

No. 8 Sept. 1904

COMMONWEALTH

VERSUS

Vacate & Supply Public  
Road

in

Brady Twp.

P. S. #4 - Page 463

Charge

Part Rt. 33E-Sp. R

WILLIAM I. SWOOPÉ.  
DISTRICT ATTORNEY.

TO THE HONORABLE JUDGES OF THE COURT OF QUARTER SESSIONS  
OF THE PEACE IN AND FOR THE COUNTY OF Clearfield Pa.

The petition of the undersigned citizens of Broady  
Township, County aforesaid, respectfully represents:-

That they labor under great inconvenience for want of a change in the public highways at the village of Stanley, county aforesaid. That owing to the construction of the two railroads, the Buffalo, Rochester & Pittsburgh Railroad and the Susquehanna and Southern Railroad, through the village of Stanley, the highways as at present located are inconvenient, burdensome and dangerous, as follows: First, the road commencing at the turn of the Sykesville road at the point where the road turns to the north toward DuBois in the said village of Stanley, at the point marked "D" on the attached plot, and ending where the said highway or cross road intersects the Helvetia road just southeast of the village of Stanley, at the point marked "E" on attached plot, near the first small bridge South of said railroads; second, the short piece of road commencing in the said Helvetia road in the village of Stanley, near the tenant house of the Rochester & Pittsburgh Coal & Iron Company, occupied by J. N. McIntyre near windmill, at the point marked "B" on attached plot, and ending in the said DuBois road a little northwest of the village of Stanley, at or near twelve rods above the S. & S. R. R. under crossing, at the point marked "C" on attached plot. These should both be vacated, and a new highway opened between ~~the~~ said two railroads, commencing in the public highway in the village of Stanley known as the Helvetia road, near the dwelling house occupied by J. N. McIntyre near wind mill, at the point marked "B" on attached plot, and ending in the DuBois road <sup>over the under crossing of S. & S. R. R. and</sup> about 2 feet north of the point where the DuBois road intersects the Sykes-

ville road in the village of Stanley, at the point marked "A"  
on attached plot.

Your petitioners therefore pray for the appointment of  
viewers to view and lay out the road last described, and to  
vacate the two pieces of highway first above described. And  
they will ever pray.

Supervisor	Henry F. Kist	Chas. A. Schindler
	S. M. Smith	J. M. Vanhorn
	W. H. Selner	John Pryce
Supervisor	K. C. Harris	A. W. Pettigrew
	J. F. Kist	Wm. S. ...
	Wm. Clark	A. C. ...
	J. A. Mc ...	B. M. Clark atty for
	J. H. ...	Rochester & Pittsburgh Coal
		& Iron Co

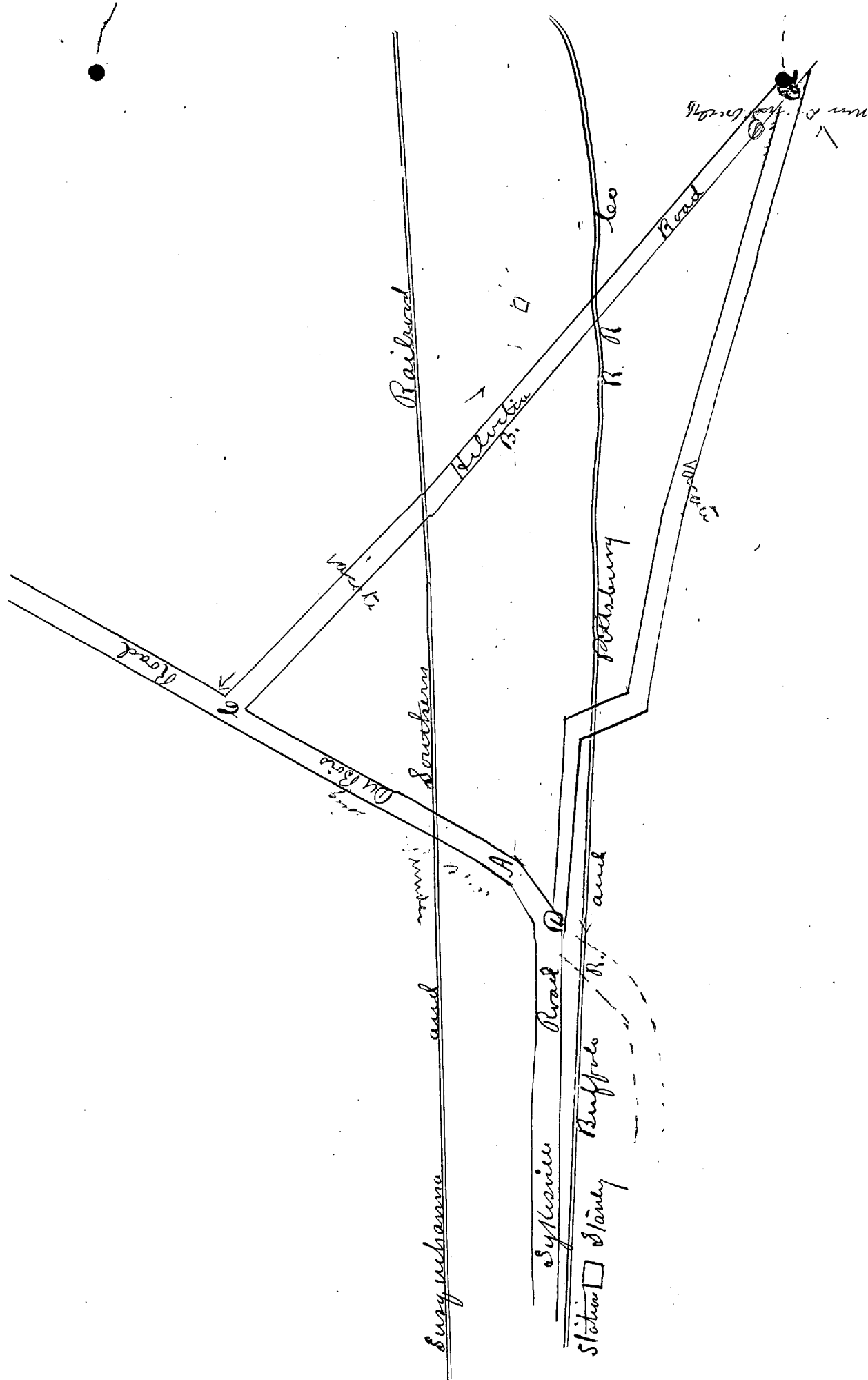
Clearfield County, SS:

Personally appeared before  
the subscriber J. Hamilton of Justice of the Peace who being  
duly sworn did depose and say that the facts stated in the  
foregoing petition are true, that the two pieces of road pro-  
posed to be vacated are inconvenient, useless and burdensome,  
and that the short strip of road proposed to be opened is nec-  
essary, that no damages will be sustained thereby, that the  
cost of the vacating and opening of the said roads will be  
borne by the Susquehanna & Southern Railroad Company, without  
expense to the said township or county.

Sworn and subscribed before me }  
this 10<sup>th</sup> day of June, 1904. }

G. B. Shugart

J. Hamilton



Let them for relaxation & supply  
of Public Roads in January  
1870.



Grant H. Thompson,  
Prothonotary.

Now this 22<sup>nd</sup> day  
of July 1904

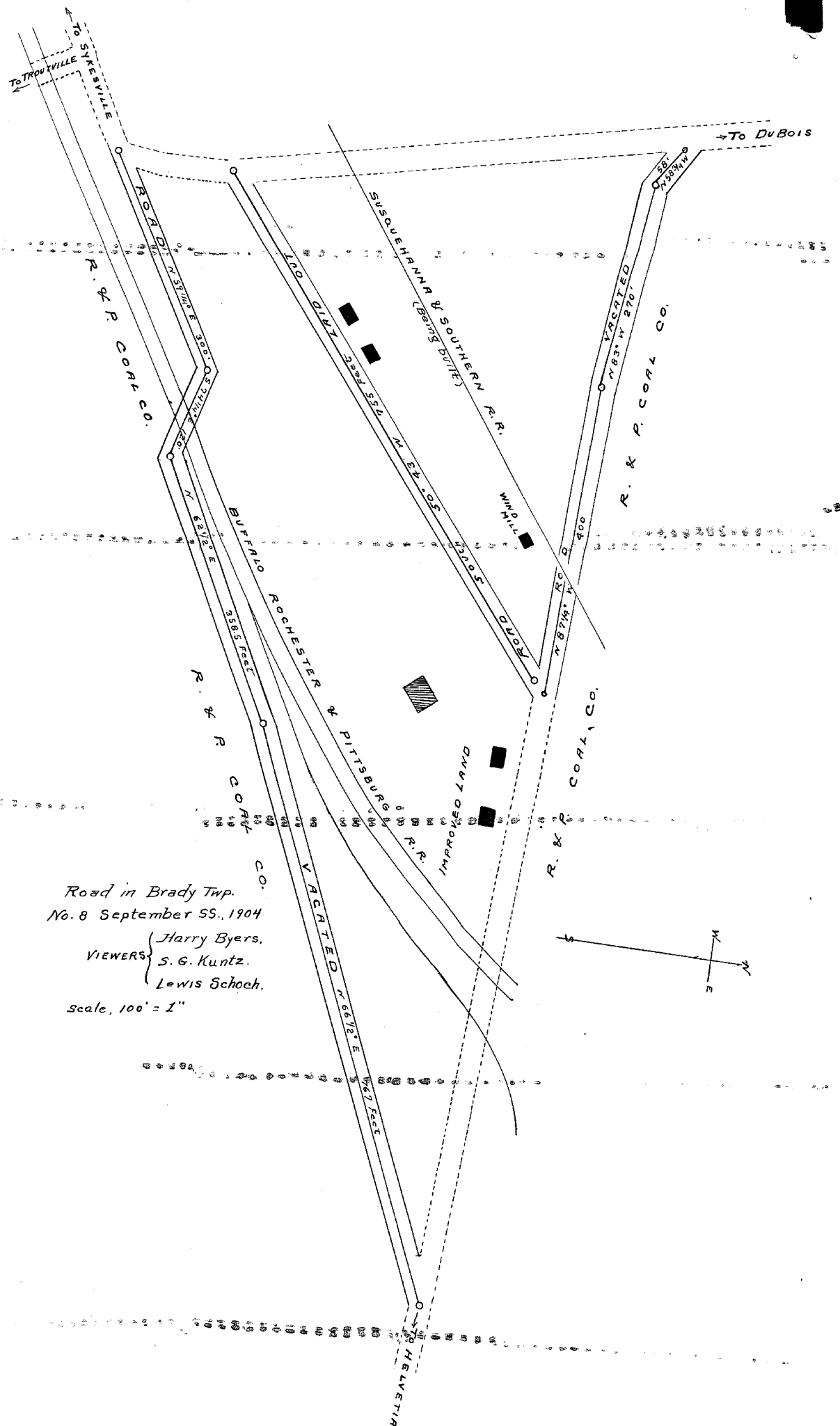
She within portions well  
considered therefor  
Harry Rogers, Samuel &  
Thurs and & river School  
and Harry estimate figures

To view locate & supply acid needs and report at next lesson, <sup>by the committee</sup> discuss & draft

WATROUS, MARSH & CHANNELL,  
WELLSBORO, PA.

LEGAL PUBLISHING COMPANY, ATMENS, PENNA

LEGAL POSITIONS COMPANY, INC. - 2017



Road in Brady Twp.  
No. 8 September 5, 1904

VIEWERS { Harry Byers,  
S. G. Kuntz,  
Lewis Schoch.

Scale, 100' = 1"

To the Honorable Allison O. Smith, president judge of the court of Quarter Sessions of Clearfield County Pennsylvania, we, the undersigned, viewers appointed by the within order of court to view and lay out and vacate the roads therein mentioned, respectfully report, that we gave good and lawful notice of the said roadview, by posting three notices in most public places in vicinity of roads ten days before the day appointed for the view, and with notice to supervisors and County commissioners attached hereto; That we met at the time appointed for said view, all being present at the view, and having been first severally sworn or affirmed, we viewed the aforesaid roads,- the roads for vacation being as follows: The first thereof, beginning at the turn of Sykesville road where the road turns toward the North toward Dubois in the village of Stanley thence North fifty-nine and one-fourth degrees East three hundred feet, thence South seventy four and one-fourth degrees East one hundred and twenty feet, thence North sixty-two and one half degrees East three hundred and fifty-eight feet and five-tenths, thence North sixty-six and one half degrees East seven hundred and sixty-seven feet to where the highway or crossroad intersects the Helvetia road just South East of the village of Stanley near the first small bridge South of Buffalo Rochester and Pittsburg, and the Susquehanna and Southern railroad now building; The second thereof beginning in said Helvetia road in the village of Stanley near the Tenant house of Rochester and Pittsburg Coal and Iron Company occupied by J.N. McIntyre near wind mill thence North eighty-seven and one fourth degrees West four hundred feet, thence North eighty-three degrees West two hundred and seventy feet, thence north fifty-eight and three-fourth degrees West fifty-eight feet to Dubois road a little North East of the village of Stanley thirteen perches North of the Susquehanna and Southern railroad crossing, which two short pieces of roads aforesaid have become useless inconvenient and burdensome and should in our opinion be vacated, - to supply the aforesaid roads we have laid out and do return for public use the following road to wit, beginning in the public road in the village of Stanley known as the Helvetia road near the dwelling house occupied by J.N. McIntyre near windmill thence South fifty degrees forty-three minutes West seven hundred and fifty five feet to post by Dubois road near the under crossing of the Susquehanna and Southern railroad and North of the point where the Dubois road intersects the Sykesville road in the village of Stanley, which road as laid out aforesaid is necessary in our opinion for a public road. A plot or draft of the roads as hereinbefore described is hereunto annexed.

Witness our hands this thirtieth day of August A.D. 1904.

*Harry Byers,*  
*D. H. Kuntz*  
*Lewis Schoch*



# Road Viewers' Notice!

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view, vacate and supply public Road leading from

as follows: 1. The road commencing at the turn of Sykesville road where the road turns to the north toward DuBois in said village of Stanley and ending where the highway or cross road intersects the Helvetia road just south-east of village of Stanley near the first small Bridge south of said railroads. 2. The short piece of road commencing in said Helvetia road in the village of Stanley near the tenant house of R. & P. Coal & Iron Co., occupied by J.N. McIntyre near Wind Mill and ending in said DuBois road, a little northwest of the village of Stanley at or near twelve rods above the S. & S. Railroad crossing. These should be vacated and a ~~new highway~~ and a new highway opened between said two railroads commencing in the public highway in the Village of Stanley known as the Helvetia road near the dwelling house occupied by J.N. McIntyre near Wind Mill and ending in the DuBois road near the under-crossing of S. & S. Railroad and north of the point where the DuBois road intersects the Sykesville road in the village of Stanley.

in Brady Township, in the county  
aforesaid, will meet at the house of J.N. McIntyre  
in Stanley--Brady  
Township, on Tuesday, the 30th  
day of August, A. D 1904, at 8 o'clock  
A. M., to attend to the duty assigned them, of which  
time and place aforesaid all parties interested will  
please take notice.

Harry Bvers.

Samuel G. Kuntz.

Louis Schoch.

Viewers.

Clearfield, Pa., August 20, 1904.

Duly and timely  
Served on us. This 24 day  
of August A.D. 1904

Supervisors of  
Brady Township

{ Henry F. Kirk Supt  
G.B. Shugrue Super

# Road Viewers' Notice!

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ~~vacate and supply public~~ Road leading from

as follows: 1. The road commencing at the turn of Sykesville road where the road turns to the north toward DuBois in said Village of Stanley and ending where the highway or cross road intersects the Helvetia road just southeast of Village of Stanley near the first small bridge south of said railroads. 2. The short piece of road commencing in said Helvetia road in the village of Stanley near the tenant house of R & P Coal & Iron Co., occupied by J. N. McIntyre near Wind Mill and ending in said DuBois road a little north west of the Village of Stanley at or near 12 rods above the S. & S. R. R. crossing. These should be vacated and a new highway opened between said two railroads commencing in the public highway in the Village of Stanley known as ~~Township~~ to the Helvetia road near the dwelling house occupied by J. N. McIntyre near wind mill and ending in the DuBois road near the under crossing of S. & S. R. R. and north of the point where the DuBois road intersects the Sykesville road in the village of Stanley.

in Brady Township, in the county aforesaid, will meet at the house of J. N. McIntyre, in Stanley-Brady Township, on Tuesday, the 30<sup>th</sup> day of August, A. D 1904, at 8 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers

Samuel G. Kuratz

Louis Schoch

Viewers.

Clearfield Co., Aug 20<sup>th</sup>, 1904.

Served on us this 22<sup>nd</sup>  
day of August A.D. 1904.

W.P. Roswell  
for County Comm.

1904

1178  
1177  
1176

112

112

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 17 day of July, A. D. 1904, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Brady, in said county, setting forth that

they later under grave inconvenience for want of a change in public highways in the village of Stanley and so that owing to the construction of the two railroads R.R.P.R. & Susquehanna R.R. the highways as at present located are inconvenient, dangerous and dangerous. "The road commencing at the town of Drydenville road where the road turns to the north passes to the north village of Stanley and ending where the highway or road intersects the R.R.P.R. road just south of village of Stanley, and the first equal bridge and of said railroads R.R. The above title of road commencing in said Stanley road in the village of Stanley near the house of R.R. Paul & son is occupied by J. N. McIntyre near wind mill and ending in said Stanley road at a little north of the village of Stanley at a place where above the S & S R.R. crossing there should be a bridge and a new highway opened between said two railroads commencing in the public highway in the village of Stanley near the S & S R.R. road near the dwelling house occupied by J. N. McIntyre near wind mill and ending in the Stanley road near the under crossing of S & S R.R. and north of the point where the Stanley road intersects the Drydenville road in the village of Stanley

and therefore praying the Court to appoint proper persons to view ~~vacate~~ <sup>lay out</sup> the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Syers, Samuel S. Smith, & Louis Schoch 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 ~~vacate~~ <sup>lay out</sup> 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.

Frank 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. 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.....*

.....  
.....  
.....

No. 8 Sept Sessions, 1904

## ORDER

To view, locate & supply a road for public use in the township of Brady, Clearfield County

Sept Sessions, 1904,  
read and confirmed N. Si.  
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  
Almon D. Smith

Dec. 21, 1904 Confirmed absolutely. By the Court  
Almon D. Smith

Filed 190  
Fee \$1.00 paid by *W. D. L.*

Grant H. Thompson,  
Prothonotary.

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.
<i>Harry Byers</i>	Days 3	
	Miles 35	15.50
<i>E. G. Kuntz</i>	Days 1	
	Miles 4	2.40
<i>Louis Schuch</i>	Days 1	
	Miles 4	2.40
<i>J. B. Mucasta</i>	Days 1	
	Miles 1	1.50
<i>Chairman</i>	Days	
	Miles	