

No. 9

Sept

Term, 190

Public Road

versus in

Brady Township

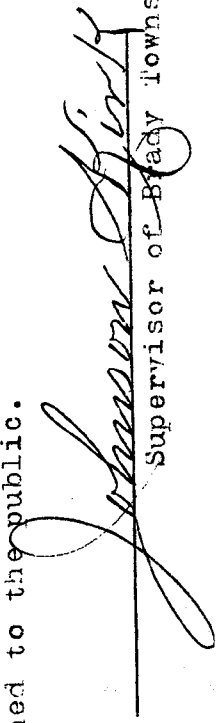
R. D. #4 - Page 296

Part Twp. Rd. 17353 & 17342

I hereby certify that the Public Road viewed and ordered to be opened for public use leading from the Ferdinand Zilliox farm to at or near lands of H.E. Ginter in Brady Township, that the part from Jackson Ellingers to at or near the Ginter land, through lands of

George Kougher has been opened to the public.

Luthersburg Pa Dec. 27, 1901


Supervisor of Brady Township

9 Sept Dec 1900
Radio.

FILED
DEC 20 1901
Frank H. Thompson,
Clerk of the Court.

To The Hon Cyrus Gordon, Judge of the
Court of Quarter Sessions of Clearfield
County:

The petition of the undersigned, inhabitants
of Brady Township, in said County,
respectfully represents, that they labor
under great inconvenience for want
of a public road or highway, begin-
ning at a point on the public road
leading from D Fryles to Luthersburg
at or near the residence of Ferdinand
Jelliot, to a point on the public
road leading ^{from} Shindley's to Rishels
Grist Mill, at or near the residence
D. W. Hancock - in said Township
of Brady. Your petitioners therefore
pray the Court to appoint three
persons qualified according to
law, to view the ground proposed
for such road, and if they see occa-
sion, lay out the same, and make
report of their proceedings to the next
term of this Court. And they will ever
pray &c.

names	names
W. C. Ellinger	Jonathan Shaper
J. S. Ellinger	William Wingert
J. Billingsberger	L. S. Fustethwaite
W. D. Korb	J. J. Wingert
L. H. Korb	Jim Snyder
James Conrad	J. J. Brown
Adam Muth	
R. L. Koff	
L. C. Stewenter	

Ms 9 Pet. Session 1900

Petition for a Habeas

Corpus in Brachy
Parole

Geo. B. Kent -
Charles Ketcher
D. F. Henry

A. J. H. H.

and more in my
P. 1900, the within
Petition being pre-
sented to the Court
and considered
George B. Kent -
Charles Ketcher -
D. F. Henry in view
of the fact that
they are all
and report at next
term of said Court

MAY 29 1900

Dr. H. H. Thompson
Prothonotary

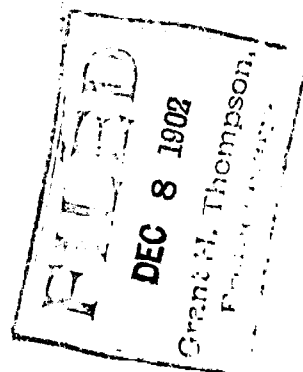
Adm. for Petitioners

Leithensburg December 2nd 1902

This is to certify that the Public^{Road}
Laid Out leading from a Public Road starting in the
Zilliox Farm Land, Inoutville to Enterlect a Public Road
at or near Daniel Hays Farm is now Opened and Possible
for the Public and has been for some time

J. H. Hays. Sup
Henry L. Kirk Supt

Read
9 Sept Dec 1900



In the Court of Quarter Sessions of the County
of Clearfield Penna

In Re Public Road } No 9 Sept ss 1902
 } Road

Now 6th Dec AD 1902, John F. Gallagher
and other citizens of New Washington Borough
and Burnside Township, by their attorney
Singleton Bell, file the following exceptions

- 1st The termini of the proposed road are not
sufficiently described in the petition.
- 2nd The proceedings expired by limitation of law
and the order of Sept. 16th, 1902 was power-
less to enable the viewers to act subsequently.
- 3rd The report and attached draft do not
set out the unproved lands through which
said road passes.
- 4th The time of holding of said view is
not stated in the report.

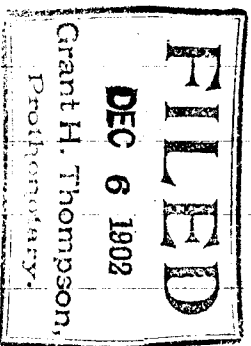
5" That proper legal notice of the
Vend was not given.

6" That the proceedings are irregular
and illegal.

Seppelint Bell
Atty for J.F. Gallagher
others.

No. 9 Alpha SS 1902
Road.

Excelsior



See

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 29th day of May, A. D. 1890, before Judge of said Court, upon a petition of sundry inhabitants of the township of Brady, in said county, setting forth that

they labor under great inconvenience for want of a Public Road or Highway beginning at a point on the public road leading from D. Fryes to Luthersburg or near the residence of Ferdinand Gilliot to a point on the public road leading from Shindley to Pishels Grist Mill or near the residence D. W. Hancock in said Township of Brady.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint George C. Kirk, Erastus Luther and S. G. Kuntz 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.

Grant H. Thompson

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 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

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 Wm Wingert, (See body of report) the sum of Fifty dollars

To G. W. Koughen the sum of Twenty dollars

To Ferdinand Gilliox Est. the sum of Twenty dollars.

Witness our hands this thirteenth day of August, A. D. 1890.

Geo. C. Kirk
Erastus Luther
S. H. Kuntz

Viewers.

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 sworn according to law, 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 injury to private property, and as far as practicable agreeable to the desire of the petitioners, and do return for public use the following described road, to wit:— Beginning at a point in the public road leading from Daniel Fryers to Suthersburg, near the residence of the late Ferdinand Gilliox. — Thence partly on improved lands of said Gilliox est. and partly on improved lands of Wm. Wingert, N. 58° W. 655 ft. to an Oak. Thence N. 30 1/4° W. 656 ft. to an ash tree. Thence N. 49° W. 1036 ft. to a post. — Thence S. 57 1/4° W. 770 ft. to a sugar. — Thence S. 36 1/2° W. 875 ft. to a maple stump. — Thence S. 50° W. partly on lands of said Wingert, and partly on lands of J. P. Ellinger, 669 ft. to a post. — Thence S. 77° W. 476 ft. to a post. — Thence S. 22 1/2° W. partly on lands of said Ellinger and partly on lands of Adam Muthe, 1420 ft. to a Maple stump. — Thence S. 58° W. 410 ft. to a Maple. — Thence S. 77 1/2° W. 270 ft. to a post. — Thence S. 89° W. 610 ft. to a chestnut. — Thence N. 85 1/2° W. partly by lands of said Muthe and partly on line between lands of H. W. Weber and Wimmeling & Co., 1350 ft. to a pine stump. — Thence N. 64 1/4° W. on lands of said Wimmeling & Co., 280 ft. to a Hemlock. — Thence N. 57 1/2° W. 225 ft. to a Hemlock. — Thence N. 51 1/2° W. 230 ft. to a Birch. — Thence N. 37 1/4° W. 150 ft. to a Beech. — Thence N. 32 3/4° W. 490 ft. to a Hemlock in line of G. W. Koughner. — Thence N. 38° W. on lands of said Koughner, 195 to a Hemlock. — Thence N. 87 1/2° W. 300 ft. to a Beech. — Thence N. 77° W. 390 ft. to a Beech. — Thence N. 64° W. 140 ft. to post in line of H. W. Hauck. — Thence N. 4° E. on line between lands of said Koughner and Hauck, 690 ft. to a point in the public road leading from Schindler's to Richell's Mill, near the residence of H. W. Hauck. That there are no claims for damages from the owners of the land over which said road passes from opening the same, except as to Wm. Wingert, G. W. Koughner and Ferdinand Gilliox Est. — and therefore, having taken into consideration the advantages as well as the disadvantages to be derived to the said Wm. Wingert, G. W. Koughner and Ferdinand Gilliox Est. from the road passing through their lands, respectively, we have assessed the damages sustained by the said Wm. Wingert at fifty (\$50.) dollars, on condition that he, the said Wm. Wingert reconvey to the Ferdinand Gilliox estate the strip of land about 400 ft long and 20 ft. wide, purchased by him for a private road, from where the aforesaid road begins and thence westwardly to his lands, — And the damages sustained by the said G. W. Koughner at Twenty (20) dollars, and the damages sustained by the said Ferdinand Gilliox estate at Twenty (\$20.) dollars. 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 of said view — ten days before said meeting — notice of said meeting was mailed to the County Commissioners, and personal notice was given to all the owners of of seated lands through which said road passes, as well as to the supervisors of Brady Township. 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. Witness our hands this thirteenth day of August, A.D. 1900.

Geo. C. Kirk }
Erastus Luther }
S. G. Lundy }
J. C. Lundy }

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

Geo. C. Kunk } Days 3
Miles 4 12.40

J. G. Kuntz } Days 2
Miles 3 4.30

Erastus Suther } Days 2
Miles 3 4.30

J. B. Kirk } Days 2
Miles 0 3.00

Days
Miles

No. 9 Sept Sessions, 1900

ORDER

To view and lay out a road for
Public use in the township of

Brady, Clearfield Co.

Sept Sessions, 1900,
lookt & Sept 1900
read and confirmed N. 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 Borders

10 Dec 1900 confirmed

absolutely Grant Thompson

Order

FILED

Filed
Grant H. Thompson
Fees \$1.00 paid by Wm. Henson

8/13/00 9 a.m.

