

No. 12

at Term, 18

#12-547

Public Road

versus

Deft H. Inad
Townships

Contents :

R.S. #2 - By...

Twp. Rd. 17347

Line between Brady and Bell Twp's.

John Reiter.

Improved
Land
N. 13° E.
38 Pr.
House.
Barr.
N. 21° 30' W.
20 1/2 Pr.
Stone

S. 88° 30' E.
36 Pr.

Hem. stump.

Henry Weber

Improved Land.

Old Hem. stump.

23 Pr.

N. 81° 45' E.

House

Chastnut stump.

Barr.

N. 83° E. 8.8 Pr.

Public Road to
Sugghanna River

Post-vin Road.

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-



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 Henry Weber the sum of Twenty dollars.

To _____ the sum of _____

To _____ the sum of _____

Witness our hands this 16th day of Novr A. D. 1880.

Geo. C. Hark

A. E. Ginter

John W. Kuntz

Witnessed

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.

Clearfield County, Pa.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 2nd day of October A. D.

1880, before Judges of said Court, upon a petition of sundry inhabitants of the Township of Bell & Brady in said county, setting forth that they labor under

great inconvenience for want of a public Road from a point on Bell & Brady Township line John Reiter House to a Public Road leading from Rishel & Schuckers Grist Mill to Susquehanna River at a point near said Mill in Brady Twp

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 Geo. C. Hinkle H. E. Genter & John W. Huntz 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
Clerk
(14 77)

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 mention road, and we do agree that there is occasion for a road as desired by the petitioners, and that same is necessary for a public road. 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 stone in the Bell twp. line; thence N. 21° 30' W. Twenty and a half perches to a post; thence N. 13° E. thirty-eight perches to a post; thence S. 88° 30' E. thirty-six perches to a Hemlock stump; thence N. 73° 45' E. sixty-three and 7/10 perches to an old Hemlock stump on land of Henry Weber; thence N. 81° 45' E. twenty-three perches to chestnut stump; thence S. 83° E. eight and 7/10 perches to a post in the public road leading from Rishel + Schuckers Grist Mill to Susquehanna River. We further report, that before the 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, and also assessment of damages in favor of Henry Weber.

Witness our hands this sixteenth day of November A.D. 1880.

Geo. C. Kirk.

H. E. Ginter

John W. Kuntz

Viewers.

from 1st 1882 Con-
firmation returned
By the Court
p. No 1

No 12 Sept Session, 1880

ORDER

To view and lay out a Road

For Public Use in the township

Of Barrely Clearfield county.

Geo. C. Smith, Wm. A. 7 mi. Ct.

H. E. Smith, 1 " 3 "

J. W. Smith, 1 " 4 "

And more " July 1881

Report confirmed in
road to be opened 33 feet
wide & except where there is
cutting or bridging there
to be 16 feet wide

By the Court

~~And more " July 1881~~

~~Confirmed October 1881~~
By the Court

Filed 3 Dec 1880

FEES \$1, Paid by A. G. Hammond

Receipt granted

REPLICATION PRINT

was 2nd 1881
By the Court

Clearfield County, ss.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 23^d day of Mar A. D. 1881, before Judges of said Court, upon a petition of sundry inhabitants of the Township of Brady in said county, setting forth that they a road has lately been laid out to lead from Bell and Brady Twp line at or near John Reiter's house to a public road leading from Richel Schuekers' grist mill to Susquehanna River at a point near said mill in Brady Twp and that if said report is confirmed by the Court it will become unnecessary burthenous to the inhabitants of said Twp

and therefore praying the Court to appoint proper persons ^{re} to view and lay out the same according to law, and make Report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint Thos W Moore Alex Shea & John Smith who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to, ^{re} view the grounds proposed for said road, and if they ^{re} 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,

James Kerr
Clerk.
per auct

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 sealing 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 .



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 No Damages the sum of Claimed by any

To _____ the sum of one

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.

Aug 16th 1882

Wm. H. H. H.

By Wm. H. H.
as a man
P. H.

June 1st 1882
Confed absolutely
By the Court
J. H. O

No 12 Sept Session, 1880	
ORDER	
To view and lay out a Road	
For Public Use in the township	
Of Brady Clearfield county.	
Now Oct 7 th 1881 Report read and confirmed the the Road to be opened 30 feet wide except where cutting & bridging is necessary then to be 16 feet wide By the Court	
Filed 7 Oct	1881
FEES \$1, Paid by	
AMERICAN PRINT	

Booth to order

To the Honorable Judges within named Over the under
signed Reviewers appointed by the foregoing order of Court to review
the road therein described Do Report. that after first having given
due notice of the time & place of meeting by advertisements put up accord-
ing to law we all met and being duly affirmed did proceed
to view the ground on which said road had been located
and we are of the opinion that by the running & locating
of said road great damage has been done to the Property
of Henry M. Weber one of Your Petitioners by reason of said
road running through said Webers cleared lands in an
angling direction with his lines & fences and that said
road as located would be of no use to said Weber for ingress
or egress to his fields as the surface of the land is very steep
and as the damage awarded said Weber was only a trifle
in comparison to that sustained if said road was confirmed
which and for other reasons not mentioned we are of the opinion
said road should not be confirmed and that the petitioners for
said road would be equally accommodated by the following
road which we have laid out and return for Public use
Beginning at a Stone corner of land of H. W. Weber & John Reiter and
on the line of Bell & Brady township thence S 86 1/2° E one Hundred &
twenty five Perches to the Public road leading from Richel & Schuckes Dist
Mill to the Susquehanna River a Plot or Draft of which we
hereto annex. No Damages being claimed by any one

In witness whereof we have hereunto set our hands
this twelfth day of September AD 1888 -

Healey Moore

A. J. Ho

John Smith

Reviewers

(over)

1	
2	
3	
4	Viewers time
5	Thos W Moore 3 days 18 miles Cert 19 Oct 1887
6	John Smith 2 " 10 "
7	A Shea 1 " 7 "
8	Chairman
9	W. A. Mann 1 Day
10	
11	
12	
13	
14	
15	
16	
17	
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Clearfield County, Pa.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 22 day of March A. D.

188/; before Judges of said Court, upon a petition of sundry inhabitants of the Township of Bell & Brady in said county, setting forth that a road has been

lately laid out by Order of the Court leading from Bell & Brady Township line at or near John Reiten's house to a public road leading from Richel & Shueh's Grist Mill to the Susquehanna River at a point near Saw mill in Brady Township which road if confirmed by the Court will be very injurious to your petitioners & burdensome -

and therefore praying the Court to appoint proper persons ^{Re} to view ~~and lay out~~ the same according to law.

whereupon the Court, upon due consideration had of the premises, do order and appoint Thos Moore Alex Shea John Smith

who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to ^{Re} view the grounds proposed for said road, and if they ^{Re} 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,

James Kerr
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 ensembling 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 .



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.

No. 12 Sept Session, 1880

ORDER

To view and lay out a Road

For Public Use in the township

of *Butte* Clearfield county.

*And now presented by
James enlarged to Sept
from next -*

*By the Board
of the*

P. L.

*Nov 23. 1881 order
enlarged & confirmed
read next stage
Filed 134 to be read
188*

FEES \$1, Paid by ²⁵

REPUBLICAN PRINT.

James

To the Honorable the Judges of the Court
of Quarter Sessions in and for the County of
Hearfield.

The petition of the undersigned Inhabitants
of the Township of Brady in said County
respectfully represents that they labor under
great inconvenience for want of a Public
Road leading from Bell and Brady Sp. line
at or near John Reiter's house to intersect
a Public Road leading Past Rischel and Schu-
sters Grist Mill to Susquehanna River -
at a point in Brady Township near said Mill
Your petitioners therefore ask the Court
to appoint proper persons to view and lay
out the same according to Law and they
will ever pray to

Names
G. Schock Sub.
Swimming Mill
Adam T. Tannen
Adam Haag
Jacob Weber
Jacob T. Tannen
Wm. C. Grube
Crumm Miller
John Treiber
F. Kohler
S. Knarr
H. A. Pfeiffer
H. B. Haag

Names
John Schuch
S. Knarr
Elias T. Tannen
C. Grube
Jacob Eargood
John Zernstein
J. C. Schuch
Adam T. Tannen
Young T. Tannen
Anandero Knarr Jr
S. B. Miller
John Reiter Jr.

Sept 27 to Oct 1 1888

For Road

From Bell Branch
to line above
and building there

Order to Treasurer
14th Oct 1888 to J. A. G.
Hammes Esq.

15

Public Road

Leading to

Truck & Schuster

One Mile to Duck Creek

in road above

near said mile in

Brady Township

Oct 2 and Oct 1888

Geo. C. Hammes

M. E. Hunter &

John M. Evans

appointed assessors

By the Court

J No 0

Hammes

No 12 Sept Decatur 1880

Reverend

Attention for review
of record meeting from
John H. Lee to
the same meeting
from Rachel and
Miss & Singsbarn
River

and from Mrs 23/81
Thomas Moore Alex
and Sta and John
Smith are opposite
Reverend

By the County
J. H. O

Filed 23rd Dec 1881

Books

J Hammel
Shea
H uncover

Lewis
H. C. Gredman
C. H. Karl
P. J. Weber
W. J. Miller
W. J. Miller
J. H. Long

Wm. Kindermann
G. Schack
J. H. Miller
Theodore J. Miller
S. B. Miller
Wm. J. Miller
H. H. Miller

S. J. Miller
James W. Miller
C. J. Miller
Simon Knarr
J. H. Schack
W. H. Miller
H. H. Miller

J. Kramer
Samuel Kramer
John L. Hauck
Thommas Quon
J. H. Schack
J. H. Miller
J. H. Miller

H. H. Karl
Andrew Knarr Jr
Peter Knarr
John Schack
J. H. Schack
C. J. Miller
J. H. Knarr
P. J. Weber
Philip Knarr
Elias Knarr
C. J. Miller
J. H. Miller

Jacob Weber
George Gilling
Jacob Eargood
Daniel Strou
H. A. Solider
Daniel Strou
Wm. H. Schack
Daniel Kinkel
B. C. Fisher
Hiram Miller

To the Hon the Court of Sessions for
Clearfield County sitting at Marshfield
Oct. 1881

Your petitioners the undersigned citizens
of the Twp. of Brody and Bell respectfully
set forth

That a road has been lately laid
out by order of The Court leading from
the Bell & Brody Townships line at or
near John Beiter's House to a public
Road leading from Rishel & Schuckers
Grist Mill to the Susquehanna River
at a point near said Mill in Brody
Township. Which Road if confirmed
by the Court will be very injurious
to your Petitioners and burdensome
to the inhabitants of the Townships
through which the same runs

Your petitioners therefore respectfully
pray your Honors to Appoint
proper persons to review the said
road and parts adjacent with instruc-
tions to report according to law

And they will ever pray &c

H. Haag
John Haag
H. B. Haag
G. M. Knave
Jacob S. Knave

J. L. Schuck
Geo. Schuck
J. W. Carlile
J. M. Hendry
Leola Hunt

Rule to take Depositions.

CLEARFIELD COUNTY, SS:

In the matter of the
view and review of
a Public Road in
Bell and Brady Tp

In the Court of Common Pleas of Clearfield County, Pa.

No 12 Sept

TERM, 1880

And now to wit, the 2 day of March, in the year of our
Lord one thousand eight hundred and eighty-~~two~~
the reviewers enter a rule to take the Deposi-
tions of ancient, infirm and going witnesses, to be read
in evidence on the Argument of this case.

Ex parte Rule of ~~the~~ on 10 day's notice

James Kerr
Prothonotary
per ~~am~~ 13

To A. G. Kromer, Esq.,

You will please take notice that, in pursuance of the foregoing rule, Depositions will be taken before Lewis Shock Jr., or some other person authorized to administer an oath or affirmation in Pennsylvania, in and for the county of Clearfield, at the office of Lewis Shock, in the Township of Brady in the county of Clearfield and State of Pennsylvania, on the 14th day of March, A. D. 1882, between the hours of 9 o'clock A. M. and 6 o'clock P. M., when and where you may attend and cross-examine.

D. J. Brockbank

Atty for reviewers

Clearfield, Pa., Mar 2nd, 1882

And now Mar 2nd 1882
service of this rule accepted

A. G. Kromer
for Petitioners

Depositions of witnesses produced
sworn and Examined at the Office
of Lewis Schoch Esq. at Ligonville
Clearfield County Pa. On the 14th
day of March A.D. 1882. between
the hours of 9 A.M. and 6 P.M.
of said day, in obedience to the
Rule of Court, and notice, hereto
Attached, to be Read in a Cause
depending in Said Court, in which
The Report of Viewers to lay out
a Public Road in Bell and
Brady Tps are Defts, and the Report
of Reviewers in the Same case
are Defts.

Philip Shaffer being produced
and sworn on the part of the Deft.
Said, I live in Bell Tps Clearfield
County, Pa. I am 54 years old.
I live about one Quarter of a mile
from where these Roads were viewed
and Reviewed, I know where the
viewers laid out the first Road, The
Road first ~~laid~~ ^{laid} out, Runs Cat Corner,
through Henry W. Weber's land and
there are no turns, or crooks, in
the Route, ~~as far~~ Only about 34 Rods
from the Public Road it makes a

Crook or turn, To Open that Road it will cost the Township no less than \$300. Well, if I would own the property I would not take \$200. damages, If that ^{Road} is opened Mr. Weber can not get into none of his fields neither above, nor below the Road, that is, I mean ~~this prop-~~
~~erty~~ Mr. Weber can not get out of this Road into his fields. That Road will take about four feet average digging.

Yes, I was over the Review many times already, The Review Road is 125 Rods long from the Stone Corner out to the Public Road leading to the River, John Reiter's Buildings can't be much over 10 Rods from the Stone Corner, The Road on the Bell and Brady Township line can be opened for \$100. ~~and it will not cost 5~~
~~degrees~~ The \$100. will make it as good a Road as there is in the Township,

The Witness Cross Examined
by John Reiter Jr. on the part of the
Plffs.

The Vienem Ront-Runs through
lands of Henry W. Weber and John
Reiter Jr, It will take about 83
or 84 Rods digging through Weber's
land, and, It will take about
49 Rods digging through Reiters
land, and, about 50 Rods the
Ront is level, the Ront-Crosse,
a Spring Run, There could be a
driving Road made out of the
Vienem Ront, Well, the Reviem Ront
Runs over Mr. Reiters land about
45 Rods, On the Bell and Brady
Township line. And the balance
of the Ront-Runs over lands of
Christian Haag Sr. Henry W.
Weber and Philip Shaffer on
the Bell and Brady Township line.
Yes, there is a middling steep Hill
on this Ront, This Hill will take
from one to four feet digging down
to make it a good driving Road,
that is on both sides, Any man
can get out of that cut into the
fields, ~~I do not know how~~
~~much further the distance is between~~
~~the Vienem Ront and Reviem~~
~~Ront is on Public Road leading~~
~~to the River~~

The distance of the two points
of the View Rout and Review
Rout where they intersect the
Public Road leading to the
River is about 40 Rods,

I never heard Henry W. Weber say
that he needed a Road ~~where~~
any of these Routs are Run,
Yes I know that Henry W. Weber
has land back of Reiter where
the two Routs start at the Stone
corner,

Witness, ^{Further} Examined by Deft.
That land of Henry W. Weber lays
in Bell Township, The Hill on
the Review Rout is about 25
Rods as near as I can tell,
That Cut will not be over 6
or 7 Rods, This Road is a benefit
to Christian Haag Jr, Henry W.
Weber and John Reiter Jr.

Witness Recross Examined John
Reiter Jr. for Plff.

Christian Haags land Runs within
4 or 5 Rods to the Public Road, ^{leading} to
the River, Henry W. Weber lives
in Brady Township, and he lives

About 40 or 50 Rods from the
Bell and Brady Township line
On Public Road leading to the River.
Philip Schaefer

Eli Knarr produced and sworn
On the part of the Dept Saith
I live in Bell Tp. Clearfield
County Pa. I am 31 years old,
I know the View Road - laid out
from the stone corner on the Bell
and Brady Township line to a
point on Public Road leading
to the River, It will cost the
Township between \$300. and \$400.
to make that Road, It will take
about 75 feet of Bridging and
filling up to make it a passable
Road, The Bridging will be about
Eight feet high at the highest
point, If that Bridge is put across
that Hollow it will deprive Mr.
Weber from getting out of that
Road into any of his fields,
There will have to be an emba-
-ment of stone or timber below
Mr. Webers Barn of about 4 Rods
long, I suppose It will take
about 65 Rods of digging ~~there~~

the Bridge to the top of the Hill,
I suppose it will ^{take} about from 3
to 6 feet digging, If that Road is
made it will not leave much
Barn Yard for Mr Weber,
Yes Sir, I know something about
that Reviem, I say the Road
~~On the Reviem will not cost~~
~~One fourth as much to open up~~
~~as the Road on the View Rout,~~
To make as good a Road on the Reviem
Rout as the View Rout will
make, It will Only cost about
One fourth as much, I say it
would be \$200. Damages to Mr. Weber
to ^{have} the View Rout Road put
Over Mr. Webers land,

Witness Cross Examined by
John Ritter Jr for Plff.
It is a Run ~~there~~ of a couple
of springs that meets above that
place where it has to be Bridged,
This Bridging is calculated to make
it level from one bank to the
Other, There is One ^{level} place Right-
at the Bridge where Mr. Weber
can get into one field,

Mr. Weber's Barn is within 15 feet of the Public Road that leads to the River, The distance where the Viewed Road intersects the Public Road is about 20 feet from the Mr. Weber Barn, I takes about 75 feet of digging On the View Route - until it gets on the level, The balance of the Route to Stone corner is level, The Hill on Review Route - is One third up Hill, and One third down Hill, No Sir, ~~I~~ I never heard Henry W. Weber Say he needed a Road On any of these Routes, Yes, he needs a Road, Henry W. Weber lives in Brady Township, It is about 50 Rods from Public Road On Township line to where Henry W. Weber lives, Yes Sir, Henry W. Weber's land located nearly East corner from where he lives in Bell Township.

Witness ReExamined by P^lff.
As near as I can tell the Hill on the View Route ^{is} Two thirds up Hill,

Witness ReCross Examined by John

Reiter Jr. On part of Pltft.
The River Route - would make
a good graded driving Road, if
enough expences are put on it
The Cut On Hill of River Route
would be about 7 Rods long
The cut is on Bell and Brady
Township line on land of John
Reiter Jr.

Elias Knarr

Adam Knarr produced and
sworn On the part of the Deft.
Saitth I live in Brady Township
Clearfield County Pa. I am 54
years Old. Yes Sir, I am acquainted
with the Route leading from the Stone
corner to Public Road leading to
the River at Henry W. Weber's.
The distance of this Route is 187
Rods, It would cost between \$300,
and 400; to make that Road.
This Road was laid on the north
side of a pretty steep Hill all
but 50 Rods, To make it a good
driving Road it will take digging
all the way from Public Road at
Henry W. Weber's Barn up onto the
Hill in Reiters fields.

Well, there is places where it must be dug from 6 to 8 feet then there are others that will take from 3 to 4 feet digging, It will take about 18 inches digging beyond the Bridge about 5 or 6 Rods in length,

It takes the most digging in the Middle Field, Well, it will take a Bridge about 6 feet high in the Centre, the Hollow between the two banks is 75 feet wide,

Yes sir, there is one place where it must be filled up between the Bridge and Public Road about 3 or 4 Rods long, It will take close to the Pig Pen, and where it intersects the Public Road it is within 18 feet of Mr. Weber's Barn, This Road runs Catcom through Henry W. Weber's land,

If my Memory serves me right - there are 4 Crooks in this Road, If this Road is made a good driving Road Mr. Weber can not get into any of his Fields, Mr. Weber has three Fields next to the proposed Road, Mr. Weber can not get into any of his Fields before the Road, Well, I would not have this Road

put through there if it was
my Property for \$200. Damages,
Yes Sir, I do know the Review
Rout; Reiters Buildings are
within 8 or 10 Rods of this Review
Rout; The distance of this
Rout is 125 Rods, It will take
about 100. to make this Rout
a good driving Road, Mr. Christ
Haag's Buildings are about 10 or
15 Rods from this Rout,
The Review Rout would ac-
comodate the ^{most} Citizens in Bell
and Brady Townships, Mr Haag
has no other Outlet at the pres-
ent time Only on this Review
Rout,

The Witness Cross examined
by John Reiter for Plffs.

I do not call that part
of the Hill on the Review Rout
next to Mr. Weber's Barn the
South Side, There cannot be
a level Bridge builed across
this Hollow, without doing
filling up at both ends of the
Bridge. Weber, can not get into
his Field from the Road between
the Bridge and the Barn.

The Road needs filling up only
along the Big Run on one side,
Yes Sir, One Field Runs against
Mr. Weber's Yards. It Runs again-
-st the yard on this side of the Run
There is about three Crooks
in this Run - as far as it Runs
through Mr. Reiter's land,
The distance from Mr. Haag's
land to Public Road leading to
the River is between 14 and
15 Rods. I do not know ^{how} much
of a cut it will take on the
Hill of Review Run,
There is a Hill in that Run - not
very much higher than on the
View Run, This ~~Run~~ Run
Over land of John Reiter, H. W.
Weber, Christian Haag and
Philip Shafer, well, it Runs
through Mr. Reiter's land up to
Mr. Weber's land 45 Rods, and
through Weber's land to Public
Road on Bell and Brady Townsh
line 30. Rods, Now, if there
is money enough spent on this
Road it will make a good driv-
-ing Road, and the other Road
can be made just as good,

Witness Reexamined ~~by Deft.~~
by Esq. Smith on the part of Deft.
Just as soon as Bridge is lined
on this Route - Mr. Weber can not
get into the Lower Fields,
Adam Knase

Jacob Weber produced and
sworn on the part of Deft. Saith
I live in Brady Township Clear-
field County Pa. I am 48
Years Old. Oh. Yes a good Road
can be made on the Review Route.
It will take Three Hundred and
fifty Dollars to make this a
good driving Road, I consid-
er the damages to be Two Hundred
and fifty Dollars, To make Road
on Review Route - it will take
One Hundred Dollars, It is alto-
gether Natural that the Road on
Review Route will be the
easiest kept in Repair, the
Road laid out on Bell and Brady
Township line will benefit
the ^{most} Citizens.

Cross Examined by John
Ritter on part of Plff.

The damages to Mr. Weber consists
1st- because he can not if this
Road is made through his land
get into none of his fields
save one, and that is in the
first field down at the so cal-
led Run, and in the next
place because it ^{takes} up ~~all~~
the largest part of his Barn
yard. This Rout passes over
three of Mr. Webers fields being
88 Rods, This Rout passes over
Mr Reiters land about one ~~th~~ ^h ~~un~~
-dred Rods from the line of
Webers and Reiter's land to the
Stone corner on Bell and Brady
Township line, The Review Rout
passes over Mr. Reiters land
between 50 and 60 Rods, the
balance of Rout passes over
land of Henry M. Weber, Christ.
Haag sr and Philip Shafer
all on Bell and Brady Township
line, It will take about 2 feet
cutting down of Hill and
filling up at the foot of Hill
with stone and covering over
with the ground taken out
of the cut, There is about 25

Road of a Hill on the side towards the stone corner.

Re-examined by Esq. Smith
On the part of Deft.

The Review Road has been
used by citizens as a Road 15
years, Mr. Weber can not build
fence on either the upper nor
the lower side of View Road
to last or stay any length of
time.

Re-examined by John Reiter
On the part of Deft.
(The Review Road) Witness Repres-
-ses to answer.

Jacob Weber

Christian Zimmerman being
produced and affirmed On the
part of the Deft. Saith,

I live in Brady Township
Clearfield County Pa.

I am 37 years Old,

I do know the View Road,

It will cost Three Hundred and
fifty Dollars to make this Road
on View Road, well, in my esti-

-mation it is about Three Hundred
Dollars damage to Mr. Weber.

There is One Space down in the
Hollow across the Bridge where
Mr. Weber could get into First
Field, I don't think he could
haul much of a load up,

It will take from 3 to 6 feet
digging from the Run up to where
the Road makes a turn in Reiter's
Field to the South, The distance
from the Run up to where Road
makes the turn in Reiter's Field
is about ~~135 Rods~~ 125 Rods,

I don't ^{think} that a Fence can be
Built either on the Corner or
on the upper side that will
Stand, I don't think he could
Build neither Board nor Rail
Fence on the South Side of the Road
next to his Barn Yard,

I do ^{know} the Review Road, I think
about One Hundred Dollars
would make that a good
driving Road, If this Road is
Made on Review Road it will
accommodate Mr. Weber, Mr.
Reiter and Mr. Haag, The Road
that goes along Bell Township line
will be the easiest kept up after
it is opened. The Witnes Cross

Examined by John Reiter Jr
On the part of Plt.
This Viewed Route-passes Over 3
of Mr. Webers Fields, I can not
tell exactly through how many
Of Reiters Fields the View
Route-passes, Mr. Weber can
not Build a Fence along the
Barn Yard on account of the
Embarkment, - Yes sir, the View
Route-passes Nearer Webers Barn
than it - does Reiters, Well by
filling up with stone at the foot
of the Hill and digging about 2
feet off the Hill and covering
the stones, then it - will make a
good driving Road, There is only
about 22 Rods ~~of the~~ that needs
filling and digging, That Route-
passes Over land of John Reiter Jr
about 60 Rods, The Balance of the
Route-passes over land of Henry W.
Weber Christian Haag Jr and Philip
Shaper on the Bell and Brady Lp.
line, The View Route will make
no better driving Road than the
other, ~~I don't see a fence on~~
~~the View Route that is built~~
~~on as steep a Hill~~

Yes, there is fences along that Side Hill that have been Builed a number of years, but they are not on as steep ground as they would have to be along the View-Rout.

The Witness ReExamined On the part of Deft. by Esq. Smith, Yes sir, the Stone for filling up Road on Review-Rout are handy and plenty.

The Witness ReCross Examined on the part of Plffts. by John Reiter,

Yes, there is Stones On the View-Rout on Hebers and Reiters land to fillup with.

Christian Gurnstine

John Smith Esq. being produced and sworn on the part of the Deft. Smith, I live in Bloom Township Clearfield County Pennsylvania, I am 64 Years Old, Yes sir, I was on the Review as one of the Reviewers was over the View-Rout when the View-Rout on Bell and Brady Township

line, The distance of the View
Route is 190 Rods from the
Stone corner to point where
Route intersects Public Road.
About 80 Rods of that distance
passes over Mr. Weber's land
the balance over Mr. Reiter's.
This View Route passes over
three fields of Mr. Webers, and
two of Mr. Reiter's before we made
the turn, then we run along
a lane pretty handy to Reiter's
Barn from the Barn we run
into the lane and from there to
the corner. Mr. Reiter showed
us the Route from the Stone corner
to point on Public Road at Mr.
Webers Barn. The Reason why
we did not locate Road on
this View Route was this,
when we came back to the
Stone corner there were about
15 or 20 men there and they
Requested us to Run the Road
on Bell and Brady Township
line with the exception of
one man, who was John
Reiter Jr. Then we opened that
Route and found it to be only

125 Rods long and better
ground for a Road than the
Other, with the exception
of One place a steep hill,
which we believed could
be graded down to a Reguar
grade with a great deal less
effrence the Other Road
could be made, Another Reason
why we layed out this Road on
the Township line was, becomg
Threats were made to shut
up the Road, which would
deprive Mrs Haag of a Road.

The View Route Runs a
little angling through Mr
Weber and Mr Reiters fields.

John Smith

I certify that the above witnesses
were duly qualified and Examined
at the time and place stated in
the Caption, and Subscribed
their depositions in my prese-
nts. before Lewis Schock
Justice of the Peace Montville
Pa. March 14th 1882.

	Justices Cost	Paid	\$ 8.00
Not-Examined	Alexander Shea	"	1.30
	Adam Knarr	"	1.06
	Eli Knarr	"	1.24
	Philip Shaffer	"	1.18
Not-Examined	Christ. Haagsr	"	1.18
	Christ. Grunstein	"	1.06
Not-Examined	Adam Haag	"	1.06
	Jacob Weber	"	1.12
Not-Examined	Fred. Kohler	"	1.06
	John Smith	"	1.54
			\$19.80

Cost All Paid by Henry W. Weber

Mo 12 Sept 7 1880

Public road
in 13 Ells Brady
townships

Depositions of
Reviewers

Filed 17th June 1880

Attest

Depositions of witnesses produced
sworn, and examined on the part of the
Plffs; at the Office of Lewis Schoch
in Lonsville Clearfield County Pa.
On the First day of March A. D. 1882.

Between the hours of 9 O'clock A. M.
and 6 O'clock P. M. of Said day, in Obedi-
ence to the Rule of Court, and notice
hereto attached, to be Read in a cause
depending in Said Court, in which
the Report of Viewers to View and lay
out a Public Road in Brady and
Bell Townships, versus The Report of
the Reviewers in the Same case.

Rule to take Depositions.

CLEARFIELD COUNTY, SS:

In the matter of the report
of viewers to view and lay
out a public road in
Brady & Bell Township

Quarter Sess
In the Court of Common Pleas of Clearfield County, Pa.

versus

The report of the reviewers No
in the same case

TERM, 188

And now to wit, the 17th day of Feby, in the year of our
Lord one thousand eight hundred and eighty-two
the Plff enter a rule to take the Deposi-
tions of ancient, infirm and going witnesses, to be read
in evidence on the Argument of this case.
Ex parte Rule of Plff on five day's notice

James Kerr

Prothonotary

To S. D. Brockbank, Esq.,

You will please take notice that, in pursuance of the foregoing rule, Depo-
sitions will be taken before Lewis Schock, or some other
person authorized to administer an oath or affirmation in Pennsylvania, in and
for the county of Clearfield, at the office of Esq. Lewis
Schock, in the Village of Troutville
in the county of Clearfield and State of Pennsylvania, on the
first day of March, A. D. 1882, between the hours of
9 o'clock A. M. and 6 o'clock P. M., when and where you
may attend and cross-examine.

Attest

Clearfield, Pa., Feby 17th 1882. Atty for Original view

Am I now Feby 17th 1881 I hereby
accept service in this rule

S. D. Brockbank atty for view

George C. Kirk being produced
and affirmed on the part of the Plt.
Saith, I live in Brady Township Clear-
field County Pa.

I will be 45 years Old next
April

I was One of the Viewers appo-
-inted to View and lay out the Road beg-
-inning in the Bell Township line near
John Reiter's to intersect a Public Road
leading from Pishel's Mill to the River

Well we examined three different
Routes Shown us, on the day the Viewers
met,

The Route we adopted and return-
-ed to Court was the Only one which did
not exceed Five degrees grade.

Well, I consider the Route a good
One if the Road was Once opened it
would not be hard to keep it in
Repairs.

Well it is the most direct
Route that we could find, that is
of the three different Routes that
were Shown to us. and make the grade
not exceeding Five degrees.

Well, I would say that the damages accruing to Mr Weber would be about \$25. or \$30.

We viewed the Route from the Stone corner near John Renter's on the Bell and Brady Township line, Running East to the Public Road.

My Recollection is that the grade was between 8 and 9 degrees up the Hill

My Recollection is that the distance up the Hill is about Forty Rods, but I do not think that the grade would run so high all the way up the Hill.

Well I would think laying out a Road on a Township line would not be much damage to any one, if the ground was otherwise suitable.

Cross Examined by Esq. Smith

I would have no objections only the grade,

Mr Weber could not very well get in to the Road on the Route that we laid out from his field adjoining those

of Mr. Reiter either from above or below the Road, for the other fields I can not say.

The witness further examined by Dep't.

Well in my opinion it would be no damage to Mr. Weber by getting into his fields on the lower side of the Road as the Hill is so steep on that side that he could not well, haul up it at any time.

I can not give the distance on the Route on the Bell Township line, but the distance on the Route that we laid out is 190 Perches from the Bell Township line to the Public Road at Henry Weber's

As far as I can tell, the distance through Henry Weber's land is about 65 Perches it might be a little more it might be less can not say ~~Exactly~~ the balance of the Road runs through land belonging to John Reiter

The Road would have to be dug about One Hundred Rods, through Weber's middle field it would not take near as much

Digging, as it would ~~through~~ next
to Reiter's Fields.

Cross examined by Esq. Smith

Well, the line of Road crosses the Spring
Run below where the two little Runs
come together, the Bridge that crosses
that Run don't amount to anything

Geo. C. Kirk

Jacob L. Weber being produced,
and sworn on the part of the Deft.
Saith,

I live in Brady Township
Clearfield County Pa.

I am 42 Years Old

Yes Sir, I am.

It would make a good graded
driving Road

I should think it is very near One half
mile from Bell Sp. line to Public Road
at Henry Weber's Barn

I do not think that it would be
an expensive Road to Open up, and
keep it in Repair,

I could not fix any positive amount
of damages accruing to Mr. Weber,

Yes Sir, I am

Well, that is very easy to state, I say it
would make a very Steep Road.

Well, I should think the distance on the Review Route is about - One third farther than the Other.

Well, to make it - a low full grade it would cost - considerable more than the other Route

Cross Examined by Esq. Smith

No sir, I was not. Yes just, by my Eye sight - that is on the first - Road.

Well, that I could not - tell what it would cost,

Well if I am Right - the distance is about 90 Rods across Weber's land,

I think the distance from Weber's Line to Bell Sp. line is about the same distance,

I should think it - is about 140 Rods from the Stone corner to Public leading from Rishel Mill to the River

The Witness further Examined
by Plt.:-

It is a Spring Run
on the first Route,

Cross Examined by Esq. Smith

Well, a Bridge about 12 feet long
would span the Run, if filled in on
each side, or end, sufficient,

Jacob L. Weber

George Knarr Jr. produced
Sworn on the part of the Deft. Saith

I live in Brady Township
Clearfield County Pa.

I was 57 Years Old the 24th of
~~Last~~ Febuary last.

I am acquainted with the Hill
and Surroundings,

Well, to my Opinion that first
Route would make a good, well graded
driving Road

It will cost some Money to open
the Road, but how much I am not
prepared to say,

It is about 20 Rod to dig where
it is very steep along the Hill side

Oh Yes, I Hauled on it - and walked
over it at different times,

Well, to my Opinion to Sink it

About 20 feet to make it - as good
driving Road as the Other Route
would make

Well, that is hard to tell, if any Differ-
-ence the Route on the Bell Lp. line is
the Shortest.

I do not think there is any
damages to either party.

Cross Examined by Esq. Smith

I was not over the Review Route

Witness does not answer Interro-
-gatory Not if he needs it - himself,

Why the next to Reiter is the steep-
-est part of the Hill side

Witness examined by Plt.

It is a Spring Run

George Hudson

Alexander Shea produced and
affirmed on the part of the Plt. Saith

I live in Brady Tp. Clearfield
County Pa.

I am 52 Years Old.

Yes Sir, I was.

Yes Sir, I was

The first-Rout would not-
grade over 5 or 6 degrees, that is by
Judgment, could tell you better if
the Road was made

Why it is to the Report- I got, it is
198 Rods

I suppose it is in the neighborhood
of One Hundred Rod

If my Memory Serves me Right,
the grade on the Review Rout is about
Nine and one half degrees for a distance
of 40 Rods, I think it was a few Rods
over Forty

The distance on the Review Route is
about - One Hundred and fifty five Rods

Well, I would not say positive I
could not tell the distance

Cross Examined by Esq Smith

~~If I owned~~ If I owned ~~any~~
Mr. Reiter's or Mr. Weber Farms, I
would not take one hundred Dollars
damages, and have that Road Run
through my Farm.

Well, there are lots of places where it
will take 4 feet deep digging

Mr. Weber could not get from the
Road up into his Field next to Mr.
Reiter's land, he could get into his
Field on the lower side of the Road
with the empty Wagon.

It certainly would drift.

I do not know if any Petitioners
were present or not.

Mr. Weber could not get up the Hill with a load, whether the Road is there or not

There is a place at the Bars where ~~it is if Mr. Weber~~ I suppose a man could haul over, and so.

I would not suppose there would be much difference as to drifting on either Route.

There would be a better chance to turn out on the Review Route when drifted by snow.

A. Shea

I certify that the above witnesses were duly qualified and examined at the time and place stated in the caption, and subscribed their depositions in my presence. Before Lewis Schoch Justice of the Peace.

March the 1st 1882.

Exp. Schoch's cost taking depositions \$ 5.00 Paid

Geo. C. Kirk Witness 1.36 "

Jacob L. Weber " 1.30 "

Alex. Shea " 1.30 "

Geo. Knapp Jr " 1.06 "

\$ 10.02

paid by John Reiter Jr.