

No. *9 May* Term, 189*2*

Public Road

Versus

Digler Township

Contents:

+

No. 7 May SESSIONS, 1892

ORDER

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

Sep Sessions 1892,

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

Dec 1892 Cant order com
Ay Lick By the Court

Filed 3 Sept, 1892

Fees \$1.25 paid by Wachae

PUBLIC SPIRIT PRINT.

of a private road, the petitioner for said road, will carefully note the number of days em-
mount out at the foot of their return
interfere with damages assessed by the
cept so far as the location may be chang-

ed 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.

J. J. McLaughlin } Days 3 1/2
" " " " } Miles \$14.00

Thos Blythe } Days 2 1/2
Cant #1229 } Miles \$5.00

Albert Shoff } Days 2 1/2
#1199 } Miles \$4.00

} Days.....
} Miles.....

} Days.....
} Miles.....

Now Dec 12. 1892 the County Commrs seems except to the within report for the following reasons -

1st. That the report does not show that notice was served according to law.

2nd. The report does not show volume of damages by a large number of property owners through whom would the road pass.

3rd. The damages awarded to B. Bevanworth are excessive

4th. The damages awarded to Arthur Lord, E. M. Alexander & J. A. Stott are excessive in view of the advantages which they derive from said road.

5th. The road has no public necessity for which the County should pay any damages whatever.

Allice J. Smith

Atty for County Commrs

TO THE HONORABLE D. L. KREBS, PRESIDENT JUDGE.

WE, THE UNDERSIGNED, PERSONS, APPOINTED BY THE WITHIN ORDER OF COURT, TO VIEW AND LAY OUT THE ROAD THEREIN MENTIONED RESPECTFULLY REPORT: THAT HAVING BEEN PRESENT AT THE VIEW OF THE GROUND PROPOSED FOR SUCH ROAD, AND HAVING ALL BEEN FIRST SEVERALLY SWORN OR AFFIRM, IN PURSUANCE OF THE SAID WE HAVE VIEWED AND LAYED OUT, AND DO RETURN FOR PUBLIC USE, THE FOLLOWING ROAD, TO WIT: BEGINNING AT A POINT, FIFTY FEET FROM ALEXANDER RUN, BRIDGE, THENCE NORTH EIGHTY SEVEN DEGREES EAST THREE HUNDRED AND SIXTY TWO FEET, PASSING THE TENANTMENT HOUSE OF JOHN R. JOPLING THENCE BY THE IMPROVED PROPERTY OF JOHN R. JOPLING, JAMES CORNELIUS, G. W. LAMBORNE, JOSEPH DENY, MRS. L. ROBINS, THOMAS SHAW, AND THE PUBLIC SCHOOL HOUSE, ALSO PROPERTY OF WILLIAM O'HARA, MRS. BRUFNER, MRS. JOPLING, AND J. W. ALEXANDER, NORTH EIGHTY FOUR DEGREES EAST, ~~DOING~~ THOUSAND, FOUR HUNDRED AND EIGHTY SIX, FEET, (1486 FT.); THENCE BY IMPROVED LANDS, OF CHARLES WETMUTH, JOSEPH ALEXANDER AND BY DWELLING HOUSES B. GRATON, ASBERRY LORD, WILBER KNUFFENBURG, AND CHARLES WETMUTH, SOUTH FIFTY TWO DEGREES EAST FIVE HUNDRED AND THIRTY SIX AND ONE HALF FEET (536 1/2) THENCE THROUGH THE IMPROVED TOWN LOTS OF ASBERRY LORD, AND WILMER KNUFFENBERG, AND CONTINUING THROUGH THE UNIMPROVED LAND OF J. W. ALEXANDER, TO THE IMPROVED LANDS OF BERNARD GRATON NORTH FORTY DEGREES EAST, SEVEN HUNDRED AND FORTY ONE FEET (741 FT); THENCE THROUGH ARABLE LAND OF BERNARD GRATON, AND TOWN LOT OF E. M. ALEXANDER, PASSING THE DWELLINGS OF SAID E. M. ALEXANDER, AND J. A. STITT, AND BY THE IMPROVED LANDS OF J. W. STITT, NORTH EIGHTY SIX DEGREES EAST FOUR HUNDRED AND SEVENTY TWO FEET; THENCE THROUGH LAND AND BY THE DWELLING AND BARN OF G. W. STITT, NORTH EIGHTY THREE AND ONE HALF EAST

DEGREES EAST, THREE HUNDRED AND EIGHTY ONE FEET THENCE ~~NNNN~~
THROUGH SA ME LAND SOUTH EIGHTY SEVEN DEGREES EAST TWO HUN-
DRED AND FIFTY FEET; THENCE THROUGH SAME LAND NORTH EIGHTY
FOUR AND ONE HALF DEGREES EAST, TWO HUNDRED AND SEVENTY SIX
FEET, CROSSING LANE LEADING FROM JOHN DARRIES TO THE TOWNSHIP
ROAD; THENCE THROUGH THE MEDOW LAND OF GEORGE W. STITT, ~~AND~~
NORTH SEV ENTY EIGHT AND ONE HALF DEGREES ^{EAST} SEVEN HUNDRED FEET;
THENCE THROUGH LAND OF B. BOSWORTH (THE SAME BEING MEADOW
LAND), IN THE SA ME COURSE FIVE HUNDRED AND TWENTY EIGHT AND
ONE HALF FEET; THENCE THOROUGH ~~MEADOW LAND OF B.~~ ^{ARABLE}
READING, RITCHIE, AND WALLACE, NORTH FIFTY TWO DEGREES EAST
THREE HUNDRED AND SIXTY FIVE FEET (365 FT) THENCE THOROUGH
LAND OF READING RITCHIE, AND WALLACE, THE SAME BEING ^{ARABLE} ~~MEADOW~~
LAND, THETCOURSE NORTH SEVENTY THREE EAST FIFTY FEET; THENCE
THROUGH SAME LAND, NORTH EIGHTY ONE FEET EAST ONE HUNDRED AND
FORTY FOUR FEET TO A POINT NEAR THE TOP OF BOSWORTH'S HILL
ON ROAD LEADING FROM MADERA TO HOUTZDALE, A PLOT OR DRAFT
-WHEREOF IS HEREUNTO ANNEXED. WHICH SAID ROAD, SO AS AFORESAID
LAID OUT, WE ARE OF THE OPINION IS NECESSARY FOR A PUBLIC
ROAD. WITNESS OUR HANDS AND SEALS THE 1ST. DAY OF AUG. 1892,

J. J. McLaughlin (L.S.)
John Blythe (L.S.)
Albert Shoff (L.S.)

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 10th day of May, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Bigler, in said county, setting forth that

They labor under great inconvenience for of a public road to lead from a point ^{near} Alexander Run Bridge to a point near the top of Brownth Hill on road leading from Madena to Houtzdale.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, I make report at Sept 25 1892 whereupon the Court, upon due consideration of the premises, do order and appoint J. M. Gougle and Glythe W. Albert Shoff 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.

A. M. Blom
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, or and in consideration of the sum of ONE DOLLAR to us respectively by the _____ at and before the enrolling 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 *V. B. V. Brown* the sum of *one hundred Dollars*

To *Osberry Lord* the sum of *ten Dollars*

To *Em. Alexander* the sum of *ten Dollars*

To *J. A. Stitt* the sum of *ten Dollars*

Witness our hands this _____ day of _____, A. D. 189 .

J. J. McJougal
Thos. Blyth
Albert Shoff

To the Honorable D L Krebs Resident
Judge of the Court of Quarter
Sessions of the Peace and for
the County of Clearfield.

The petition of the undersigned
inhabitants of the Township of
Bigler in the said County of
respectfully sheweth: That your
petitioners labor under great
inconveniences for want of
a public road or
highway to lead from a Point
near the Alexander Run Bridge
at Madera to a point near the
top of Bosworths hill on the
road leading from Madera to
Houtigals. 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.

Names

George W Stitt
Benrad Lutton
U. G. Knuppenburg
Ely Miles
Joseph A Shoff
J. B. Durkee
J. R. Anderson

Names

J. A. Stitt
A. D. Shoff
H. P. R. Blandy
Joseph Shoff
E. R. Miles
J. R. Shoff
B. H. Stitt

E. M. Alexander	James Carnely
Joe Denny	W. F. Mearns
Phil. Kitchner	S. G. Higgins
P. J. Ryan, M.D.	Ed. Gordon
Quincy Rogers	Wm. Hill
Ray. A. Anderson	Sam. Bowman
Ray. Alexander Jr.	Geo. Henry
James Kauh	S. S. Stitt
E. C. Hoff	John Caldwell
E. Fowler	Wm. Caldwell
H. H. Miles	John Wier
S. W. Miles	Geo. A. Hoff
G. B. Curry	E. W. Packer
Samuel Whitcomb	N. H. Packer
John A. Moore	Isaac Packer
Jay J. Hoff	A. Steckenman
James M. Carnely	Wm. W. Alexander
Abt. Caldwell	Sam. Kee
John A. Hoff	J. F. Corbett

A. A. Packer	particular notice
S. T. Hoff	John D. Ordan
P. R. Popley	James L. Luman
John Hoff	

Samuel Henderson
 John S. Wilson
 Joseph Ford
 Clark Hillman
 H. F. Davis

Wm. B. Spruce
 E. W. Cowher
 M. J. bot
 G. W. Quinn
 J. M. Morgan
 James E. Kirk
 John A. Howard
 Rauls Yacants

J. C. Moore
 Charles Whatmough

Nov 9 May 1872

Petition of Inhabitants
of Biglet mps for a
Public road—

To lead from a point
near Alexander Run bridge
at Maden

To a point upon
the top of Bowen's Hill
on road leading from
Maden to Hertz's Hill

Nov May 10th 1872 the
within petition read and
considered and thereupon
J. I. McIngle: Sheriff the order
is appointed & view is
view and day out said
road

By the Court

Pls 107 May 1872

H. A. Chase.