

No. 15, Sept Term, 1890

Public Road

Versus

Reearia T. Bigler

Contents:

Not contained

X

Miss. Sept. 5, 1890
of the coal and gas
from the official coal
station for coal
from the Penn in the
Kosciusko Mine

Sept 5th 1890. Belvoir
Supt. of the Penn
Gas, Wm. C. C. Rutherford
Mine, are appointed new
ent. to view report.
By the Court.

John W. Moore

G. W. Harrick,
R. P. Root
John Mayhew
H. A. Kelly
J. J. Gray
W. J. Gray
D. D. Meekins
H. L. Sheets
Thos. Lawlor
J. B. Knabholz
Samuel Higley

James Wm. Smith
Dr. R. Huntington
John Beyor
Hugh Atwood
D. B. Jones
A. A. Eastman

to the Honorable D. L. Krebs President
Judge of the Court of Quarter Session of
the Peace in and for the County of Clearfield
the Petition of the undersigned inhabitants
of the Townships of Beccaria and Bigler
in said County Respectfully Showeth
that your Petitioners Labour under Great
inconveniences for want of a Public Road
or Highway to Lead from a Point on the
Township Road Leading from Big muddy
Run to Hegartys X Roads. Between muddy
Run and Lennel Roots in Beccaria Township
to Smoke Run Station on madusa Branch
of Tunkhannock Railway in Bigler Township
your Petitioners therefore Pray the Court to
appoint Proper Persons to view and lay out
the same according to Law and they
will Ever Pray &c

Andrew Smith

C. C. Ball

E. Ivester

J. C. Root

David Smith

Samuel Temple

D. P. Davis

J. A. Davis

J. G. H. C.

Lennel Root

Wm. H. H.

John B. Watt

J. W. Smith

Thomas Stone

J. A. Smith

Cliff M. McCoy

A. L. Hegarty

J. L. Shoff

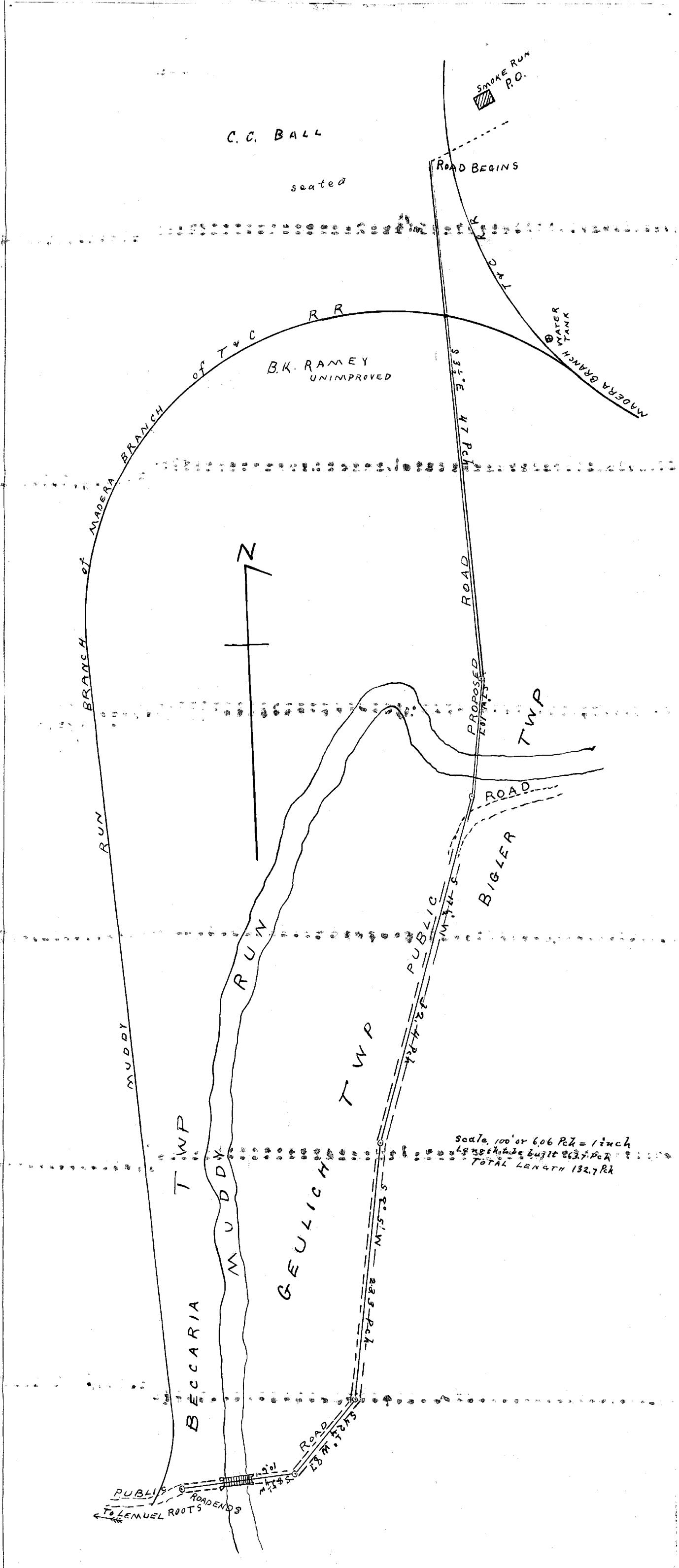
A. W. Smith

John F. Clark

J. A. Davis

Henry Herath

B. F. Anderson



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. 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: (Seal)

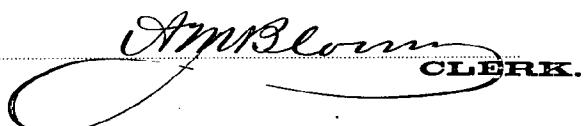
At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 3d day of

September, A. D. 1880, before Judges of said Court, upon a petition of sundry inhabitants of the townships of Beaverid & Biglerville, in said county, setting forth that they labor under

great inconvenience for want of a public road or highway to lead from a point on the township road leading from Big Muddy run to Fayette's crossroads between Muddy run and Linnell Road in Beaverid Township to Smoke run Station on Madeline Branch of F & C Railway in Biglerville Township

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~and make report at next term~~ whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Evans Geo W McCullough Anthony Flynn 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 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.


Amos Bloom
CLERK.

To The Honorable David L. Krebs President Judge of
the court of Quarteressions of Clearfield County Pa.

We the undersigned, viewers appointed by the within
Order of Court to view and lay out the road therein
mentioned respectfully report that we gave good
and lawful notice of said road view and met agree
able thereto on the twenty seventh day of January
A.D 1891 and having been first severally sworn
or affirmed we have viewed laid out and do
return for public use the following road to wit:

Beginning at a point on south side of Madera Branch
of S & C R.R. at Smoke Run Station thence South
Three and one half degrees east ten forty seven perches
to a Hemlock Stump thence South seven degrees West
ten and seven tenth perches to a pine Stump thence
South seventeen and one half degrees west
thirty two and four tenth perches to point in road
thence continuing in said road being a public road
south eight degrees five minutes west twenty
three and three tenth perches South forty two and
one fourth degrees west eight and seventeenth
perches, south eighty five and one fourth
degrees West ten and six tenth perches
to a point on Public road near Muddy Run and
between Muddy Run and Samuel Roots ~~et al.~~
plot or draft of which road so as aforesaid laid
out is hereto annexed showing courses and
distances and improvements which road is
necessary in our opinion for a public road
we believe no owner of land so entitled to damages
by reason of locating and opening of said road

Witness our hands this twenty seventh day of
January A. D 1891

Viewers { Harry Byers
L. H. McConkey
A. G. Lynn

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 15 Feb Sessions, 1890

ORDER

To view and lay out a road for
Public use in the township of
Piney Ridge Clearfield Co.

July 1891. Confined Anthony Flynn } Days 2
in si. wood to the open } Miles 6 \$4.60
33 feet wide Sappahah } Days
Dedicate culty infant } Miles
Meet & see 16 year } Days
By the road Miles

Order for the re-issues granted
by the Court
May 5th 1891 Contingued.
Writs of 1891 confirmed as valid
denied. by the Court
Filed 2^d February, 1891
20
Fees \$1, paid by McArdle

By Richard G. Gould - July 1881 - the following page order from subscribers and enclosed in the same envelope