

No. 14 May Term, 1892

View Date & Supply
Public Roads
~~versus~~ in
Bigler Township

Contents:

Not contained

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 Hagerty road joins the Madra road
thence following the old Hagerty 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 Hagerty 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 Oaks. 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 fourths
degrees 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 post
South forty nine and one half degrees West seven
and two tenth perches to a small Pine, South

57 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 degrees 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 nineteen 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 tenth 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 White sides 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 tenth perches to post. South forty six and one fourth degrees West thirty perches to Mr Whitesides line, thence through unseated land South thirty four degrees West fifty and four tenth 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 tenth perches to post. thence South sixty four degrees West four and two tenth perches to post thence South seventy six and one fourth degrees West three and eight tenth perches to a post thence South sixty four degrees West five and two tenth perches to post thence South forty three degrees West thirty one and five tenth perches to a post thence South twenty one and one half degrees West one hundred one and five tenth perches to tall pine stub thence South forty two degrees West sixty 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 as vacated and supplied is herewith annexed showing courses distances and improvements and improvements. In our opinion the road vacated 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 Mr. 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

Harry Byers.
Viewers { S. D. Roberson
G. 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 27th day of May, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Jegler

_____, in said county, setting forth that they labor under great inconvenience for want of a publice road or highway from a point on road leading from Madira to Byer & Kirk's mill at the junction of the Old Hegart road to Chestfield mine. The intention of this petition is to Vacate & Supply parts of the Old Hegart road as the case may require and to end at Chestfield mine.

Vacate & Supply
and therefore praying the Court to appoint proper persons to view, and lay out the same according to law, Make report at Deptl Session 1892 whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers W. McCully W. D. 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 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, do and in consideration of the sum of ONE DOLLAR to us respectively paid by the at and before the sealing 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. 1892.

..... 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 29th day of August, A. D. 1892.

Harry Byers

S. D. Roberson

E. W. McCally

NOTICE.—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. Requesters cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.
NB.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as disadvantages of the road they will report their effect.

NO. 14 MAY SESSIONS, 1892.

ORDER
*Leave Supply
To view, and ~~be~~ ~~not~~ a road for*

*Public use in the township of
Peglers, Clearfield Co.*

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.

Dec 26 1892 Cont'd
By W. C. O'Neil
July 26 1892. Cont'd
consideration of 4 May 1892

Filed 13 Sept 1892
Fees \$1, paid by MacCallum

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To the Honorable D. C. Krebs, President-Judge
of the court of Quarter Sessions of the Peace in
and for Cleckfield County:

The petition of the undersigned inhabitants
of the Township of Bigler, in said County,
respectfully showseth that your petitioners labor
under great inconvenience for want of a public
road or highway from a point on road leading from
Macdonald's Station to the Miners Mill at the
Highway road to Chesterfield mines the intention of this
petition is to vacate and supply parts of that highway
road as the case may require and to end at
Chesterfield mines. Your petitioners therefore pray
the court to approve of proper persons to view
said layout in said mine, according to said plan; and that will
be done very soon.

Albert Shoff
James Cornely
G. W. Diven
J. Hegarty
G. B. Connell
W. P. Cornely
J. C. Householder
Nicholas Gray
W. D. Hayes
John Whiteside
Jos. Fitzgerald
Robert G. Boyle
Francis Hartman
J. B. Kustaborder
Samuel E. Turner
Martin E. Gabel
William H. Hill
John H. Smith
Samuel Kirk
James C. Kirk
John W. Whiteside
W. J. Shoff
J. F. Dahl
G. P. Coffman
Willard Shoff
Peter Bloom
A. H. Shoff
S. P. Shoff

Thos. Campbell
James Luther
Jno. S. Whiteside
P. J. Ruppner
C. C. Shoff
Jos. Derry
Clark Hillman
John Hensel
R. C. Shoff
J. H. Moore
W. B. Spruce
S. W. Miles
Mathias Schar
Ed. C. Jaedens
J. C. Weston
Samuel Barry
Lewis Gill
Leyton Chapman
John H. Alexander
E. O. Miles
J. P. Gray
G. M. Alexander
Hans Lorenz
E. A. Carr
W. Hensel, Jr.

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No ~~14~~ Sept Sess 1892

May

Petition of inhabitants
of Bigelow ^{opened road to supply} &
public road to lead from
a point on road leading
from Beyers & Kirk's Mill
at junction of "old Hegarty"
road

To

Ches terfield Mines

Now 27th May A.D. 1892
the within petition read
and considered and
hereupon Harry Beyers-
Geor^t Mcally, and S. A. Robison
are appointed
viewers to view and
locate said road.

By the Court

O. C. Kirby

File 28th May 1892
J. W. Morrison
W. A. Chase