

No. 17, May Term, 1894

Vacate & Supply
Public Road

Versus
Tracy Township

Contents:

Recd. of Tracy

TO THE HONORABLE, THE JUDGE OF THE COURT OF QUARTER SESSIONS
OF THE PEACE FOR THE COUNTY OF CLEARFIELD :

The petition of the undersigned inhabitants of the
township of Brady, in the County of Clearfield, respectfully
represents :

That your petitioners labor under inconvenience for
want of a change in the public road known as the Troutville
public road in the village of Helvetia, and they represent
that said public road was long since laid out and opened, and
that the said village has since been laid out and built, and
that said public road has become one of the streets thereof;
and your petitioners pray that the route of said road may be
changed by laying out a public road, beginning at a point on
the said Troutville public road 200 feet North of the North
East corner of First Street, and to continue from said point
of beginning South, by a direct line, to the intersection of
said Troutville public road, where a branch of the Mahoning
Valley Railroad crosses the said public road.

And your petitioners further represent, that that
portion of the Troutville public road between the points
hereinabove designated has become useless and burdensome to
keep in repair, that the proposed change will better accommo-
date the public, and that by reason of the laying out of the
proposed road the part between the said points will become
entirely useless and burdensome, and should be vacated.

Your petitioners therefore pray the Court to appoint viewers according to law to view the ground for the proposed change in said road as herein stated, and also to view that portion thereof proposed to be vacated, and that they shall proceed to inquire of and lay out the proposed change and vacate that part of the public road now opened between the points hereinabove designated, and to make report of their proceedings to the next court.

And your petitioners will ever pray, &c.,

Names

W. D. Rosenberger
John McLeary
J. J. [unclear]

W. A. Cole
A. T. Duff
J. J. [unclear]

J. M. Nevela
Peter Ginn
M. D. [unclear]

W. L. Elinger
G. B. Shuman
M. L. Beatty
E. G. [unclear]

Names

H. C. Shea
W. A. Mitchell
J. F. [unclear]

C. L. Maine
J. B. [unclear]
Peter [unclear]
R. H. [unclear]
W. R. Robinson

F. W. [unclear]
J. B. [unclear]
M. H. [unclear]

C. [unclear]
J. Hamilton

A Liza
J A Imboden
H Frazier
P W Murphy
A Hill
W J Homan
J O Albert
J B. [unclear]
D M [unclear]
Wm Daniels
J Haines
J W Dawson
C. W. Messers
W E Vandyne
Ed Barnes
Maggie and Wilson
John Barlett
Frank Boyett
James Graham
David Smith
Charles McGinty
Adam Mack
Robert Smith
John Smith
Peter Letlock
Thos Byrne
Dennis Callahan

John Payne
Moses Payne
John Stapleton
Henry Fisher
A G Wilson
George H Leach
William Hughes
Edw Shaw
Charles Hill
Paul Heyland
John Bland
Jos Jacamyer
Patrick Gallagher

Zach Wagner
Robert Payne
William Carhart
Robert M. Hyatt
John Luss
William H. Leary
William Bland
A. B. Anthony
Walter F. Arms
John F. Staley

No.

May Sessions, 1894.

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Petition of citizens of Brady Township to vacate and supply part of the Troutville public road in Helvetia, between a point on said road 200 feet North of North Easterly corner of First Street to where the branch of the Mahoning Valley R. R. crosses it.

Nov. July 18, 1894 Petition

presented and read
as a part of the
and C. R. R. and
vacated, as provided by
law, and are directed
to give the ground and
as far as the petition
is.

In the Court
By the Court
Held 19 Aug 1894

FRANK FIELDING, Clerk

Attorney for Petitioners.

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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 18th day of July, A. D. 1894, before Judge of said Court, upon a petition of sundry inhabitants of the township of Bradley

~~~~~ in said County, setting forth that

They came under inconvenience for want of a change in the public road known as the Troutville Public road in the Village of Shelburne & they represent that said public road was long since laid out ~~separately~~ that the said Village has since been laid out & built & that said public road has become one of the streets thereof & that said road may be changed by laying out a public road beginning at a point on said Troutville public road 200 feet north of the north East Corner of said street & to continue from said point of beginning south by direct line to the intersection of said Troutville public road where a branch of the Mahoning Valley Railroad crosses the said public road and that portion between the points designated has become useless and unnecessary and should be vacated

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, I make report at Sept Session 1894 whereupon the Court, upon due consideration had of the premises, do order and appoint Geo Kirk Daniel Goodlander & J. H. Hunt 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 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. H. Hunt

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 en sealing 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 dam-ages and make report thereof, as follows :

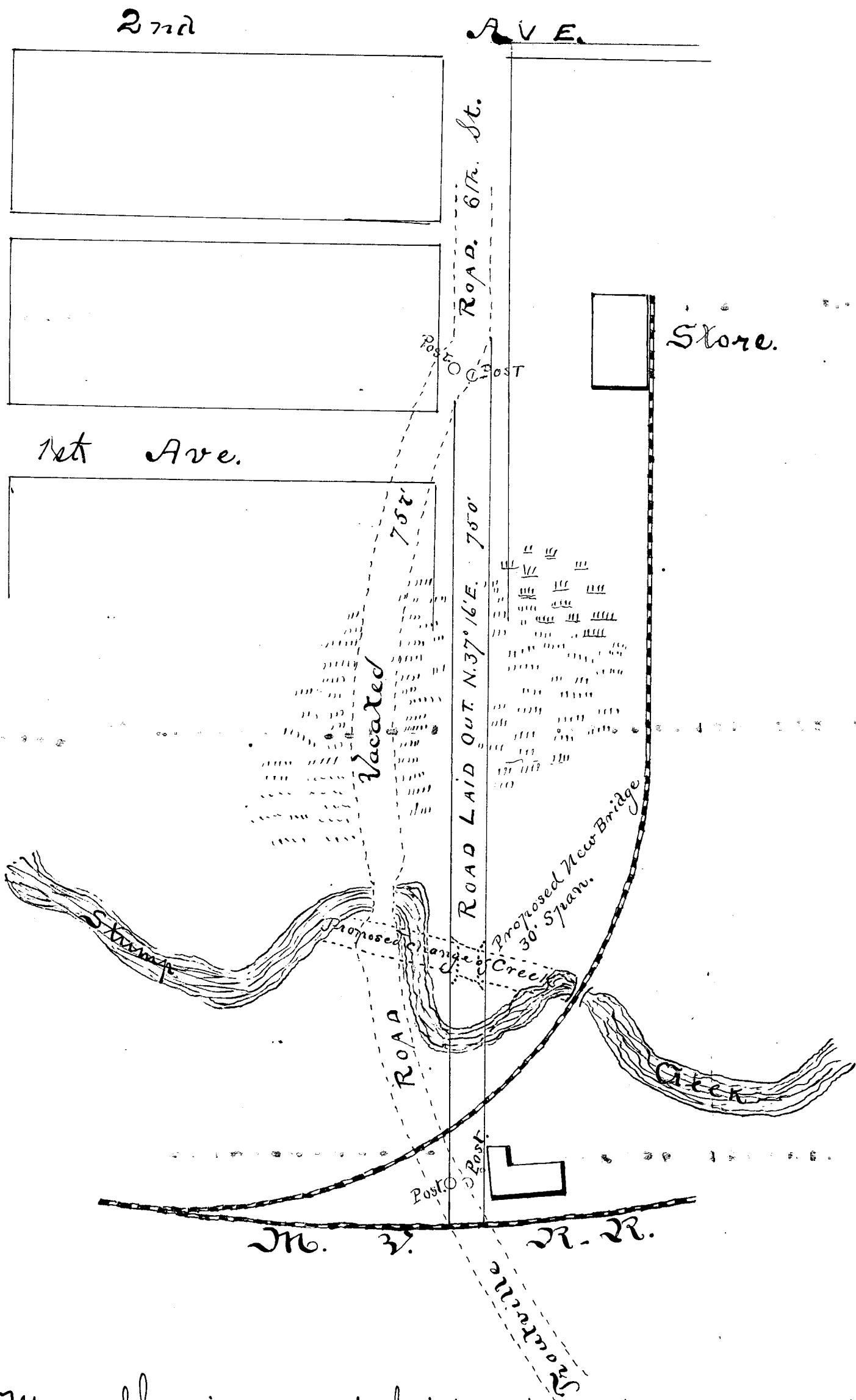
To..... the sum of.....

To..... the sum of.....

To..... the sum of.....

Witness our hands this..... day of....., A D. 189 .





Map showing road laid out, and road vacated, in the village of Helvetia, in Brady Twp., Clearfield Co., Pa.

Aug. 17th. 1894.

Geo. C. Kirk, Svr.

Scale. 100' = 1"

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 to change said 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 injury 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 at the public road leading from Helvetia to Troutville, thence along the center line of Sixth Street, in said Village of Helvetia, N. 37° 16' E., Seven Hundred and fifty (750') to a post at said road. We further report that John McLeary, Supt. of Helvetia Mines, was present at the time of the said view, and that there are no damages accruing to Adrian Selin, Owner of the land through which said road passes, by reason of opening the same on said Sixth Street. And we further report that we have inquired and do vacate that part of the Troutville <sup>public</sup> road, Beginning at a post at the intersection of the above described road, thence northwardly, its several courses, Seven Hundred and fifty-seven (757) feet to a post at its intersection at Sixth Street. 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, and that notice was given to John McLeary, Supt. of Helvetia Mines, for Adrian Selin, and that written notice was also given to the County Commissioners, 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 Seventeenth day of August, A.D. 1894.

Geo. C. Kirtle.

Daniel Woodland

D. L. Kuntz

Viewers.

