

No. 1, Second Term, 1890

Vacate & Supply
Public Road

Versus

Bigler Township

Contents:

①
To His Honor The Judge of the Court of quarterly sessions
of Clearfield County.

The petition of the undersigned citizens of Bigler Town-
ship, ^{leading from Jamesville to Madrona} respectfully represent, that the public~~l~~ road, to wit:

Beginning at a point from where the Rail Road crosses ^{Said Road} at or
near Muddyrun, to a point near William Dickensons barn, has become
useless and inconvenient and dangerous to travel, by reason of the
present location of the T.&C.Rw. Your partitioners therefore pray
to your honorable Court to appoint viewers to view and vacate that
portion of the afforsaid road, and to supply the same, and they will
ever pray.

W. Packer
E. A. Howe
J. A. Hays
Mr. B. Spice,
George W. Stettin
Joseph Hoover

O. W. Long
James Link
David Beyer
Neal Griffith
Solomon Beyer

Jay O. Smith

James D. Smith
A. A. Packer
S. W. Hill
S. C. Packer

S. T. Shoff
Frank Muller
B. C. Shoff
J. C. Cressin
E. W. J. J. J.
Boaz Alexander

Now this 4 day of July 1891 The power
of the under comes enlarged to meet
time

By the Court

No. 1 Dec 5 1890

Let it be to you and
private that portion of a full
the Road leading from Jones
ville to Mount Pleasant
point at which the Road
crosses said Road near Mount
Pleasant to a point near the
mine and supply the same
in Bigler Township

Now this 9 day of Dec
the under portion and in
the Court and upon the
consent of the Court and
of the R. A. Paulding
William Nelson, R. O. Johnson
men to the Court and
supply said Road.

By the Court
D. C. K.
J.

Dec 9 Dec 1890

James W. Nelson

W. C. K.

No. 1 See Sessions, 1890

ORDER

Vacate & Surrender
To view and lay out a road for
Public use in the township of
Bigler, Clearfield Co.

May Sep 1891. Confirmed
H. S. - By W. C. Court
Sept 1891 Confirmed
absolute By W. C. Court

Filed 9 Sept 1891
Fees \$1, paid by W. C. Patterson

Patterson

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.

R. B. Zentmyer } Days 2 } Amount.
(Cont # 907) } Miles 6 } 1036
R. W. Manna } Days 1
} Miles 14 } 284
J. W. Vebach } Days 1
(Cont # 907) } Miles 14 } 284

Days
Miles

Days
Miles

Days
Miles

Days
Miles

To the Honorable, the Court of Clearfield County, State of
Penn.,

In accordance with the direction of the Court, we,
the undersigned, the viewers appointed to view, vacate
and supply the road herein described, did on
this 14th day of February, A.D. 1891, meet and
view the said road and premises and we
hereby report as follows, to wit: We find
upon examination of the ground and upon
inquiry of reliable persons; that the road to
be viewed is of little use, and is little travel-
ed, for the reason that there is but one
house along the same, and that it is so
situated throughout its entire course as to
be kept in proper condition only at greater
expense than we think justified by the travel
now upon, or likely to be upon it. We further
find that the northern end of the road is
in close proximity to the railroad and to
construct a new road at a less exposed
place would be fraught with much expense
to the tax-payers of the township, without any
proper return. — It is therefore the opinion
of the viewers, and we recommend to the Court
the vacation ^{of a part} of the road between Madera and
Janesville, beginning at or near the barn of Wm
Dickinson and extending to a point where
said road crosses the line of Bigler and
Gentich townships, and we further recommend
that the road to be supplied be along Big Muddy
Run to some point near the crossing of said
Run by the Janesville and Glen Hope turnpike, as
shall be decided by the viewers upon the petition
for said road, which petition, we are informed
will be presented to the Court at its next session.

Witness our hands and seals this 14th day of
February, A.D. 1891.

R. A. Zentmyer (Seal)
Edw. McNamee (Seal)
Julius Viebahn (Seal)

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 ensembling 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. 188 .



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. 188 .

Clearfield County, ss: (C)

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 ninth day of Dec, A. D. 1888, before Judges of said Court, upon a petition of sundry inhabitants of the township of Bigler, in said county, setting forth that the public road

leading from Jonesville to Madera to wit:

Beginning at a point from where the Rail Road crosses at or near Muddy run to a point near Mr. Dickersons Barn. Has become useless inconvenient and burdensome and dangerous to travel by reason of the present location of the T & C Railway

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ^{Vacate Supply} and make Report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint R A Gentinger Julius Vebama & R McManama 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, ^{Vacating & supplying said} 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 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.

A M Bloomer
CLERK.