

No. 9 Sept Term, 1881

Public Road

versus

Brady Duf

Contents :

B-7

A. M. 1881

Clearfield County

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the Twenty-seventh of September A. D. 1880, before Judges 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 a public Road leading from a public Road at or near Benjamin Bonsoms Brady Township to a point in a public Road at or near the Snyder School House in said Township

and therefore praying the Court to appoint proper persons to view and lay out the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint Eco. G. King, Thos Brockbank and John Holders 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 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 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 lands 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 the 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 lands 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,

Eli Bloom
11/11
Clerk.

RELEASE OF DAMAGES.

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, owners of the 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, lease 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. 188

SEAL

SEAL

SEAL

SEAL

ASSESSMENT OF DAMAGES.

The following named 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. 188

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.

To the Honorable, the Judges within named: We the undersigned appointed by the annexed order do report; that in pursuance thereof after having been severally duly sworn according to law, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and we do agree that there is occasion for a road as desired by the petitioners. And having had respect to the shortest distance and the best ground for such road, we have laid out in such manner as shall, in our opinion, do the least injury to private property, and as far as practicable agreeably to the desire of the petitioners, and do return for public use the following described road, to wit; Beginning at a Post in the public road near Benj. Carson's, on land of a Petty Jr.; thence $8.71^{\circ} E.$ twenty-six perches to a post; thence $5.85^{\circ} E.$ seven perches to Post; thence $5.65^{\circ} 30' E.$ forty-six and a half perches to a White Oak; thence $5.55^{\circ} 30' E.$ Seventeen perches to a Chestnut; thence $5.88^{\circ} 30' E.$ forty-six perches to Post in public road near Seyler School House. We further report that we have inquired and do vacate the following described public road, viz Beginning at a Post, first above mentioned, thence by the several courses & distances thereof, to a Post in the public road leading from Shol Lines to Seyler School House, near E. R. Imboden, which by reason of the laying out of the first mentioned road has become useless, and we further report that there are no damages resulting to any one through whose land said road passes. We further report, that before said view, public notice of the time and place of the meeting of the viewers was given by advertisements put up at three of the most public places in the vicinity, ten days before said meeting, and we annex a plot or draft of said road laid out, stating the courses and distances, and noticing briefly the improvements through which the same passes, as well as of said road vacated.

Witness our hands
this 22^d day of November A.D. 1880.

Geo. C. Kirk } Q. C.
John Alder } C. C.
W. B. Workman } E.

No. 9 Sept Session, 1880

ORDER

To view and lay out a Road

For Public Use in the township

of Bradley Clearfield county.

Geo. C. Knish Ida. Ida. Cerk

J. Brockbank J. " "

John Holden J. " "

and now of "July 1881 before
convinced in the said Knish
to be opened 35 feet
wide except where there
is cutting, dredging
them to be 16 feet wide
and continued to state, may 25
1881, by the County

Filed 26 Dec 1880

FEES \$1²⁵ Paid by J. Brockbank

To the Judges of the Court of Quarter
Sessions, in and for Clearfield County;
The petition of the subscriber respectfully
sheweth: That they labor under great in-
convenience, for the want of a public road
to lead from a point in a public road at
or near Berry Carson's in Brady twp. to a po-
int in a public road at or near the Seyler
School House in said township, they therefore
pray the Court to appoint persons duly
qualified to view the ground proposed for
said road, and to lay out the same accord-
ing to law, with power to vacate the public
road leading from the first mentioned point,
to a point in a public road at or near the
corner of E. R. Imboden's land.

Names.

Names.

J. Hamilton	
Daniel Woodard	
J. B. Carlile	
E. Gardner	
O. M. Seyler	
J. H. Edinger	
C. Burkett	
J. H. Bailey	
R. H. Kirk	
Adam Muth	
John Limes	
W. B. Postlethwait	

No. 9 Sept. 21 1880

Retiring for Winter
For Rock Cocking
From Big Canons
& Upper Schookum
in Brule Co.

End now Oct 2nd 80
See it later. This
Brule has, and
John Mueller or
Oppenius viewers
By the fourth
P.M. 0

Filed 2 Oct 1882

Brule

John C. Moore
Thomas Gines
D. P. Sterling
E. R. Omboeder