

No. 5 Dec

SD

Term, 1891

Public Road

Versus

Beaaria Township

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Part Twp. B. 17.539

To the Hon. Judges of the
Court of Quarter Sessions of Clear-
field County Pennsylvania

We the undersigned persons
Appointed by the within Order of Court
to View, and lay out the Road therein men-
tioned, respectfully report.

That having given notice of the time and
place of Meeting, according to the act of Assem-
bly, and being all present at the view of the
ground proposed for the said road, and
being all sworn or Affirmed, in pursuance
of the said Order of Court; We have viewed,
and laid out; And do return the following.

Road to wit, Beginning at a Point in the
Township Road leading from Utalville
to Coalport, in land of John Davis six feet
South west of his Barpost, and running through
his land North Twenty six degrees East, Twelve
Perches to a Post by a Rock. Thence North Thirty
degrees East, Twelve Perches, North Thirty
Seven and a half degrees East, Six Perches.
North Fifty three degrees East, Sixteen per-
ches to a Beech. Thence North Twenty five de-
grees East, Eleven and Seven tenths perches to a
White pine Stump. North Sixty five and a
half degrees East, Sixteen perches to a Post
in land of Wells' Heirs. Thence through

land of the said Weldo Devins North fifty
three degrees east three perches to a Post. Thence
North twelve and a half degrees east. Sixty
Eight and four tenths perches to a sugar tree.
Hence through land of Abram Devling North
Seven degrees west. Thirty seven perches to a
Post. North 9. Nine degrees east. Seventeen
perches to a stump. Hence North Twenty seven
degrees east. Eight perches to a hemlock.
North. Seventy two degrees east. Six and
Six tenths perches to a Post. Hence North
Twenty seven degrees east Ten perches. North
Sixty six degrees east. Fourteen perches
to a Post. North. Seventy five degrees east
Eight perches. North fifty nine degrees
east. Twenty perches. North. Thirty eight
degrees east. Seven and six tenths perches to
a Post. North forty six degrees east. Six
and three tenths perches to a Maple. Hence
through land of Frank Smith North fifty
three degrees east. Eight perches. Hence east
Thirty five perches to a Post. Hence North Sixty
five degrees east. Six perches to a Post. Hence
North Twenty degrees east. Four and three
tenths perches to a Post. Hence, through
land of Frank Smith, and land of Ashley
Weldo. North forty five and a half degr-
eas east. Fifteen and six tenths per-

ches to a hemlock. Hence north seventy degrees east. Five and Seven tenths perches to a post in Weld's field. Hence still through land of the said Ashley Weld, north fifty eight east. Seventy two perches to the Township Road leading from Glenhope to Utahville. Near Abraham Devlings. A Plot or draft of which is hereunto annexed. Which said road as aforesaid laid out and herein described in our opinion is necessary for public use.

No damage was claimed by any persons present; through whose land the said Road passes. And it is our opinion that no one is entitled to receive any damage.

Witness our Oaths the 22nd day of March 1892.

B. F. McClosky.
Isaac H. Brown
David Johnston

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 ~~the~~ 7th day of ~~the~~ Dec, A. D. 1891, before

Judge of said Court, upon a petition of sundry inhabitants of the township of ~~Beechwood~~

, in said county, setting forth that they labor under great inconvenience for want of a Public Road to Commence at or near the residence of Abraham Neely ^{and} running to a point on public road extending from Mahville to Coalport

and therefore praying the Court to appoint proper persons 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 ~~S. F. McElroy~~ ~~Isaac Bloom~~ ~~and~~ ~~David Johnson~~ 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 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 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.

AM. Bloom,
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, do 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. 189 .

..... 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. 189 .

NO. 5 ~~the~~ SESSIONS, 1891.

ORDER

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

~~Beecana~~ Sessions 1891,

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

Sept 1892 Confirmed
By the Court

Filed 7 April —, 1892.
Fees \$1, paid by W. Hagedorn

PUBLIC SPIRIT PRINT.

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.

	AMOUNT.
D. J. Mellosky (Cont #1074)	Days 3 Miles 20 \$14.00
Isaac Bloom (Cont #1088)	Days 3 Miles 6 6.60
David Johnson (Cont #1113)	Days 2 Miles 7 4.70
Frank Smith	Days 2 Miles 3-00
Dan Revling	Days 2 Miles 3-00

Hagedorn

Andersonville Pa 4th 11th 1923

Friend yours a moore

Dr. S. in yours in Bus in clever bed
pls go into a ~~the~~ Bloom Bus and present
him ~~for~~ the amount of ~~four~~ ⁹⁹ costs

On road where in Beavaria

Yours sincerely Isaac H. Bloom

In Rel Petition of { In the Court of
Public Road. { Quarter S.S. of Clearfield
in County Pa
Becaria Township } No. 5, Dec. S.S. 1891

And now 13th July 1893 Petition presented
and Rule granted to show cause why
Exceptions should not be filed. Returnable
to August 29th 1893 It is further ordered
that the Supervisor of Becaria Township
stay further proceedings in opening said
Road pending the determination of this rule

By the Court

D. L. Krebs. P.J.

Certified from the Records this 13th
day July A.D. 1893

D. J. Guigay
Brody

Servatives on Supervisor.

Revera personally. and the services of
Buccania - dep. by: Matthew Davis and
J. H. T. Sy. Esq. July - 18th 1893, the writer Recd of
expenses, by Readiness and informing them of the
same. As. Ass. J. H. Davis. record upon
order.

Sworn before me this } J. W. Davis
24th Sept. 1893. }
Jno. G. Dugan

Revera
Buccania
Twp

Buccania
Twp
Revera

Chas. B. Lowrey Willard Leedley
W. H. Brattain John M^o Steel
Mason Smith Jesse Williams
John D. Spofford Geo. S. Brattain
Birg. F. Swan Franklin B. Smith
H. G. Miner John Nichols
George Brownell B. F. Pickering
H. H. Hartney James B. Doty
Alvin H. Legge
A. T. Swan
H. P. Fleury
S. S. Bush
W. L. McNamee
A. L. Wong
C. F. Parmenter
W. B. Danforth
Jonas Stetler
Alvin E. Eselman
H. H. Lamm
L. Landry
J. A. Adams
N. P. Galer
Frank E. Rosey
Geo. D. Pepe
Jos. Rhoads
Jacob Eselman
Henry Becto
D. P. Rosey
Chas. M. Danforth
G. A. Barker
G. Bennett

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~~1094~~ ~~1095~~ ~~1096~~ ~~1097~~ ~~1098~~ ~~1099~~ ~~1090~~ ~~1091~~ ~~1092~~ ~~1093~~ ~~1094~~ ~~1095~~ ~~1096~~ ~~1097~~ ~~1098~~ ~~1099~~ ~~1100~~ ~~1101~~ ~~1102~~ ~~1103~~ ~~1104~~ ~~1105~~ ~~1106~~ ~~1107~~ ~~1108~~ ~~1109~~ ~~1100~~ ~~1101~~ ~~1102~~ ~~1103~~ ~~1104~~ ~~1105~~ ~~1106~~ ~~1107~~ ~~1108~~ ~~1109~~ ~~1110~~ ~~1111~~ ~~1112~~ ~~1113~~ ~~1114~~ ~~1115~~ ~~1116~~ ~~1117~~ ~~1118~~ ~~1119~~ ~~1110~~ ~~1111~~ ~~1112~~ ~~1113~~ ~~1114~~ ~~1115~~ ~~1116~~ ~~1117~~ ~~1118~~ ~~1119~~ ~~1120~~ ~~1121~~ ~~1122~~ ~~1123~~ ~~1124~~ ~~1125~~ ~~1126~~ ~~1127~~ ~~1128~~ ~~1129~~ ~~1120~~ ~~1121~~ ~~1122~~ ~~1123~~ ~~1124~~ ~~1125~~ ~~1126~~ ~~1127~~ ~~1128~~ ~~1129~~ ~~1130~~ ~~1131~~ ~~1132~~ ~~1133~~ ~~1134~~ ~~1135~~ ~~1136~~ ~~1137~~ ~~1138~~ ~~1139~~ ~~1130~~ ~~1131~~ ~~1132~~ ~~1133~~ ~~1134~~ ~~1135~~ ~~1136~~ ~~1137~~ ~~1138~~ ~~1139~~ ~~1140~~ ~~1141~~ ~~1142~~ ~~1143~~ ~~1144~~ ~~1145~~ ~~1146~~ ~~1147~~ ~~1148~~ ~~1149~~ ~~1140~~ ~~1141~~ ~~1142~~ ~~1143~~ ~~1144~~ ~~1145~~ <del

Now see S. F. Miller,
Isaac Brown, Brown
are appointed
part of July 1892
B. M. Court

July 24, 1892 Rivers of rivers
enlarged and colonized to all new
heights

May 20

1 To The Honorable David S. Webb
2 Judge of the Court of Justice Session
3 of Cheshire County.

4 To the undersigned Citizens
5 of Beccaria I beg Respectfully
6 Represent That They are greatly en-
7 need of public Road to communicate
8 at a point on public Road at
9 or near the residence of Abram
10 Herling and leading to a point
11 on public Road extending from
12 Matlock to Coalport. - They therefore
13 pray your Honorable Court to
14 appoint suitable persons to meet
15 and lay out the same. -

16 And they will ever pray

17 A. L. Merrick Joseph W. Bass

18 A. Merrick J. H. Hinkle

19 J. D. Remond J. A. Hersey

20 A. R. Grinnell Thompson -

21 J. B. Remond John Hindman

22 J. B. Brown John Otto

23 J. C. May John Glasgow

24 L. A. Stiles Harvey Glavin

25 Eph. Morgan Wm. D. Doss

26 W. L. Dickson W. J. Moore

27 Philip Sutton James Swingle

28 Wm. Hollingsworth J. Spangle

29 C. W. Brattin C. B. Thompson

30 J. W. Myrick James Leggins

31 Aly Tickeshoif P. J. Smith

32 A. B. Barr P. G. Miller

33 James Witherspoon

W. J. Wagner

1	W. J. Wagner	
2	W. J. Wood	John Wilson
3	W. J. Paxton	Edward Pickard
4	W. J. Schwartz	Sam M. Baldwin
5	W. J. Penny	
6	W. P. M. Gault	
7	W. J. Abbott	
8	W. A. Holden	
9	W. S. Bartholomew	
10	W. H. Gantow	Cooper Pet
11	W. H. Gantow	" "
12	W. W. Hall	" "
13	W. E. Hasson	" "
14	W. M. Harrigan	
15	W. H. Harringer	
16	W. J. Savage	
17	W. B. Kimble	
18	W. B. Kimble	
19	W. H. Hall	
20	W. J. Harber	
21	W. H. Shively	
22	W. Martin Grinnader	
23	W. D. Newling	
24	W. Abraham Newling	
25	W. Ed. Oberfield	
26	W. Harvey Witherow	
27	W. Ashley Weller	
28	W. John W. Ball	
29	W. J. Carson	
30	W. W. Davis	
31	W. John Ford	
32	W. William Ford	
	W. Philip D. Smith	

In the Court of Quarter Sessions of Clearfield County., Pa.

In re Petition for Public
Road,

No. 5. Dec. Sessions 1891.

in

Beccaria (?) Township.

To the Honorable David L. Krebs, President Judge of the said Court:-

The petition of Martha M. Davis and John W. Davis her husband, by their attorneys Geo. M. Bilger and Singleton Bell, respectfully represents:-

That in pursuance ~~had in~~ of proceedings had in said Court, in the above case, the finding of the viewers in favor of a road was confirmed absolutely at Sep. Sessions 1892 and an opening order issued.

That the proceedings had in the premises are fatally defective for matters appearing of record.

The petitioners would therefore pray the Court to allow the exceptions herein-contained, to be filed, nunc pro tunc, and to strike off the confirmations of said proceedings

and set aside the same; and that, pending final disposition of the case, an order be made rescinding the opening order issued, and they will ever pray &c.

EXCEPTIONS.

First:-It does not appear from the record that the Court had jurisdiction, neither the Township or the County being set forth in the petition or in the report of viewers; and while it might be urged that the district is fixed by the allegation that it is a petition of citizens of Beccaria Township, the petition itself shows that some of the petitioners reside in the Borough of Coalport, and, as a matter of fact, not over fifty per cent, of the signers reside in said Township, the balance being from Coalport and Glen Hope Boroughs, Jordan and Gulich Townships and from the County of Blair.

Second:- That the view was made without authority of law, the order by virtue of which the viewers claimed to act, not being under the seal of the Court.

Third:-That the termini of the road are not sufficiently defined in the petition nor in the draft and report of viewers. 44.5147 75+235

Fourth:-That no improvements are noted on the draft nor in the report of viewers, although the greater part of the land through which the road runs is improved, and is so recognized by the report. 144.5121/241.

Fifth:- That more than one term elapsed between the date of confirmation nisi and confirmation absolute, as appears from the record.

Sixth:- That the records do not show that notice was given to the County Commissioners nor to the owners of seated land along the proposed road as required by Rule of Court No. 172.

Seventh:- That the report of viewers does not show that the viewers were severally sworn or affirmed as required by the Act of Assembly, nor that they were sworn or affirmed before the said view was made.

Eighth:- That the report of viewers fails to show when the said view was made.

Martha M. Davis

Mrs. J. V. Davis

By their attorneys

Geo. M. Pilger

Singleton Bell

Now July 10th 1893, we, do hereby certify that in our opinion there are legal ~~greaands~~ (reasons) why the report should not have been confirmed, for facts appearing on the face of the proceedings.

Geo. M. Pilger

Singleton Bell

Attorneys

New July 17th 1893. Notice of Rule
acceptance for Peterson new personnel
service proposed

R. H. Aughey
Atty for Peterson

Notice 1893

In Re: Petition of
Peterson, Plaintiff
on
Petitioners Application

Known the 18th July 1893.
Petition presented and rule
granted to show cause why
Peterson should not be given
more time. At 3 P.M.
July 1893. His Honor ordered
that the Supervisor of
Meat and Fish, stay from
proceedings in opening and
conducting this divisional
court of the rule
by his Clerk
held on the 25th of July
1893. D. L. Fitch
Bell Street