

No. 4, May Term, 1894

Vagate & Supply  
Public Road

Versus

Brady Township

Contents:

1. 1st 1/2 Sec. 36, T. 1 N., R. 10 E., S. 14 N.

Dist. Temp. Rec. 17345

Clearfield County, ss:

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 Second day of May, A. D. 1894, before Judge of said Court, upon a petition of sundry inhabitants of the township of Steady, in said County, setting forth that

there is now two public roads leading from the Borough of Troutville to Rushell Mill on the East Branch of Mahoning Creek in said Township that Each of said roads now cross said Creek a short distance from Rushell Mill necessitating a bridge for such road over said stream and therefore ask that the Public road leading from Troutville to Rushell Mill known as the Hill road be vacated from a point near the bridge on the East Branch on the north side of said Creek to Rushell Mill & supplied by a road extending from said point along on ~~the north side of~~ <sup>the north side of</sup> said Creek until it intersect the public road leading from Troutville to Rushell Mill known as the bottom road at a point near the East Branch School House

and therefore praying the Court to appoint proper persons to view <sup>vacate & supply</sup> and lay out the same according to law, Make report at Sept 1894

whereupon the Court, upon due consideration had of the premises, do order and appoint Geo C Kunk Red Kohler & A L Louther

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 <sup>vacate & supply</sup> ~~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 the 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 land 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 land 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.

J. J. Hargens,  
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 enseatling 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 recieve 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. 189 ..*

.....  
*Seal.*

.....  
*Seal.*

.....  
*Seal.*

.....  
*Seal.*

## ASSESTMENT 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. 189 ..*

To the Honorable, the Judge within named: We the undersigned, appointed by the annexed order do report: That in pursuance thereof, after having been severally duly sworn, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and we do agree that there is occasion for a road as desired by the petitioners, and that the same is 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, in our opinion, do the least damage to private property, and as far as practicable agreeably to the desire of the petitioners, and do return for public use the following described road, to wit:— Beginning at a post in the public road leading from the Borough of Troutville to Richells Mill, (Known as the Hill road.) thence S. 69½° W. five hundred and ninety-nine (599) feet to a post. Thence S. 49° W. through the east branch School House lot One hundred and fifty (150) feet to a post in the public road leading from Troutville to Richells Mill and known as the bottom road. We further report that Wm Weber, the owner of the land through which said road passes was present at the time of the view, and there are no damages accruing to him by reason of opening said road. And we also report that we have surveyed and do vacate the following road, to wit:— Beginning at a post in the Hill road at the intersection of the above described road, thence along the said Hill road S. 4½° W. five hundred and eighteen (518) feet to a post. Thence still by same S. 57° W. One hundred and twenty-five (125) feet to a post at the public road (Known as the bottom road.) which by reason of the laying out of the first mentioned road has become useless. We further report that before said view, public notice of the time and place of the meeting of the viewers was given by advertisements put up in the vicinity, that personal notice was given to Wm. Weber, owner of the land through which said road passes, and we annex a plot or draft of said road laid out, stating the courses and distances, and noticing briefly the improvements through which the same passes, and also a description and draft of the road vacated. Witness our hands, this fourteenth day of June, A.D. 1874.

Geo. C. Kirtle  
H. L. Luther.  
Fred. Kahler.

Viewers.

No. 4 May Sessions, 1894

ORDER  
to create & supply

To view ~~and~~ a road for  
public use in the township of

Brady, Clearfield Co.  
Sept. 1894  
Sessions, 1894

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

By the Court  
Cyrus Gordon

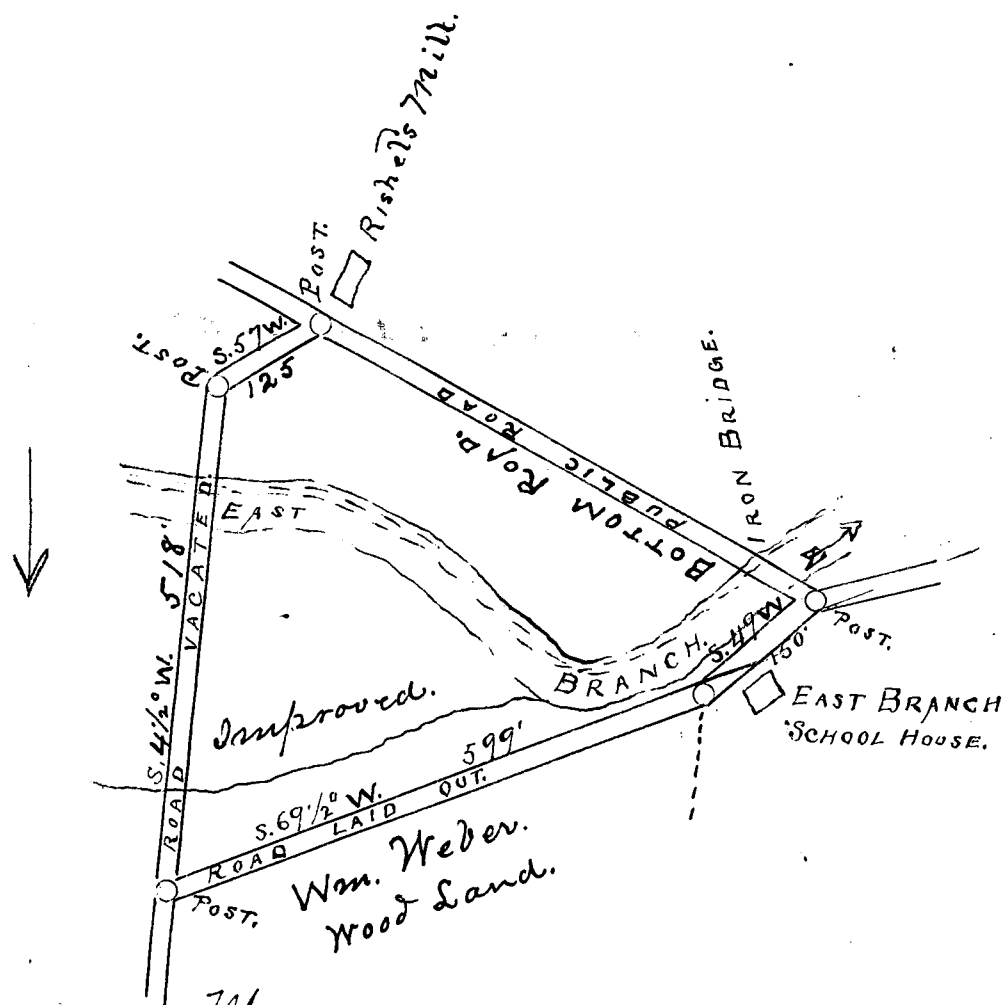
July 25 1895  
and the May Term  
of Court 1895  
By the Court  
to May 1895 confirmed  
and the May Term  
of Court 1895 confirmed  
and the May Term  
of Court 1895 confirmed

Filed 25 Sept 1894  
Fees \$1, paid by J. H. H. H.

6/14/95 = 10 A. M.

NOTE:—In case of a private road, the release must be ex-  
ecuted in favor of the petitioner for said road.  
Also—Viewers will carefully note the number of days em-  
ployed, 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.

(1507) H. C. H. H.	Days 2	Amount 8.00
	Miles 7	70
H. C. H. H.	Days 1	2.00
	Miles 2	20
(1510) Fred. H. H.	Days 1	2.00
	Miles 2	20
	Days	
	Miles	
	Days	
	Miles	



Map, showing proposed change  
of Public Road in Brady Twp.

June 14th. 1894.

Geo. C. Kirk. Svr.

To the Honourable Cyrus Gordon, President  
Judge of the Court of Quarter Sessions  
in and for the County of Clearfield

The undersigned petitioners,  
Citizens and Taxpayers of Brady Town-  
ship in said County do most respectfully  
represent. That there is <sup>now</sup> ~~two~~ public  
Roads leading from the Borough Trout-  
ville to Rishells Mill on the East Branch  
of Mahoning Creek in said Township  
that each of said Roads now cross  
said Creek a short distance from  
Rishells Mill necessitating a bridge  
for each road over said stream  
Your petitioners most respectfully ask  
that the Public Road leading from Trout-  
ville to Rishells Mills known as the Hill  
Road shall be vacated from a point  
near the bridge over the East Branch  
~~on said Road~~ on the north side of  
said Creek to Rishells mill, and  
supplied by a Road extending from  
said point, along, or on the north side  
of said Creek until it intersects  
the public road leading from Troutville  
to Rishells mill known as the bottom  
road at a point near the East-  
Branch School House thereby obviating  
the necessity of keeping up two bridges  
over said East Branch.

Your petitioners therefore respectfully  
pray your Honor to appoint proper

persons. to view, said roads. and  
lay out the same - according to  
the prayer of your petitioners  
and they will ever pray &c.

Names	names
<sup>adcm Haag</sup> Jacob Weber L. C.	
<sup>to Guertine</sup> Wm. C.	
<sup>Wm. C. Haag</sup> Wm. C. Haag	
<sup>W. F. Grape</sup> W. F. Grape	
<sup>W. C. Grape</sup> W. C. Grape	
<sup>H. D. O'Neil</sup> H. D. O'Neil	
<sup>John Reiter</sup> John Reiter	
<sup>J. O. Reiter</sup> J. O. Reiter	
<sup>H. W. Weber</sup> H. W. Weber	
<sup>W. A. Weber</sup> W. A. Weber	
<sup>Samuel Kohler</sup> Samuel Kohler	
<sup>Jacob Stalder</sup> Jacob Stalder	
<sup>Wm. H. H. H.</sup> Wm. H. H. H.	
<sup>Fred F. H. H.</sup> Fred F. H. H.	



204 May 1894

Petition to vacate and  
supply the Public

~~Rock Landing from~~  
Franklin's Rock  
Mills in Brady town  
ship. ~~known as~~  
the Hill Road

Received

July 1, 1894

George F.

Wesley, Tenn.

Frank Kohler

Wm. Good

H. S. ...

And now May 7 1894  
The within petition presented  
in open Court, read and  
being considered, it is  
thereupon ordered that  
Geo C Kirk - Med Kohler  
and H. S. Luster

are appointed viewers to view  
and lay out said road  
if the Counselor and road  
necessary, and make a  
report there to the next  
Court of Quarter Session

By the Court  
James Gordon  
July 7 May 1894  
D. J. Gregory