

No. 8 Sept. 1904

COMMONWEALTH

VERSUS

Vacote & Supply Public
Road

in
Brady Twp.
R. S. #4 - Page 463

Charge

Part Bt. 338-8 per

WILLIAM I. SWOOPE.
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 & Pittsburg 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 enrollment
South of said railroad; second, the short piece of road commencing in the said Helvetia road in the village of Stanley, near the tenant house of the Rochester & Pittsburg 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.R. R. embankment, 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 ^{over the underdrain of 88 RR road} about 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	<u>Henry F. Kist</u>	<u>Chas. A. Schindley</u>
	<u>S. M. Smith</u>	<u>J. M. Vanhorn</u>
	<u>W. H. Selmer</u>	<u>John Payne</u>
Supervisor	<u>K. C. Harris</u>	<u>G. W. Pittenger</u>
	<u>J. F. Knott</u>	<u>W. S. Smith</u>
	<u>Wm. Basler</u>	<u>A. C. Linnell</u>
	<u>J. A. McElroy</u>	<u>B. M. Clark attorney for</u>
	<u>J. J. Farren</u>	<u>Rochester & Pittsburg Coal</u>
	<u>J</u>	<u>& Iron Co.</u>

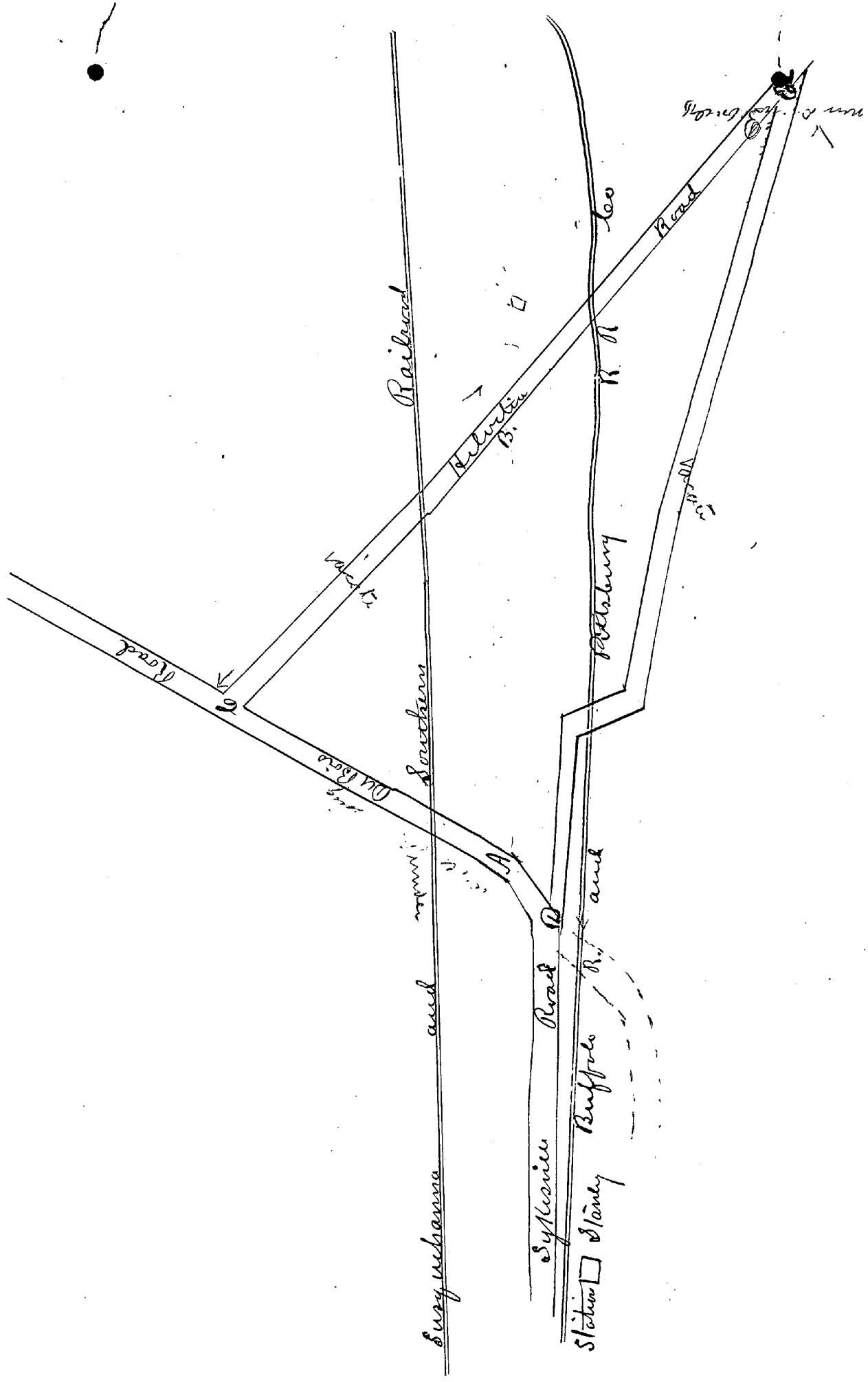
Clearfield County, SS:

Personally appeared before
the subscriber J. Hamilton, a 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 10th day of June, 1904. }

G. B. Shuey

J. Hamilton



8. Sept. 1904

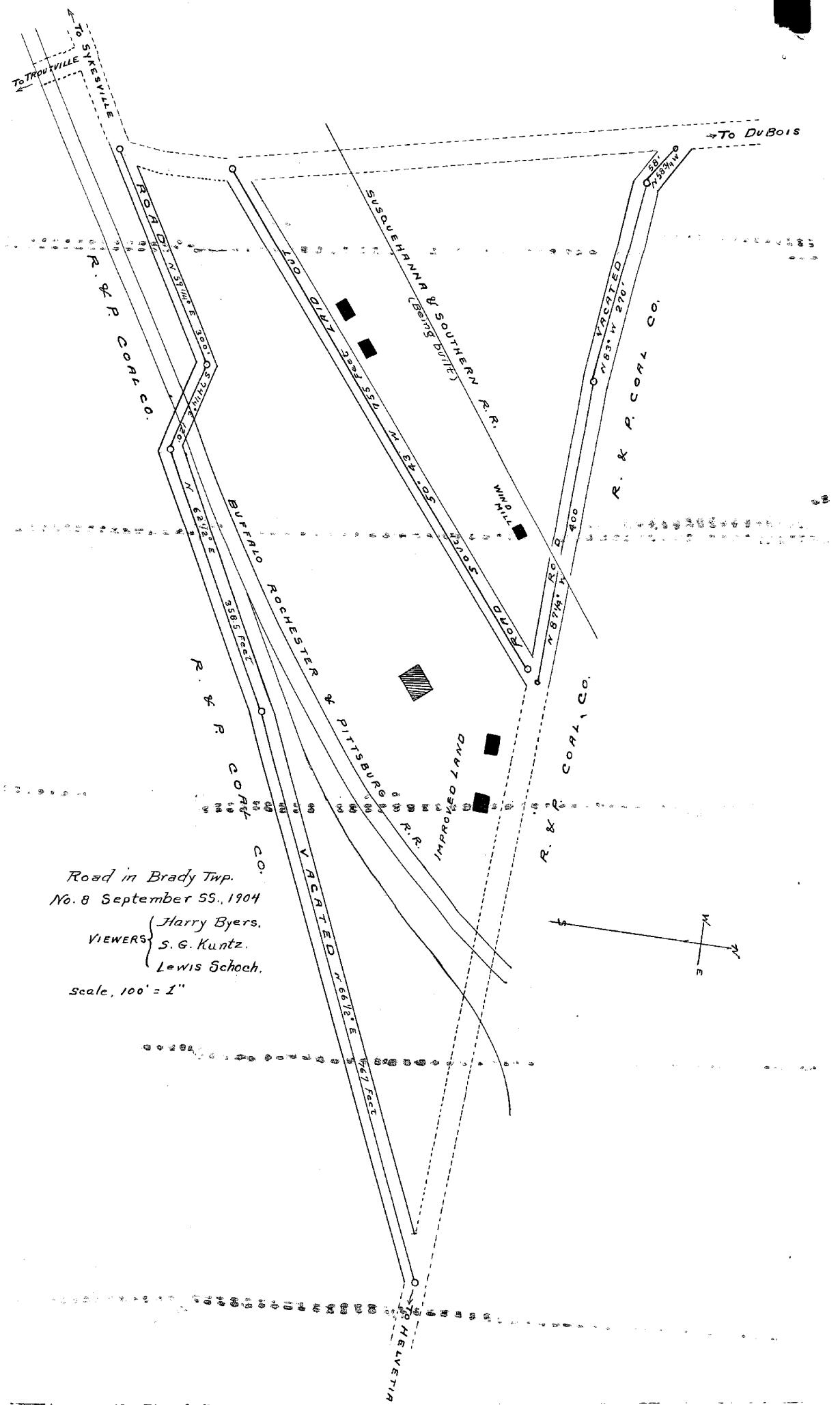
Petition for valuation hearing
of Public Roads in Franklin
County.

Grant H. Thompson,
Prothonotary.

Now this 12th day
of July, 1904
I, William Hutchinson
of Franklin Township,
Franklin County, Pennsylvania,
and formerly, attorney-at-law
to several local
Boroughs and towns and what
is now the town, Franklin,
Watrous, Marsh & Channell,
Wellsboro, Pa.

LEGAL PUBLISHING COMPANY, ATHENS, PENNA.

John H. McCaffrey



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 afore said 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.G. Kuntz
Lewis Schock

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~~ ^{improved} 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 Sept
G.B. Shugars 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 Sylkville 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 ~~Swamp~~ ~~Swamp~~ 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~~
~~Sylkville 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
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. Kuntz

Louis Schuch

Viewers.

Clearfield, Pa., Aug 20 1904.

Servedon us this 22nd
day of August A. D. 1904.

W. P. Rawles
~~for~~ County Engineer

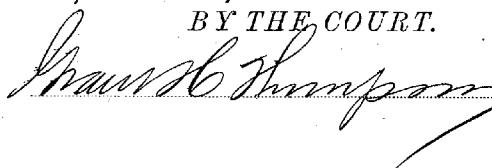
Clearfield County, ss:

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 17th 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 labor under great inconvenience for want of an change in public highways in the village of Stanley and to that owing to the construction of the two railroads D & S P.R.R. & Bay & Sandusky R.R. the highways as at present laid are inconvenient, burdensome and dangerous. The one commencing at the corner of Dyer's road where the road turns to the north going to work in said village of Stanley and ending where the highway or road road commences the D & S P.R.R. and just southward of the village of Stanley across the first great bridge over said railroads D. The other road of great convenience is said Dyer's road in the village of Stanley near the house of W. A. Paul & is now occupied by J. W. McIntyre near wind mill and ending in said Dyer's road a little northward of the village of Stanley at or near 12 rods above the D & S P.R. crossing. There should be established one a very highway equal between said two roads commencing in the public highway in the village of Stanley known as the Shultz road near the dwelling house occupied by J. W. McIntyre near wind mill and ending in the Dyer's road near the under crossing of D & S P.R. and south of the point where the Dyer's road intersects the Dyer's road in the village of Stanley.

and therefore praying the Court to appoint proper persons to view ~~vacate~~ & lay out the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint ~~James~~ J. Dyer, Samuel J. Funk & Lewis Schuch 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~~ 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.


Frank 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 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 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

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 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.

No. 3 Sept Sessions, 1904

ORDER

To view and supply a road for public use in the township of Dradby, Clearfield County.

Sept

Sessions, 1904
 read and confirmed Ni. 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 landholder J. Smith

Alvin J. Smith

Rec'd. 1904 August
 absolutely. By the said
 Alvin J. Smith

AMOUNT.
Wages \$35
Days 3
Miles 35
15.00
Days 1
Miles 4
2.40
Days 1
Miles 4
2.40
Days 1
Miles 1
1.50
Days 1
Miles 1
1.50

Filed	190
Fee	\$7.00 paid by <i>W. F. T. T.</i>
Grant H. Thompson, Prothonotary.	