

B-13-01-1000-R

No. 1, Dec. Sessions, 1902

COMMONWEALTH

versus

Public Road

in

Prady Tarps.

Vacation

Charge

X

WILLIAM I. SWOOPE,
District Attorney.

To the Honorable the Judge of the Court of Quarter Sessions of Clearfield County.

The petition of the undersigned citizens and residents of the Township of Brady, respectfully represents:

^{Adelam}
~~Fred~~ That the public road leading from Charles Schoch's residence to David Knarr's residence in said Township, has been laid out for many years and open for public use. That that part of said road beginning at a point at G.F. Wingert's house and ending at Fred Knarr's farm at his dwelling house and lying between the public road leading from Abraham Gallentine to Jacob Foudy and the public road leading from Schoch's watering trough to Alvin Sugarts, has become useless and burdensome and inconvenient and has been replaced by other public roads.

Your petitioners therefore pray the Court to inquire of and vacate said road and for that purpose to appoint three persons qualified according to law to view said road, and inquire of the premises, and make report of their proceedings to the next term of this Court, and they will ever pray
etc.

F K Knarr

Farmer

Alvin Sugarts

" "

George Hartfeld

" "

Wm H. Hartfeld

G. F. Wingert

Farmer

Henry Wingert

"

H. P. Wingert

Jerob Sauer

H. J. Wingert

L. A. Hartfeld

William Hummel

J. F. Wingert Jr

L. H. Marshall

L. M. Worthall

Fred Marshall

Farmer

B. B. Beck

Reuben Reitzel

J. H. Hayer

Supervisor

Henry F. Kirtz

Supervisor

Feb 1 1890-6/1802

Petition to vacate
warrant & Bond
Powership

1 Supr. 1890-2 pet-
tioner named, and
thereup Geo Childs
E. Ashmunfeather & C^{rs}
Hordlagger -
are afforwio
ordwio as merged
to report to
but & can of comy

By the Court

Cyrus Gentry

FILED

W. C. PENTZ,
Attorney at Law.
CITY OF DUBOIS, PA.

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 1 day of Sept., A. D. 1902, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Brady

, in said county, setting forth that the Public Road leading from Adam Schock's residence to Fred Knarr's residence in said Township has been laid out for many years and open for public use. That that part of said road beginning at a point at G. F. Winger's house and ending at Fred Knarr's farm at his (residence) dwelling house and lying between the public road leading from Abraham Gallentine to Jacob Foudy and the public road leading from Schock's walking trough to Alvin Sughruff, has become useless and burdensome and inconvenient and has been replaced by other public roads.

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 Geo. C. Niek, E. Schenfelder, and C. H. Goodlander 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. ^{View and} ^{lay out}

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 ensembling 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. 190.....

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

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

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

Witness our hands this..... day of..... A. D. 190.....

TO ALVIN SUBMITS. ← PUBLIC ROAD. → TO LUTHERSBURG.

FREDE KNARR.
IMPROVED LAND.
1092'.
N. 10° 00' E.
FREDE KNARR.
IMPROVED LAND.

N. 4° 45' E.
200'.
N. 48° 45' W.
127.5'.
N. 41° 45' W.
100'.

N. 51° 30' W.
283'.

N. 53° 15' W.
261.5'.

JACOB FOUDY.
IMPROVED LAND.

NORTH. PUBLIC 525'.

GEO. F. WINGERT.
IMPROVED LAND.

→ TO FOUDYS.

→ TO GALENTINES.

STRAIGHT LINE TO LUTHERSBURG. ROAD. PUBLIC

3.00.01 MILE
SARAH L. DODGE

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.
W. 21.12. N.
W. 21.12. N.
W. 21.12. N.
W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

W. 21.12. N.

To the Honorable, the Judge within named; We the undersigned, appointed by the annexed order do report, That in pursuance thereof, after having been duly sworn, all the viewers appointed by said order, viewed the road to be vacated, and we do agree that there is occasion to vacate said public road as desired by the petitioners, and we do therefore vacate the following described public road, which, by reason of having been supplanted by other public roads in the vicinity has become useless; Beginning at a point in the public road leading from Galentine to Foudry, thence north 525 ft. to a post, thence N. 53° 15' W., 289 ft. to a post, thence N. 41° 45' W., 106 ft. to a post, thence N. 48° 45' W. 127.5 ft. to a post, thence N. 4° 45' E., 200 ft. to a post, thence N. 10° 00' E., 1092 ft. to a point in the public road leading from Suthersburg to Alvin Sugarts. That before said view, public notice, of the time and place of the meeting of said viewers was given by advertisements put up at three of the most public places in the vicinity, ten days before said meeting. That notice was served on the supervisors of Brady Twp., and on the owners of the land through which said road passes, and on the County Commissioners. That there are no damages resulting to any one of the owners of the land over which said road passes, by reason of vacating the same. We annex a plot or draft of said road vacated, stating the courses & distances, and noting briefly the improvements through which the same passes.

Witness our hands this 17th day of October, A.D. 1902.

Geo. C. Korte
Elior Ashenfelter
C. H. Grallancus

VIEWERS.

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.

No. 1 Dec. Sessions, 1902

ORDER

To view ~~the~~ ^{the} ~~road~~ ^{road} for ~~the~~ ^{the} ~~public use~~ ^{public use} in the township of Brady, Clearfield County

here Sessions, 1902

read and confirmed N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
Cyrus Sperry

17 Feb. 1903 Confirmed by the Court
 NOV 20 1902
 Grant H. Chapman, Clerk
 Prothonotary.

Filed 190
 Fees \$1.25 paid by

| | | | |
|------------------------------------|-------|---|------|
| AMOUNT. | | | |
| Geo. C. Koitz | Days | 2 | |
| | Miles | 4 | 8.40 |
| C. H. Goodlander | Days | 1 | |
| | Miles | 6 | 2.60 |
| E. Caschenfeller | Days | 1 | |
| | Miles | 6 | 2.60 |
| J. B. Koitz Jr. (Chain Carrier) | Days | 1 | |
| | Miles | | 1.50 |
| | Days | | |
| | Miles | | |

Fred W. Henary
 Sullivan, Pa.

Centy
 1902