

No. 14 May Term, 1892

View Vacate & Supply  
Public Road

~~Versus~~ in  
Bigler Township

Contents:

Not continued

To The honorable David S. Krebs  
President Judge of the court of Quar-  
ter Sessions of Clearfield County Pa.  
we, the undersigned, viewers appointed  
by the within order of court to view vacate and  
supply the road therein mentioned, respectfully re-  
port. That we gave good and lawful notice of  
said road view with notice to County Com-  
missioners of said County and met agreeable  
thereto on August the tenth A D 1892 and  
finishing said roadview on August twenty ninth  
and having been severally sworn or affirmed,  
we have viewed and laid out the following  
road to wit: Beginning at the point where  
the old Hagerly road joins the Madera road  
thence following the old Hagerly road, North  
eighty nine and one fourth degrees West Twenty Three  
perches, North seventy two and one half degrees West  
fourteen and two tenth perches, North fifty  
seven and Three fourth degrees West twenty six  
perches, North sixty seven degrees West forty seven  
and two tenth perches, North seventy five and  
one fourth degrees West twenty two and one tenth  
perches, South eighty six and one fourth degrees West  
forty one perches, South seventy five and three  
fourth degrees West, seventeen and one tenth perches,  
South sixty five and one half degrees West, four-  
teen and four tenth perches, South fifty one and one  
fourth degrees West fourteen and four tenth perches

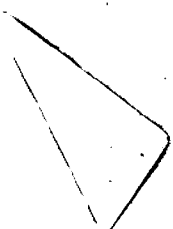
To point opposite a small marked Pine thence  
leaving said Hagerly road South fourteen degrees  
West eight and four tenth perches to a small  
Rock Oak thence South seventeen degrees East ten  
and one tenth perches to post thence South  
twenty two and one half degrees East eighteen and  
two tenth perches to point opposite small Rock Oak  
thence South seventeen and one half degrees East  
fifteen and two tenth perches to a small  
Pine thence South six degrees East seven  
and one tenth perches to a Red oak. South ten  
and one half degrees East five and eight tenth  
perches to Red Oak, South two and one half  
degrees East six and six tenth perches to a  
chestnut. South four and one fourth degrees  
West eight and eight tenth perches to post  
by a Pine, South nine and one fourth degrees  
West five and four tenth perches to a Maple  
South Thirteen and one fourth degrees West eight perches  
to a post, South nineteen and three fourth de-  
grees West five and four tenth perches to a  
Red Oak thence South twenty five and one  
half degrees West nine and two tenth perches  
to a Rock Oak, South thirty three and one half  
degrees West four and four tenth perches to  
a dead Pine, South forty one and one half degrees  
West four and seven tenth perches to a post  
South forty nine and one half degrees West seven  
and two tenth perches to a Small Pine, South

fifty seven and one half degrees West twenty  
six perches to a Hemlock South seventy  
degrees East sixteen and three tenth perches  
to a Pine, South sixty eight and one half deg-  
rees West sixteen perches to Small Beech  
South forty seven degrees West four and  
six tenth perches to old Hagerty road  
at William White sides field, from ~~which~~  
point at field to point by said marked Pine  
we vacated, being the following courses and  
distances, North eighty one and one half degrees  
East eight and nine tenth perches South  
eighty three and one fourth degrees East nine-  
teen and eight tenth perches, North eighty five  
degrees East eight and eight tenth perches  
North seventy three and one half degrees East fourteen  
and eight tenth perches, North forty nine and  
one fourth degrees East four and four tenth perches,  
North twenty two and one half degrees East eleven  
and three tenth perches North twenty four and  
one fourth degrees East twelve and five tenth  
perches, North twenty two and one fourth degrees  
East nine and two tenth perches, North twenty  
eight degrees East eight and nine tenth perches  
North twelve and one half degrees East twenty one  
and two tenth perches, North one and three fourth  
degrees West six and six tenth perches, North  
seventeen and one fourth degrees West twenty two  
and four tenth perches, North seventeen and one half

West fifteen and two tenths perches, North eighteen and one half degrees West twenty six perches, North four and three fourth degrees West six perches, North sixteen and three fourth degrees East four and one tenth perches. From said point at Whitesides fence we laid out road as follows: South forty seven degrees West fifty five perches to a post, North seventy one and one half degrees West twenty one and two tenths perches to post, South forty six and one fourth degrees West thirty perches to Wm Whitesides line, Thence through unseatd land South thirty four degrees West fifty and four tenths perches to post by Maple, South thirty one and one half degrees West thirty seven perches to post ten feet above old road, South twenty and one fourth degrees West thirty two and five tenths perches to post, Thence South sixty four degrees West four and two tenths perches to post Thence South seventy six and one fourth degrees West three and eight tenths perches to a post Thence South sixty four degrees West five and two tenths perches to post Thence South forty three degrees West thirty one and five tenths perches to a post, Thence South twenty one and one half degrees West one hundred one and five tenths perches to tall pine stub Thence South forty two degrees West fifty eight perches to a small Beech above road Thence South forty seven degrees

twenty minutes West seventy perches to a  
post Thence South sixty three and one half  
degrees West fifty one and seven tenth perches  
to post in centre of street at  
a plot or draft of which roads are vacated  
and supplied is herewith annexed showing  
courses distances and improvements and  
improvements. In our opinion the road va-  
cated has become useless inconvenient  
and burdensome and therefore should be  
vacated, and the road laid out is necessary  
for a public road. We believe no owner  
of land except Wm Whiteside through whose  
land the road passes is entitled to damages  
by reason of locating and opening said road  
Witness our hands this Twenty ninth  
day of August A. D. 1892

Viewers { Harry Byers.  
S. D. Roberson  
E. W. McCully



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 27<sup>th</sup> day of May, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Begler

they claim under great inconvenience for want of a public road or highway from a point on road leading from Maclura to Byer & Kirk's mill at the junction of the Old Hegarty road to Chestnut Run. The intention of this petition is to Vacate & Supply parts of the Old Hegarty road as the case may require and to end at Chestnut Run.

and therefore praying the Court to appoint proper persons to view, and lay out the same according to law, Make report at Sept Term 1892 whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, J. M. McCully & Ed. Robinson 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 vacate & supply 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, 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. 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 William Whiteside the sum of fifty dollars

To ..... the sum of .....

To ..... the sum of .....

Witness our hands this 29<sup>th</sup> day of August, A. D. 1892.

Harry Byers  
S. D. Robinson  
E. M. McCully



# NO. 14 May SESSIONS, 1892

## ORDER

To view ~~and lay out~~ a road for

Public use in the township of

Regles, Clearfield Co.

Sept Sessions 1892,

read and confirmed N. S.

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 Continued

By the Court

July 1892. Continued finding

consideration of 4 May 1891

By the Court

Filled 13 Sept 1892

Fees \$1, paid by M. A. Chace

PUBLIC SPENT 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.  
Also—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.

	Days	Amount
Harry Byer	4	
Cent # 1151	Miles 72	\$ 23.20
	(2 trips)	
W. M. Cully	2	
Cent # 1227	Miles 8	\$ 4.80
	(2 trips)	
W. D. Robinson	2	
	Miles 12	\$ 5.20
Geo. McCoy	1	
chainman	Miles	\$ 15.00
Cent # 1152		
Albert Shoff	1	
chainman	Miles	\$ 15.00
Cent # 1198		
Richard Fay	1 day	\$ 1.50
ap. Cent # 1198		
William Stoddard	1 day	\$ 1.50
ap. Cent # 1153		

After news 27 Nov 1893. This report having been placed upon the argument book at July 1892 and 1891, it is now ordered that its report be advanced and confirmed. By the Court  
D. M. L. H. H. H.

To the Honorable D. S. Krebs, Resident Judge  
of the Court of Quarter Sessions of the Peace in  
and for Glenfield County  
The petition of the undersigned inhabitants  
of the Township of Bigler in said County  
respectfully sheweth that your petitioners labor  
under great inconvenience in want of a public  
road or highway from a point on road leading from  
Madison to Bergen & Kuts Mill at the junction of the old  
Highway road to Chesterfield Mines the intention of this  
petition is to locate and supply part of the old Highway  
road as the case may require and to end at  
Chesterfield Mines your petitioners therefore pray  
the Court to appoint proper persons to view  
and lay out the road, according to Law; and they will  
obey & pay

Albert Shoff  
James Cornely  
G. W. Quinn  
J. Hegarty  
G. B. Conry  
W. P. Cornely  
J. C. Hauscholder  
Nicholas Fry  
W. D. Hysreel  
John Whiteside  
Jos. Fitzgerald  
Robert G. Boyles  
Isaac Reinhart  
J. B. Kustalorder  
Samuel E. Turner  
Martin E. Gabel  
William H. Hill  
Robert H. Smith

James Kirk  
James E. Kirk  
Wm. Whiteside  
W. J. Shoff  
H. F. Dalr  
J. P. Coffman  
Willard Shoff  
Peter Bloom  
A. D. Shoff  
S. C. Shoff

Thos. Campbell  
James Guther  
Jno. S. Whiteside  
P. H. Ruffner  
C. C. Shoff  
J. D. Denny  
Clark Hilman  
Amos Hensal  
B. C. Shoff  
J. H. Morre  
W. B. Spice  
S. W. Miles  
Heathias Sear  
E. C. Gorden  
J. J. Gouston

Samuel Curry  
Lewis Gill  
Lorenson Dorman  
John W. Alexander  
E. W. Miles  
J. P. Gray

G. M. Alexander  
Hans Loren  
E. A. Carr  
L. M. Hensal Jr.

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( 432

1.25

No ~~14~~ <sup>15</sup> Sept Sess 1892

~~May~~

Petition of Inhabitants  
of Bigler <sup>to open road to supply</sup> ~~mine~~  
public road to lead from  
a point on road leading  
from Beyer & Kirk's Mill  
at junction of "old Hegarty"  
road

To

Chesterfield Mines

Now 27<sup>th</sup> May A.D. 1892  
the within petition read  
and considered and  
thereupon Harry Beyer -  
Geo. H. Bully, and S. D. Robinson  
an appointed  
viewers to view and  
locate said road.

By the Court

S. C. Kuby

Filed 28<sup>th</sup> May 1892  
J. A. Chase  
W. A. Chase