

No.

17, May Term, 1894

Waatah vs Tippely

Public Road

versus
Brady Township

Contents:

Part R. 17010

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. Rosenberg
John Dr. Leary
J. C. Smith
W. R. Cole
A. T. Duff
J. T. Hogan
Jno. Neverla
Peter Ginn
W. D. Morgan
W. C. Elsinger
G. B. Shryne
M. B. Beatty
E. G. Hayes.

Names
H. C. Shee
W. A. Mitchell
J. V. F. Hayes
C. L. Maine
H. B. Philbrick
Peter Dardahine
Rabit Keay
W. R. Robinson
George Haine
J. B. McDevitt
M. H. Shryne
C. Mandeville
J. Hamilton

A. Liza
J. A. McDonen
H. T. Tengger
P. W. Murphy
R. Hill
W. J. & O'Connor
J. Albert
J. B. C. Jr.
D. M. Dunn
Miss Daniels
J. Shaeffer
J. W. Dawson
C. W. Meeson
H. E. Van Dine
Ed. barrel
Maggs and Wilson
John Barrett
Frank Barrett
James Graham
David Smith
Charles McGinnity
Adam Mack
Robert Smith
John Smith
Peter Setlock
Thos. Ryne
Dennis Callahan

John Payne
Moses Payne
John Stapleton
Henry T. Bush
A. G. Wilson
George H. Dean
William Hughes
E. W. Shaw
Charles Hill
John Lydon
John Bland
Jos. Sacanay
Patrick Gallagher
Zach Wagner
Robert Payne
William Corbett
Robert McHugh
John Tuss
William J. Leary
William Bland
C. P. A. T. Lyon
Walter F. Arms
John F. Staley

~~1894~~ Sessions, 1894.

Petition of citizens of Brady Township to vacate and supply
site of the Troutville public
road in Helvetia, between a
point on said road 20 feet
North of North Easterly corner
of First Street to where the
branch of the Mahoning Valley R.
crosses it.

Mon. July 18, 1894 / Weather
moderately warm & dry each
day & the heat not perceptible
at 10 AM. David ¹⁰⁰ ~~McDonald~~ was
out this morning with
his horses, as moderate
heat, cold air & moisture
seem to agree best with
them, & the grass is
perfectly green
at present.

By the Creek
10 AM 65°
1 P.M. 70°
8 P.M. 65°
10 P.M. 60°
FRANK FIELDING, Surveyor
Act 5

Re the Bank
of New England
v. Frank Fielding,
et al.
Dec. 18, 1940
Frank Fielding,
et al.
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 Broad

_____, in said County, setting forth that they acted under inconvenience for want of a change in the present road known as the Troublesome Public road in the Village of Hinsdale & they represent that said Public road was long since laid out ~~and department~~ that the said Village has since been laid out & built & that said Public road has become one of the streets thereof & that said route may be changed by laying out a new road beginning at a point on said Troublesome public road 200 feet north of the east corner of said street & continue from said point of beginning south by direct line to the intersection of said Troublesome public road where a branch of the Mahoning Valley Railroad crosses the said public road and that portion below the points designated has become useless and burdensome and should be vacated;

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~to make report at Sept Session 1894~~ whereupon the Court, upon due consideration had of the premises do order and appoint Leo O'Keefe Daniel Goodlander & J. K. Knutz 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. C. Longfellow

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 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 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. 189 .

Seal

Seal

Seal

Seal

ASSESTMENT OF DAMAGES.

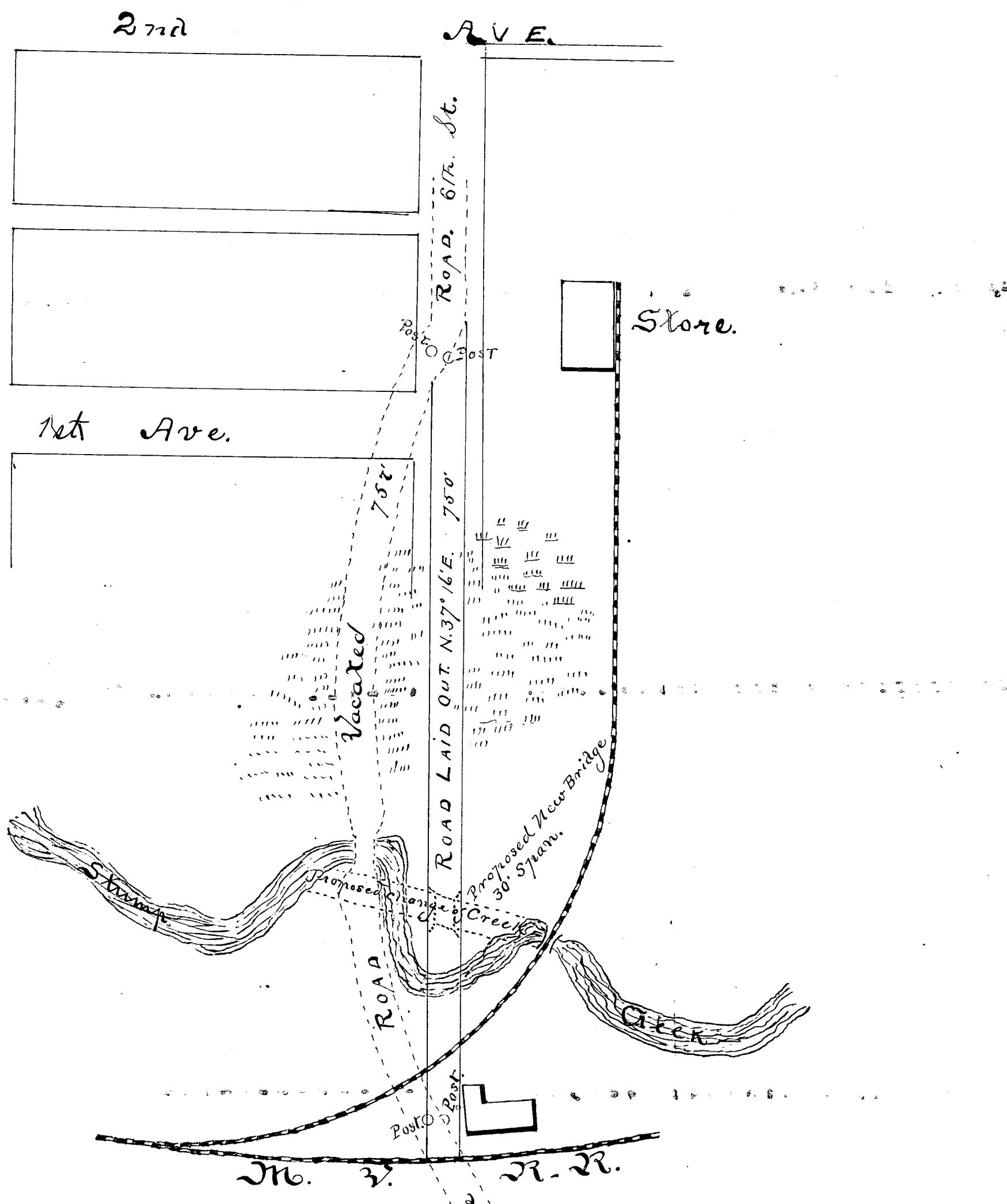
The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their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



Map showing road laid out, and road vacated, in the
village of Helvetia, in Brady Twp., Bearfield Co., Pa.
Aug. 17th. 1894.

Scale. 100' = 1"

Geo. C. Kirk, Son

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, received 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 McLeavy, Sup't of Helvetia Mines, was present at the time of the said view, and that there are no damages accruing to Adrian Iselin, 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 ^{public} road, Beginning at a post at the intersection of the above described road, thence northwardly, in 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 McLeavy, Sup't of Helvetia Mines, for Adrian Iselin, 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. Kirk.

Daniel Goodland

D. G. Knutz

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.

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. 17 May Sessions, 1897

ORDER

Leave of Supply
to view and lay out a road for
Public use in the township of
Bradley, Clearfield Co.
Muph
Sessions, 1897

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
By James Gentry
Rec Sessions 1897
Aug 26
1895
Cyrus George

Filed 7 Sept., 1897
Fees \$1, paid by John D. Gentry

John D. Gentry
F. D. Gentry
F. D. Gentry
F. D. Gentry

	AMOUNT.
Geo. G. Knott	Days 1 4.00
	Miles 4 4.0
N. G. G. Hander	Days 1/2 1.00
	Miles 3 3.0
S. J. Knott	Days 1/2 1.00
	Miles 2 2.0
	Days 1 6.90
	Miles