

No. 2 Dec. 3, term, 1909

Vacate and Supply

Public Road.

in  
Versus

Brady Township -

Order for review Jan 25, 1910

R. S. S. - Page 157

Part  
R. S. S. - Page 157

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 21<sup>st</sup> day of January, A. D. 1900, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Brady, in said county, setting forth that

A petition was lately presented to said Court to ~~vacate~~ Dec. sessions, 1909, to vacate a certain public road beginning at a point near the residence of Ferdinand Gilley, now Samuel Hartfeld, and extending to a point on a public road leading from the Pennsylvania R. R. to the old Rishel mill, as well as to supply said road with a piece of road from a point at or near the William Wingert property, to a point on the Troutville road at or near the residence of W. L. Strawclutter. That the said viewers made and laid out the road as aforesaid, and decided that the part of said road in said petition should be vacated, which vacation of said road and conformation of same, and of that part to supply it, will be very injurious to the inhabitants of the township, through which the same will pass, your petitioners therefore pray your Honor to appoint three persons to <sup>view</sup> said road vacated and said road laid, and make a report thereof to the Court according to law,

and therefore praying the Court to appoint proper persons to <sup>view</sup> ~~vacate~~ <sup>vacate</sup> supply the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint J. S. McCloskey, H. E. Ginter, and J. K. Geiger, who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to <sup>view</sup> 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 <sup>vacate</sup>

~~to supply~~ 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.

Roll B. 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.....

To the Honorable Allison Q. Smith, President Judge  
of the Court of Quarter Sessions of Clearfield County--  
We the undersigned persons appointed by your Honor  
to "review, Vacate and supply" a certain Road  
mentioned in the within order, Having met at  
the time and place designated by notices legally  
served and posted, and having been severally sworn  
according to law, viewed the Roads mentioned and  
after hearing all the available testimony for and  
against proposed change, respectfully report as  
follows:-- That a Public road at this point is a necessity--  
That in our opinion your former viewers exercised  
good judgement in their findings, and we see no  
reason to recommend any change therefrom; that  
the vacation and supply by them recommended  
should be confirmed.

Respectfully submitted this  
7th day of April 1910  
Witness our hands.

J. M. Tracy  
A. E. Ginter.  
J. L. Snyder

Viewers

*Jefferson*

No. 2 Dec. Sessions, 1909.

**ORDER**

To review, re-rate and supply a road for public use in the township of Brady,  
Clearfield County.

May Sessions, 1910  
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 Court of Jefferson*

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.

Viewers 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.

AMOUNT.	Days						
100.00	167	17	17	17	17	17	17
120.00	167	17	17	17	17	17	17
300.00	167	17	17	17	17	17	17
420.00	167	17	17	17	17	17	17

Filed 190  
Fees \$1.25 paid by

Now July 5<sup>th</sup> 1910 the within report having agreed with former report of viewers said former Report was this day confirmed absolutely, which in effect also confirms this report. Costs of review ~~to also costs on exception to report~~ by petitioners.

*By the Court*  
*Allison O. Smith*

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

The petition of the undersigned inhabitants of the Township of Brady in said County, respectfully represents:

That a petition was lately presented to said Court to No. 2 December Sessions, 1909, to vacate a certain public road beginning at a point near the residence of Ferdinand Zilleox, now Samuel Hatrzfeld, and extending to a point on a public road leading from the Punxsutawney Pike to the old Rishel Mill, as well as to supply said road with a piece of road from a point at or near the William Wingert property, to a point on the Troutville road at or near the residence of W.C. Strawcutter

That the said Viewers made and laid out the road as aforesaid, and decided that the part of said road in said petition should be vacated, which vacation of said road and confirmation of same, and of that part to supply it, will be very injurious and burdensome to the inhabitants of the Township, through which the same will pass.

Your petitioners therefore pray your Honor to appoint three persons to Re-view said road vacated and said road laid out, and parts adjacent and make report thereof to the Court according to law, and they will ever pray, etc.

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

The petition of the undersigned inhabitants of the Township of Brady in said County, respectfully represents:

That a petition was lately presented to said Court to No. 2 December Sessions, 1909, to vacate a certain public road beginning at a point near the residence of Ferdinand Zillecox, now Samuel Kutzfeld, and extending to a point on a public road leading from the Punxsutawney Pike to the old Rishel Mill, as well as to supply said road with a piece of road from a point at or near the William Wingert property, to a point on the Troutville road at or near the residence of W.C. Strawcutter

That the said Viewers made and laid out the road as aforesaid, and decided that the part of said road in said petition should be vacated, which vacation of said road and confirmation of same, and of that part to supply it, will be very injurious and burdensome to the inhabitants of the Township, through which the same will pass.

Your petitioners therefore pray your Honor to appoint three persons to Re-view said road vacated and said road laid out, and parts adjacent and make report thereof to the Court according to law, and they will ever pray, etc.

W. Gould  
W. H. Gould  
D. D. Kramer.  
Eli. Frantz  
C. C. Haze  
S. S. Frantz  
Eli. Frantz  
Henry Haze  
Sylvester Durand  
G. W. Durand  
F. W. Durand  
J. R. Durand  
S. W. Smith  
Fred Smith  
John M. Potter  
D. G. Smith  
John Smith  
J. A. Rusch  
B. F. Rusch  
Lam. Robeson  
John Robeson  
L. J. Robeson  
J. H. Dunford  
W. A. Tapp  
C. L. Hartfield  
Henry Hartfield  
V. H. Bick  
E. Riddle

Daniel Smith  
Geo. Roach.  
H. C. Ross  
H. C. Ross  
W. J. Knarr  
E. Knarr  
P. J. Wood  
Sam. Blum  
William O'Neil  
H. Marshall  
H. C. Marshall  
Decid. Marshall  
W. T. Marshall  
W. D. Young  
L. McCracken  
R. W. Ellingau.  
William Haze.  
Martin Haze  
W. D. Weber  
William Haze  
J. F. Knapp  
John Knapp  
Thomas Haze  
Frank Pierce  
John Hoover

C. C. Woods  
C. L. Knarr  
G. A. Knarr  
Jacob Knarr  
L. F. Knarr  
A. Knarr  
K. Knarr  
S. Knarr  
J. Knarr  
F. R. Knarr

P. S. Ellinger

W. A. Kunkle

Geo. W. Weber

E. Weber

John, H. Schmidly

P. S. Kunkle

L. E. Kunkle

H. N. Kunkle

J. F. Kunkle

A. F. Kunkle

Daniel W. Hauck.

Nash Lewis

S. C. Muth

C O Swartzlander

J. H. Hartfield

J. H. Hartfield

B M Marshall

C. A. Melinsley

Philip Lewis

J. C. Smith

Garrison Taylor

W. M. Snyder

of a Garrison

Jas. B. Kirk.

Jac. Hagg

Elmer Hayes

Jacob Kunkle

M. H. Thompson

Geo. K. Weber

H. G. Weber

James Koppshaver

W. P. Weber

Lawrence Luther

J. E. Southard

Geo. Twenty

S. H. Lewis

F. E. M. (no name)

J. M. Lewis

L. G. Schmidly

Peter Leonard

James D. Ellinger

J. H. Kunkle

Geo. Kunkle

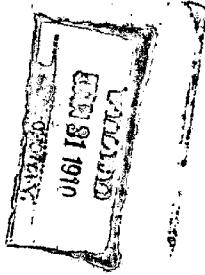
Frank H. D. Kunkle

C. G. H. H. Kunkle

Return to Review Board to  
no 2 Sec. 88. 1968

25 Jan. 1970 publication and  
transcription by W. M. Young  
H. G. Smith & J. G. Smith

unpublished Review  
is required for the review  
to appear Trans. Am. Assoc.  
of Envir. & the Earth  
William D. Smith  
D.J.



Reg'd. Review

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In re public road in Brady Township.

To George Smith, Samuel Wingert  
John F. Wingert.

You are hereby notified that a petition will be presented to the Court of Quarter Sessions on Monday the 15<sup>th</sup> day of September at 10:00 o'clock A. M. for the appointment of viewers to view, vacate and supply that part of a public road in Brady Township, from a point at or near the residence of Samuel Hartfeld to a point on a public road leading from Punxy Pike to the old Richel Mill, between the properties of William Wingert and J. P. Ellinger.

We hereby accept service of said notice.

George Smith  
Samuel Wingert  
John F. Wingert, Jr.

Sept 20<sup>th</sup> 1909,

Accepted service for the  
Commissioners of Clearfield County

J. C. Morris  
Clerk

Know all men by these presents, that we, William Wingert and J. H. Edinger of the County of Clearfield, Penn'a are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of Fifty (\$50) Dollars, to be paid unto the said Commonwealth, her certain Attorney or assigns, to which payment well and truly to be made and done, we do bind ourselves, our heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with our seals and dated the 8<sup>th</sup> day of September A. D. 1909.

Whereas, William Wingert and others have made an application to vacate and supply a portion of a road in Brady township, leading from a public road at or near the residence of Samuel Hartzfeld to a point on a public road leading from Punx'y Pike to old Rishell Mill, between the properties of William Wingert and J. P. Ellinger.

Now the condition of this obligation is such that if the said William Wingert shall well and truly pay or cause to be paid any costs that may be charged under the Act of Assembly, by the said Court of Quarter Sessions, to him or other petitioners, then in that case, said Bond to be null and void otherwise to be and remain in full force and virtue.

William Wingert (SEAL)

J. H. Edinger (SEAL)

\_\_\_\_\_  
(SEAL)

✓v

In broad stripes  
Snow in May  
Not

Some of Others

In the Court of Quarter Sessions of Clearfield County.

To the Honorable, the Judge of said Court:

The petition of the undersigned citizens of Brady Township, respectfully represent; That a public road has long since been laid out from a public road at a point at or near the residence of Ferdinand Zilliam, now Sam. Hartzfeld, and extending to a point on a public road leading from the Punxsutawney Pike to the old Rishell Mill; that a portion of said road, between the farm property of William Wingert and the property of J. P. Ellinger, by reason of the steepness of the grade and hardship to keep same up, has become burdensome and useless to the Township; that the said Township has a road now leading from a point at or near the house of J. P. Ellinger to a point on the public road leading to the Borough of Troutville; that said petitioners, by reason of the steepness of said piece of road, desire to vacate a portion of the above mentioned road, from the point at or near the farm house of William Wingert to a point at or near the residence of J. P. Ellinger, and supply the same with a piece of road from a point at or near the William Wingert property to a point on the Troutville road, at or near the residence of W. C. Strawetter.

We therefore pray your Honorable Court to appoint viewers to view, vacate and supply the above portion of said road; and they will ever pray,

William Wingert  
Wm. P. Wingert  
W. C. Stranutter  
R. P. Reid, Jr.  
T. E. Echelberger  
Norman Don...  
George Smith  
Samuel Wingert  
Geo. Wingert  
J. A. Marshall  
H. T. Luther  
R. J. Kopp  
G. B. Shugars  
Geo. R. Nebr  
W. J. O'Connell  
Dr. H. Hartfeld  
Barbara B. Lipp  
William of Biam  
Frederic Marshall  
L. F. Lipp, Jr.  
Emanuel Bloom  
J. F. Wingert, Jr.

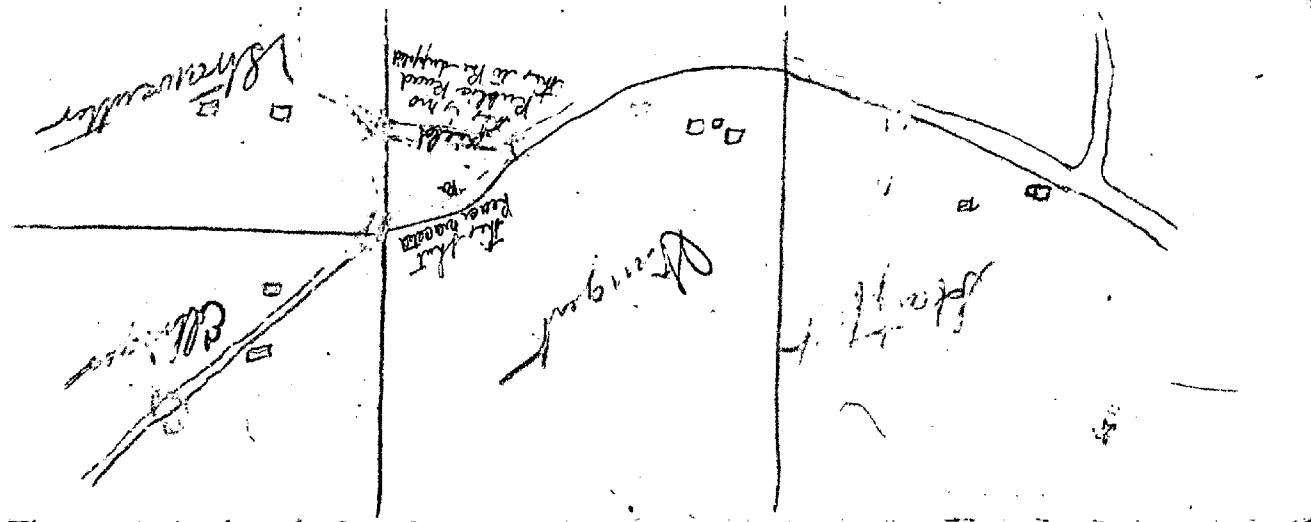
Geo. F. Wingert  
Adam Ruth  
Caleb Faasch Jr  
H. J. Wingert  
D. W. Faasch,  
B. D. Beck  
S. S. Hartfeld.  
J. H. Hartfeld  
Geo. W. Galentini  
C. D. Swartzlander  
J. P. Galentine  
S. F. Hartfeld  
Nicholas Pears  
Isaac Gearhart  
H. L. Haag  
S. F. Grap  
Adams Harry  
A. F. Wier  
Samuel Barnes  
Thos. J. Frank  
H. C. Earford

b. R. Muth  
George Haffeld

Chas. Lee, A. A. 1909

big, soft stuff.  
Put on now, in  
Moody meeting

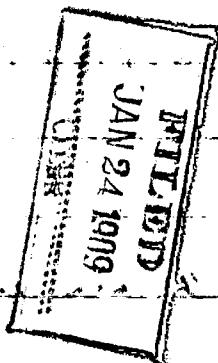
Ms. A. 1. 1. 1909  
Atches Hilltop Moon  
and Concord and  
Harry By the Diamond  
Working my f. 2. 1909-10  
Associate Director of  
Space Station Concord  
and smaller report of  
Space Station Concord  
of Concord by the Concord  
Associate Director of  
Space Station Concord



162 Sec. 55, 1/40

Rep. Rept. Recd. 1/20  
Rep. Rept. Recd. 1/20

to be filed  
in office of Rep.



Rep. Rept. Recd.

In Re public's Report & the court of Quarter Session  
vs. Brady & C. } of charged fee  
} no. 2 Dec 38 1909

24 Jan'y 1909 accepted by their attorney Berg Hol-  
kens - regards to the confirmation of the report in  
this case for the following reasons:

- 1 The petition is that care does not set out a definite be-  
ginning point or ending point.
- 2 The petition does not set forth in what town  
Ship said road is located
- 3 The petition is vague indefinite and does not indi-  
cate any road in particular by description
- 4 The Report of viewers does not show the starting or ending  
points set out in the petition
- 5 The report of viewers does not fix definite beginning  
or ending point either in the map or report

Berg Holkens  
Atty for defendant

# Know all Men by these Presents

THAT We, J.P. Ellinger, and  
of the County of Clearfield, are  
held and firmly bound unto The Commonwealth of Pennsylvania,

in the sum of Fifty Dollars,

lawful money of the United States of America, to be paid to the said  
Commonwealth, or its

certain Attorney, executors administrators or Assigns: to which payment well  
and truly to be made, we do bind and oblige ourselves, our heirs, Executors,  
administrators and assigns, firmly by these Presents.  
Sealed with our Seals:

Dated the Twentieth day of December in the year of our Lord one thousand  
nine hundred and Nine.

WHEREAS, J.P. Ellinger, of the County of Clearfield and State  
of Pennsylvania, et al, have made an application to Re-view a certain  
road laid out to No. 2, December Sessions, 1909, in the Township of  
Brady.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said  
J.P. Ellinger shall well and truly pay or cause to be paid any costs  
that may be charged under the Act of Assembly by the said Court of  
Quarter Sessions to him, or other petitioners, then in that case  
said Bond to be null and void; otherwise to be and remain in full  
force and virtue.

Signed and sealed in  
presence of :

C. E. Donahue  
J. Hamilton Jr  
James Ellinger

J. P. Ellinger (SEAL)  
W. G. Hartfield (SEAL)  
James Ellinger (SEAL)

B O N D

J.P. ELLINGER, ET AL

TO

COMMONWEALTH OF PA.

# BRIDGE VIEWERS' NOTICE

**NOTICE IS HEREBY GIVEN** that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view a Bridge at a point where the public road...

leading from to Mahaffey crosses Stump Creek, near Stanley Station.

in ..... Brady ..... Township, in the county  
aforesaid, will meet at said place on ..... Wednesday .....

XXXXX, the Sixth day of  
April, A. D. 190<sup>10</sup>, at 2 o'clock  
P M., to attend to the duty assigned them, of  
which time and place aforesaid all parties interested will please take notice.

J. S. McCreery

Leander Denning

J.E.Kratzer

## Viewers.

Kerrmoor, Pa., March 19, 1910, 190

Service of within notice accepted this 24 day of March 1910.

J. L. Morris For the County Comm'rs  
Clerk

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, <sup>Re</sup> to view vacate and supply Road leading from a point near Samuel Hartzfeld's residence

in BRADY Township, to a point on the road leading from the Punx'y Pike, to the old Rishel Mill. SUPPLYING same by a road from at or near Wm. Wingert's to the Troutville road,

in BRADY Township, in the county aforesaid, will meet at the house of Wm. Wingert',  
in BRADY Township, on Thursday,  
the 7 day of April A. D. 19<sup>10</sup>, at 9.30 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

J. S. McCleery

H. E. Ginter

J. K. Seyler

VIEWERS.

Kerrmoor, Pa., 3/19, 19<sup>10</sup>

Service accepted of within notice this 24 day of March 1910.

L. G. Morris. For County Commissioners.  
Clerk

Make return on back of this copy.

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, <sup>Re</sup> to view vacate and supply Road leading from a point near Samuel Hartzfeld's residence

in BRADY Township, to a point on the road leading from the Punxsutawney Pike to the old "Rishel Mill". SUPPLYING same by a road from at or near Wm Wingert's to the Troutville road

in BRADY Township, in the county aforesaid, will meet at the house of Wm Wingert,  
in BRADY Township, on THURSDAY,  
the 7 day of APRIL A. D. 190<sup>10</sup>, at 9.30 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

J. S. McCleery

H. E. Ginter

J. K. Seyler

**VIEWERS.**

Post four notices, a copy of the within, in public places in the Township of Brady, in the vicinity of said road and serve one on Wm. Wingert, property owner and John F. Wingert and

supervisors, more than ten days before the date of the review.

William Wingert

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, <sup>Re</sup>view vacate and supply Road leading from a point near Samuel Hartzfeld's residence

in BRADY Township, to a point on the road leading from the Punxsutawney Pike to the old "Rishel Hill", SUPPLYING same by a road from at or near Wm. Wingert's to the Troutville road.

in Brady Township, in the county aforesaid, will meet at the house of Wm. Wingert, in BRADY Township, on THURSDAY, the 7th day of APRIL A. D. 1909, at 9:30 o'clock A.M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

J. S. McCreery

H. E. Ginter

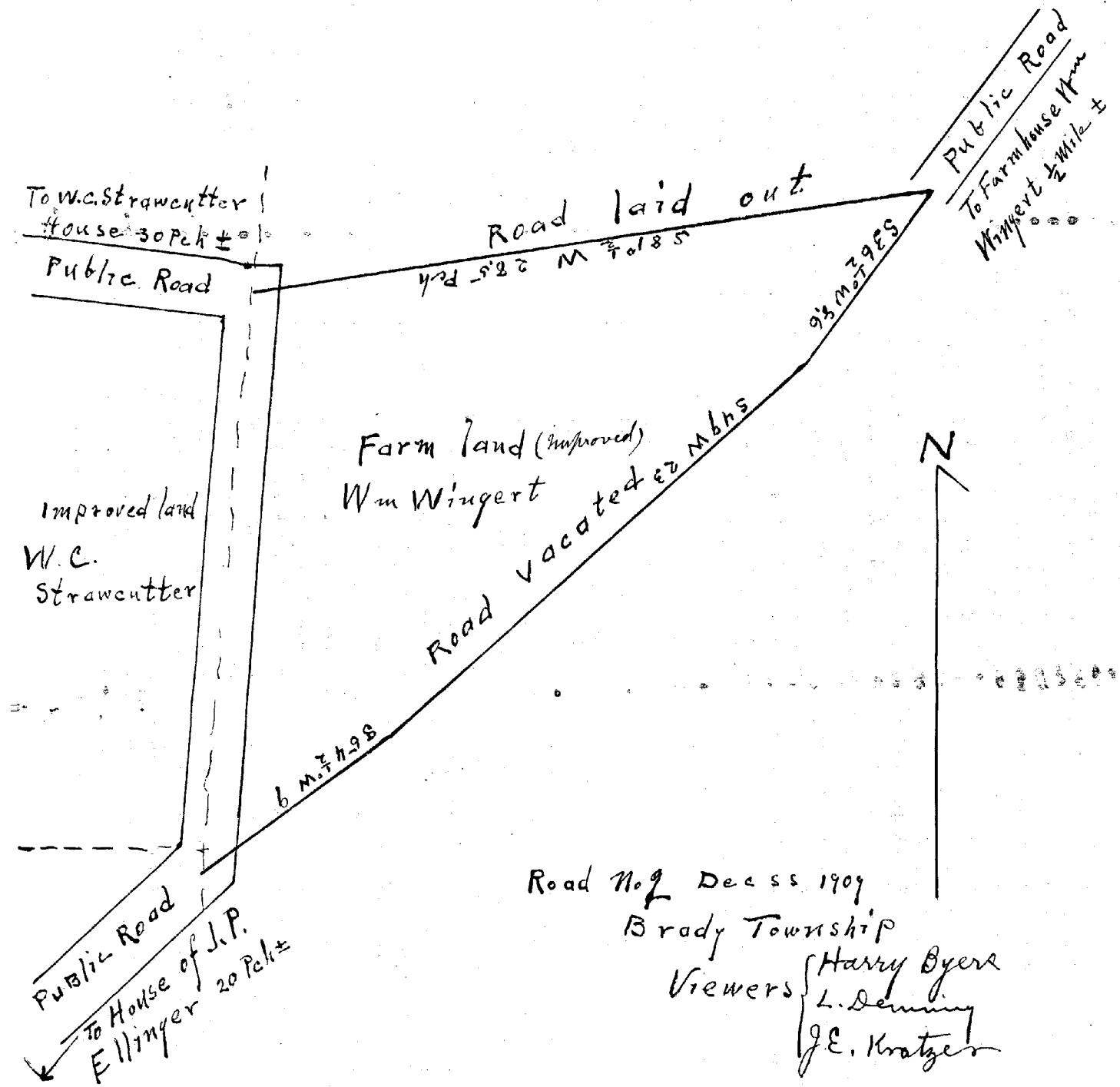
J. K. Seyler

VIEWERS.

Kerrmoor, Pa., 3/10, 1909.

July 25<sup>th</sup> 1910

Accepted license for  
the Beaufort County Commissioners  
S. G. Morris  
license



# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view and vacate public Road leading from a point at or near the farm house of William Wingerter to a point at or near the residence of J. P. Ellinger in

in Brady Township, to supply same with a road from the point at or near William Wingerter property to a point on the Troutville road at or near the residence of W. C. Stravocutter

in Brady Township, in the county aforesaid, will meet at the house of William Wingerter aforesaid, in Brady Township, on Tuesday, the 9 ~~th~~ day of November A. D. 1909, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

Harry Byers  
L. Denning  
J. E. Kratzer

VIEWERS.

Clearfield Pa Oct 30, 1909.

service of writing no-  
tice accepted this 1st  
day of November 1909  
J. L. Johnson  
Clerk  
for Commissioners of  
Oconee and  
Clayton Counties

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view and vacate public Road leading from a point at or near the farm house of William Wingerter to a point at or near the residence of J. P. Ellinger

in Brady Township, to supply the same with a road from the point at or near the William Wingerter property, to a point on the Troutville road at or near the residence of W. C. Strawetter

in Brady Township, in the county aforesaid, will meet at the house of William Wingerter aforesaid, in Brady Township, on Tuesday, the 9<sup>th</sup> day of November A. D. 1909, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

Harry Byers  
L. Delinny  
J. E. Kratzer

VIEWERS.

Clearfield Pa Oct 30, 1909.

Service of within notice  
accepted this 2nd day  
of November 1909

{ Jno. Ellington, Secy  
George Smith Pres

William Ellington

and reference to the improvements through which it passes, and to the persons entitled to a  
cure 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.

*Roll B. Thompson*

Clerk.

— Wherever property  
is or may be needed the President  
or other officer

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 22 day of Sept, A. D. 1909, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Brady, in said county, setting forth that

a public Road has long since been laid out from a public road at a point at or near the residence of Ferdinand Gillies now Sam Hartfeld, and extending to a point on a public road leading from the Penny Elk, to the old Risches Mill, that a portion of said road, between the farm property of Wm. Winger and the property of J. P. Ellinger, by reason of the steepness of the grade and hard clay to keep the same up, has become burdensome and a curse to the Township; that the said Township has a road now leading from a point at or near the house of J. P. Ellinger to a point on the public road leading to the borough of Troutville. that said petitioners by reason of the steepness of said piece of road, desire to vacate a portion of the road from the point at or near the farm house of Wm. Winger, to a point at or near the residence of J. P. Ellinger and supply the same with a piece of road and therefore praying the Court to appoint proper persons to view and supply the same according to law, Report to next term and whereupon the Court, upon due consideration had of the premises, do order and appoint S. Byers, L. Denning, J. G. Kratzer 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 Vacate & Supply 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

*to run from the point or terminus  
to point or terminus  
W. C. Stover*

## 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 County of Clearfield at and before the sealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said County of Clearfield 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 11th day of November  
A. D. 1909.

William Winger Seal

Seal

Seal

Seal

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## 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 .....

To: The Honorable Allison Q. Smith President Judge  
of the Court of Quarter Sessions of Clearfield County Pa  
The undersigned never appointed by the within order  
of Court to view, vacate and supply the road There-  
in mentioned respectfully report That we gave  
good and lawful notice of the said road view  
and met agreeable thereto the undersigned and  
a number of citizens being present of whom only  
one opposed vacating and supplying That we were  
severally sworn or affirmed and viewed the  
roads mentioned and have vacated the following  
road to wit beginning at post in road near Farm house  
of William Winger being on the road from Hartfeld to road  
leading from Pumpp road to old Rishell Mill Thence  
 $3\frac{36}{2}^{\circ}$  W 8.6 perch S 49° W 23 perch thence S 54 $\frac{1}{2}$ ° W 9 perch  
to point on said road where it joins road from Rishell mill  
to Pumpp road near house of J.P. Ellinger ~~Whence~~ road  
has in our opinion become useless inconvenient  
and burdensome and should therefore be vacated and  
having viewed ground for proposed new road we  
have laid out and do return for public use  
a road beginning at starting point of said road vacated  
near farm buildings of William Winger Thence 58 $\frac{1}{2}$ ° W  
through improved land of William Winger 285 perches  
to a point on the road to Troutville or near the  
residence of W.C. Shawcutter which road  
as laid out is necessary in our opinion for a  
public road. A draft of said road showing courses  
distances and improvements is hereto attached.

Witness our hands This 16th day of November  
A.D. 1909

Harry Byers.

L. Denning  
J. E. Craig

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.

Viewers 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.

AMOUNT.
Days 2
Hours 24
Miles 20
\$ 13.00

No. 2 Dec. Sessions, 1909

ORDER

To viewer William Smith of a road for public use in the township of Brady, Clearfield County

At Clearfield Sessions, 1909, 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 15 feet wide. 37 the said William Smith.

W. W. Smith

Filed 190  
Fees \$1.25 paid by W. W. Smith  
W. W. Smith

Now July 5<sup>th</sup> 1910, exceptions having been filed to the report in the above stated case, which resulted in a paper having been presented January 25<sup>th</sup> 1910 for a re-view and said re-viewers having been appointed and having made report to May Sessions in favor of the road as previously laid out by the former viewers. Now therefore, it is hereby ordered and decreed that the said Report of viewers to December Sessions, 1909, be conformed absolutely and the road to be vacated and laid out as provided in said Report.

Exceptions overruled

By the Court  
Allison J. Smith