

No. 3. Sept. Term, 1902

Public Road

versus in

Brady Township

374 378

R. d. #4 - Page 378

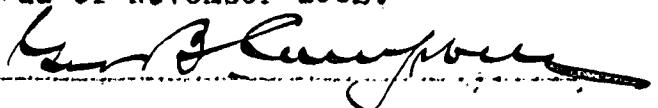
Part Twp. Bch. 17353

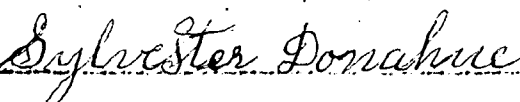
To the Honorable the Judges of the Court of Quartersessions of  
Clearfield County Pa.

We the undersigned, appointed by the annexed order, do report, that in pursuance thereof after having been severally duly sworn or affirmed, all the viewers appointed by said order viewed the ground proposed for the within mentioned road. And we the undersigned, do agree that there is occasion for a road, as described by the petition, and that the same is necessary for a public road. And having had respect for the shortest distance and the best ground for such road, we have laid out in such manner, as shall do the least injury to private property, and as far as ~~practicable~~ 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 near R.J. Kopp, on lands of David Reams. Thence through lands of said David Reams, south sixty four degrees east ( 64<sup>1</sup>/<sub>2</sub> ) two hundred feet ( 200. ) thence south eighty degrees and fifteen minutes east ( 80 15 ) one hundred feet ( 100 ) thence eighty five degrees east ( 85 ) one hundred feet ( 100 ) thence eighty five degrees and thirty minutes east ( 85 30 ) one hundred feet ( 100 ) thence north seventy eight degrees and forty five minutes east ( 78 45 ) one hundred feet ( 100 ) thence north eighty eight degrees and thirty minutes east ( 88 30 ) one hundred and six feet ( 106 ) to the dividing line between lands of David Reams and lands of R.J. Kopp. Thence through lands of said R.J. Kopp, south eighty four degrees east ( 84 ) two hundred and ninety four feet ( 294 ) thence south seventy degrees and thirty minutes east ( 70 30 ) three hundred and thirty feet ( 330 ) thence south thirty one degrees and thirty minutes east, ( 31 30 ) fifty feet ( 50 ) thence south fifteen degrees west ( 15 ) one hundred and twenty feet ( 120 ) thence south fifty three degrees and thirty minutes west ( 53 30 ) one hundred and eighty seven feet ( 187 ) thence twenty four degrees west ( 24 ) thirty three feet, ( 33 ) ~~thence south thirty one degrees east ( 31 ) one hundred and sixty feet ( 160 )~~ to the dividing line between lands of R.J. Kopp and lands of W.C. Ellinger. thence south thirty one degrees east ( 31 ) one hundred and sixty feet ( 160 ) thence south forty degrees east ( 40 ) one hundred and forty feet ( 140 ) thence south twenty five ~~thence south~~ degrees and thirty minutes east ( 25 30 ) two hundred and sixty nine feet ( 269 ) thence seventeen degrees and thirty thirty minutes east ( 17 30 ) one hundred and sixty three feet ( 163 ) thence south eighty four east ( 84 ) six hundred and eight feet ( 608 ) to the dividing line between lands of W.C. Ellinger and William Wingert. thence through lands of William Wingert <sup>8</sup> South four degrees and fifteen minutes west three hundred and seventy eight feet ( 378 ) to a point in the centre of Public Road in Brady Township. A total distance of 3318 feet. We further report that before the said view Public notice of the time and place of meeting of the Viewers was given by advertisement put up at the beginning and terminous of view, and at Troutville, three of the most public places in the vicinity, ten days before said meeting printed notice were given to..... supervisor of Sandy Township and one of the County Commissioners ten days before said meeting. We hereto annex a plot or draft of said road as laid out stating the courses and distance. There are Improvements on this line.

Witness our Hands ~~this~~ this 18<sup>th</sup> da of November 1902.







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 31<sup>st</sup> day of May, A. D. 1902, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Beady, in said county, setting forth that

they labor under great inconvenience for want of a public road starting from a point in the Public Road leading from Geo. Schmidleys to Rishells Grist Mill, at a point opposite to the Old Zeigler Saw Mill and ending at a point on the public road leading from Gunder farm to the Old Kuntz place at a point on the line between Wm Wagners land and Wm Ellingers land near the house of Jack Ellinger.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint David Reams Sylvester Donahew<sup>2d</sup> & H. L. Luther 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 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 enscaling 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 23<sup>rd</sup> day of October  
A. D. 1907.

W. C. Ellinger Seal  
R. J. Koff 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 David Ramm the sum of Five Dollars  
To \_\_\_\_\_ the sum of \_\_\_\_\_  
To \_\_\_\_\_ the sum of \_\_\_\_\_

Witness our hands this 18<sup>th</sup> day of November A. D. 1907.

Edw. J. Campbell  
Alexander Donaldson  
Harvey L. Smith

By the Court  
Cyrus Gordon

**NOTE**—In case of a private road, the release must be executed in favor of the petitioner for said road.

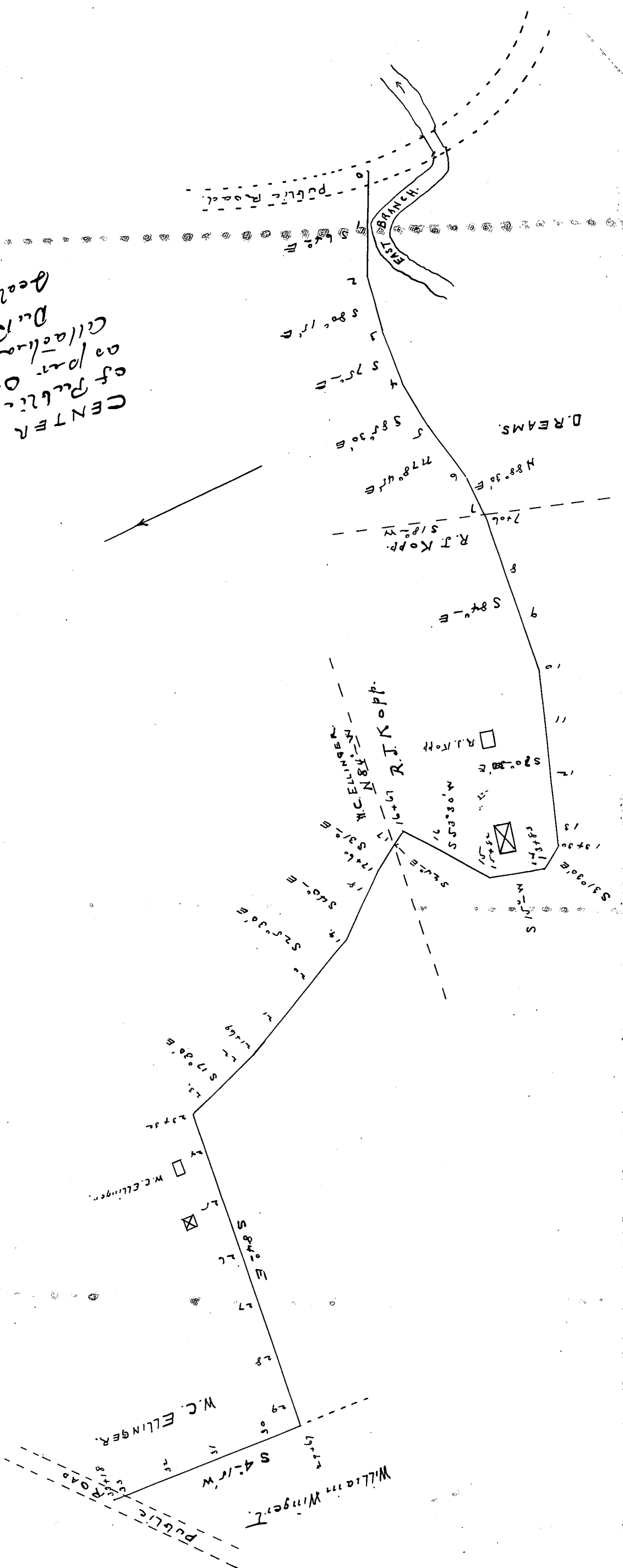
Also—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.

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.

		AMOUNT.
Hand Carriage	Days 3	12.00
Miles		
H. V. Sutter	Days 2	4.00
Miles		
Expenses	Days 4	4.00
Donation	Miles	
E. D. Hark	Days 1	2.00
Miles		
W. C. Oliver	Days 1	2.00
Miles		
R. J. Rogers	Days 1	2.00
		2.00

CENTER LINE  
of Public Order of U.S.A.  
as per Order of U.S.A.  
Callahan - Pa  
DuBois = one tick.  
Deals



Nov. 3 Sept. S S 1912

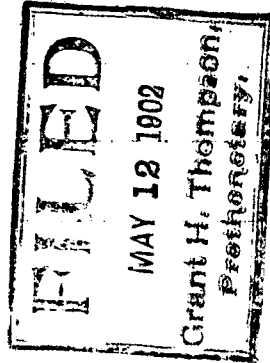
Return for Public Road  
from public road, opposite  
the old Jigger saw mill

A point on Public Road  
in line between Wm. Marget  
and Wm. Ellinger

May 12<sup>th</sup> 1902 petition  
read and David Reams  
by Lester Danaher and  
H. L. Luther appointed  
to review the premises and  
report to the next Court  
of Quarter S S

By the Court  
John W. Ford  
Jury 5<sup>th</sup> 1912  
with finding

D. Reams  
by Lester Danaher  
H. L. Luther



To the Hon Cyrus Gordon President  
of the County of Ingham  
of Camp Lake

The petition of the undersigned  
citizens of Brady Township respectfully  
represent

That they labor under great inconve-  
nience for want of a public road starting  
from a point on the public road leading  
from Saw Schindlers to Rishells Grist  
Mill at a point opposite to the old  
Zeigler saw mill and running at a  
point on the public road leading from  
the Guter farm to the old Knitz place  
at a point on the line between Wm. Meyer's  
land and Wm. Ellinger's land near the house of  
Jude Ellinger.

They therefore pray the answers may be appointed  
to view and report in due season.

Signers

Henry H. Kirk

~~E. A. Kears~~

W. C. Ellinger

R. J. Kopf

J. B. Swartzlander

J. B. Ellinger

James Conrad

Geo. W. Galentine

Frederick

W. H. H. H.

Signers

William Wiergent

E. G. Hayes

Harry Mergelher

E. G. Hayes

Supervisor

L. M. Krimer

J. A. Marshall

J. B. Krimer

E. M. Mergelher