

No. 3 Derby Term, 1898.

Public Road

Versus  
Bradford, Mass.

R.D. #4 - Page 209

Exhibit B

Part Bt. 57

To the Honorable Cyrus Gordon Judge of the Court of  
Quarter Sessions of Clearfield County, Pa.

The petition of the undersigned respectfully represents:  
That a portion of the main public road leading from  
Clearfield to and through the village of Woodland, Bradford  
Township, Clearfield County, Pa. being that portion beginning at  
a point opposite the School House in lower Woodland, and leading  
to a point beyond or west of the lower Fire Brick Works of the  
Harbison-Walker Company in the village of Woodland, Bradford  
Township, Clearfield County, Pa., as by reason of the construction  
of a branch of the Beech Creek Railroad from their main line to  
the lower Fire Brick Works, become inconvenient, dangerous and  
impassable, and should be vacated, and a new road laid out to  
begin and end at the same points.

Your petitioners, therefore, pray the Court to appoint three viewers, qualified according to law, to view said road and the proposed change to be made, and report their proceedings to the next Term of Court.

And they will ever pray etc.

Names  
Lew M. Stewart  
A. R. Sartit  
Mrs. McQuiller  
Ed. Pearce  
H. A. Dale.  
H. C. Shirey  
H. H. Livingston  
R. Barr  
Edward. Jussey  
Henry Dell  
Adam McQuiller

3. Feb 1878

Petition of Citizens of Broad  
ford Regt to Sizar vacate  
and supply a portion of the  
main public road from Allen-  
field through the village of  
Woodland, beginning at a  
point opposite the school house in  
Lower Woodland and extending  
to a point beyond or west of the  
Lower Brick Works of the Ham-  
ilton Water Co.

Nov Dec. 20. 1877 petition  
presented and filed by  
H. J. Winterbottom, S. H. McCawley  
and John Porter —  
and affirmed wherein  
to prove and refresh  
as may & then & there  
be had cause

Pay Rec'd Cash  
James Sizer

C. Ord. Int. recd

15.900 mrs.

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 20 day of Dec, A. D. 1897, before Judge of said Court, upon a petition of sundry inhabitants of the township of Beaumont, in said county, setting forth that

application of the main public road leading from Cleasfield through the village of Woodland Bradford upon Cleasfield & Da being that portion beginning at a point opposite the School House in Lower Woodland and leading to a point beyond on West of the Lower Beech Creek of Hasbrouck Hacks Co in said village of Woodland has by reason of the construction of a branch of the Beech Creek Railroad from this main line to and should be replaced and a new road laid out to begin and at some point in the lower Beech Creek Valley to be compensated to and by paying the Court to appoint three viewers qualified according to law to run said road and report to next term of court

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~and appoint at such time~~ whereupon the Court, upon due consideration had of the premises, do order and appoint ~~the~~ ~~between~~ ~~Mr~~ ~~Mc~~ ~~Cough~~ and ~~John~~ ~~Poole~~ 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~~ <sup>vacate and</sup> 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. Dugay*

.....  
**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 ensealing 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 9<sup>th</sup> day of February  
A. D. 1898.

*Harbison Walker* Seal  
*By M. Kuntz* Seal  
Seal  
Seal

## 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 Bradford School District the sum of one dollar  
To ..... the sum of .....  
To ..... the sum of .....

Witness our hands this 9<sup>th</sup> day of February, A. D. 1898.

*H. J. Hinterleitner*  
*L. K. McCullough*  
*John Porter*

To the Honorable Judge of the Court of Clearfield  
County State of Pennsylvania.

In accordance with the accompanying order  
of the Court to view, vacate and layout a portion  
of the main public road, leading from Clearfield  
through the village of Woodland, Bradford Twp.  
Clearfield Co. Pa. being that portion beginning  
at a point opposite the School House in Lower  
Woodland and leading to a point beyond or  
West of the lower Fire Brick Works of Harbison &  
Walker Co. in said village of Woodland, we the  
undersigned viewers appointed to view vacate  
and layout the same, do respectfully report: -  
That having given due and public notice of the  
time and place of said view by printed hand  
bills as required by act of Assembly, we met  
on the 17<sup>th</sup> day of January A.D. 1898 at 9 o'clock  
A.M. at the lower Fire Brick Works of Harbison  
and Walker Co. Bradford Twp. Clearfield Co. Pa which  
were the time and place named on the notices  
of the view; and after each having been duly  
sworn or affirmed according to law and all the  
viewers being present, we viewed that portion  
of the main public road to be vacated and the grounds  
for the proposed road.

Owing to the construction of a branch of the  
Beech Creek Railroad from their main line to the  
lower Fire Brick Works of Harbison & Walker Co. this  
portion of the main public road has become  
inconvenient and dangerous so we agreed  
to vacate that portion of road described as  
follows: - Beginning at a point in the  
Township road near the school house in Lower Woodland

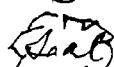
thence  $N63^{\circ}50'W$  326' thence  $N59^{\circ}45'W$  357 feet thence  
 $N68^{\circ}12'W$  160ft. thence  $N80^{\circ}50'W$  208 feet to a point West  
of Lower Fine Brick Works in Township road;  
and we agreed to lay out a road to take the  
place of the portion of road vacated.

We proceeded to lay it out according to the  
following description:-

Beginning at the point in the township  
road near School house in Lower Woodland,  
which is also point of beginning described in  
part vacated, thence through lands of Bradford  
Twn. School District  $N43^{\circ}25'W$  138 feet to a point  
in the divison line between lands of Bradford  
Twp School District and the Harbison & Walker Co.  
Thence through the lands of Harbison & Walker  
Co.  $N43^{\circ}25'W$  175 feet thence  $N53^{\circ}20'W$  205 feet thence  
 $S42^{\circ}30'W$  140 feet to a point in Township road leading  
to Boggs Township and also  $N60^{\circ}50'W$  286 feet  
thence  $S77^{\circ}25'W$  330 feet to a point in Township  
road leading to Clearfield from Woodland,  
west of Lower Fine Brick Works which is also  
point of ending described in part vacated  
And further we do report of the land taken  
in the road thus laid out to replace road vacated,  
is cleared land about 11 perch of school lot belonging  
to Bradford Twn. School District. damages only  $4\frac{1}{2}$  per cent;  
and the balance belonging to the Harbison & Walker Co.,  
who release damages for land taken as shown  
in accompanying plot, no damages allowed  
All of which we respectfully submit.

Witness our hand and seals this the 9<sup>th</sup> day of February  
A.D. 1898.

H. J. Hinterleitner  
J. G. McCullough  
John Porter





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.  
 Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the viewers.  
 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.

(report & fees)		AMOUNT.
129 H. Interv. 2 <sup>nd</sup>	Days 2 <sup>nd</sup>	10.00
129 H. Interv. 6 <sup>th</sup>	Miles 6	60
129 H. Interv. 1 <sup>st</sup>	Days	200
129 H. Interv. 6 <sup>th</sup>	Miles 6	60
John Parker	Days 1	200
John Parker	Miles 6	60
	Days	
	Miles	

No. 3085 Sessions, 1898

ORDER

~~to view and~~ ~~and~~ ~~affix~~  
 a road for

Publ. in the township of  
 Bradford, Clearfield Co.

July 1<sup>st</sup> 1898  
 read and confirmed N. S.  
 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 Wm. Ernst  
 Express Company

13 Miles 1<sup>st</sup> 1898 cars  
 burned also property  
 feed rail to be  
 paid by Clearfield  
 Co. for  
 1898

Filed 1<sup>st</sup> July, 1898  
 Fees \$1, paid by Wm. S.