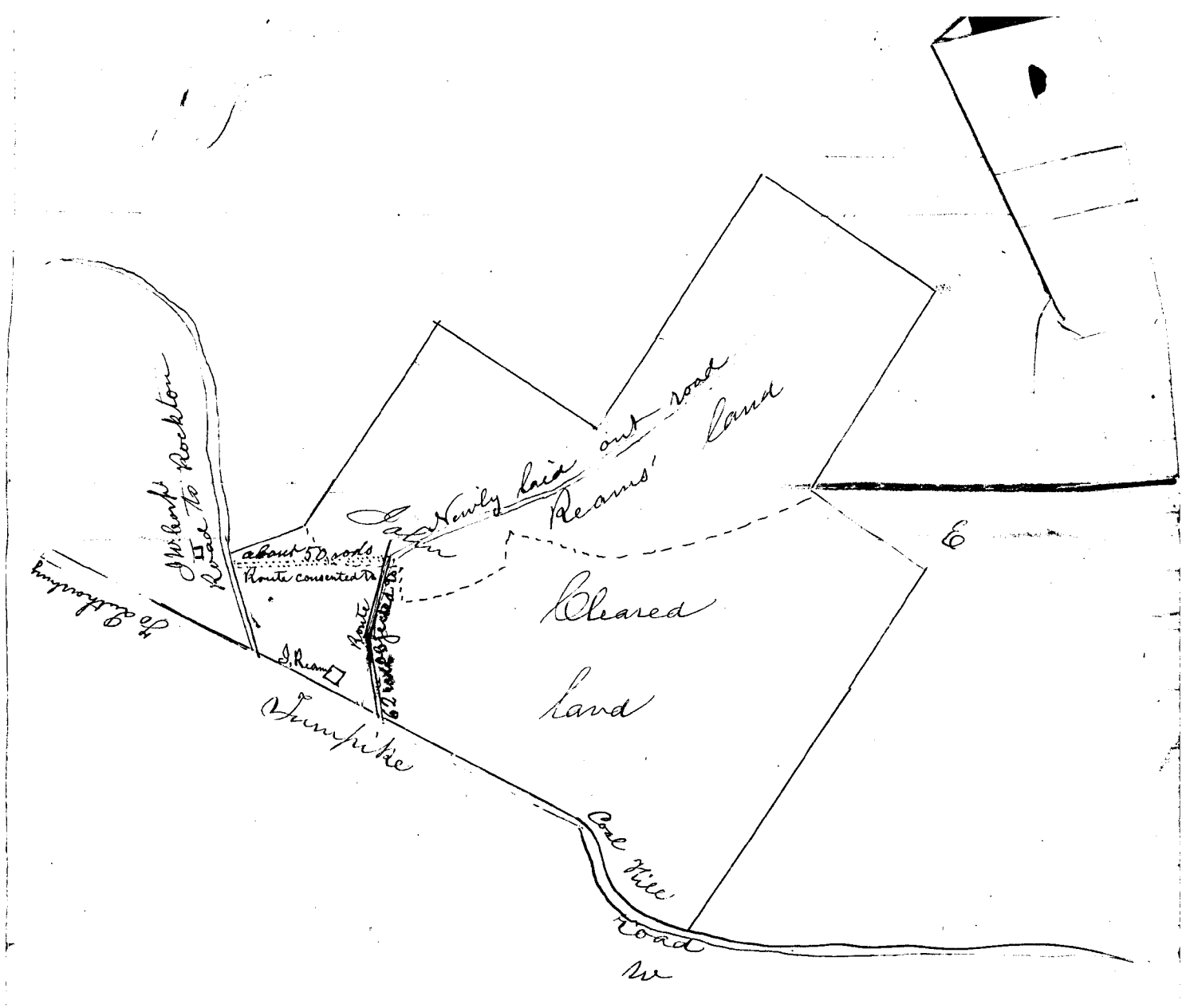
*Geo. C. Kirk*  
*Daniel Goodlander*  
*Wm. L. Bloom*

Nov 1st 1890  
 Pocaun Union  
 Township

Cameron's name

Feb 1st May 1890  
 of the same

Called McQuinn



1/2  
The Honorable Judge of the Court of Clearfield County  
and State of Pennsylvania,

The undersigned citizens of Brady township and county aforesaid, do  
respectfully represent; - That the Drivers, recently appointed to  
view, and lay out a public road from the Turnpike road in Brady Tp, to  
a public road at or near Shively's in Union Tp, have located said road  
through cleared land of John Reams in Brady Tp, and is objected to by the  
said owner of said land; - Because it would go through some of his best  
land; make a longer distance to the nearest public road with a considerably  
heavy grade; would be liable to snow-drifts and the consequent driving through  
adjoining fields; Cause the trouble attending farm work in crossing with team  
across the public road; besides the road as located makes an almost  
square angle and would cause public roads on three sides near the dwelling  
of the said John Reams; - and for all of which only a trifling sum of dam-  
ages was allowed. And further the road from the angle mentioned should  
we believe have continued almost in a direct line to the public road  
near the dwelling of C. W. Corp as shown on the other side of this, this  
being almost level and on stony ground pointed out and consented to by  
the owner on condition of a small but reasonable sum of damages.

We therefore pray that this our petition receive due consideration, and

the change asked for be granted

H. M. Seyler M. C. Miles

E. E. Hayes J. E. Hayes

G. M. Thompson Fred F. Bent

J. H. Seyler L. B. Cartile

William E. Givens J. M. Hayes

B. F. Sterling G. B. Shugart

Edias Lines J. C. Smith

W. S. Lines M. W. Hayes

J. H. Koser A. M. Cartile

W. H. Smith

S. H. Ellinger

J. S. Seyler

J. D. Ellinger

W. B. Wright

E. J. Campbell

Amos Bonsall

N. F. Briston

J. W. Corp



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.

|                         |                     |        |
|-------------------------|---------------------|--------|
| <i>Geo. C. Kirk</i>     | Days $1\frac{1}{2}$ | Amount |
|                         | Miles 1             | 6.10   |
| <i>P. N. Goodlander</i> | Days 1              |        |
|                         | Miles 2             | 2.20   |
| <i>Wm. Bloom</i>        | Days 1              |        |
|                         | Miles 3             | 2.30   |
|                         | Days                |        |
|                         | Miles               |        |
|                         | Days                |        |
|                         | Miles               |        |

No. 5 Term Sessions, 1890  
ORDER

To view and lay out a road for

Public use in the township of

*Grace* Clearfield Co.

May 26 1890. Confirmed in District Court  
on report of 3 viewers  
Side hills cutting embankment on  
highway there 16 feet wide  
By the Court

Remonstrances filed -  
Exceptions filed  
29 Aug 1890  
Amended

Filed 31 May 1890  
Fees \$1.75 paid by *W. C. Perry*

4/21/90 - 9 am

Legal Exceptions

And now August 28th, 1890, John Reams, by his Attorneys, Cole & McQuinn,  
excepts to the within report of viewers for the following reasons: viz-  
FIRST- The road was not viewed and laid out according to the petition  
and order to view. Instead of beginning at the point designated in the  
petition and order to view, the viewers began at a point in public  
road near M. Hollopeters and viewed towards the point of beginning as  
designated in petition and order to view, which resulted in a mistake  
that materially affects the damages to the farm of said John Ream.

SECOND- P. N. Goodlander, one of the petitioners is a son of Daniel Good  
lander, one of the viewers, and J. Kirk, one of the petitioners is a son  
of Geo. C. Kirk, one of the viewers, and J. F. Neely, a petitioner is a Neph  
ew of the said Geo. C. Kirk, a viewer, and J. H. Kirk is a cousin of the  
said Geo. C. Kirk, and C. M. Farmer, another petitioner is a brother-in-law  
of Geo. C. Kirk a viewer, and Showers Bloom, a petitioner is related to  
William Bloom one of the viewers.

THIRD- And such other and further exceptions as appear of record.

*Cole & W. C. McQuinn*  
Attorneys for Exceptant.