

No. 1, December Term, 1823

Public Road

Versus

Bloom'd Pike Townships

Contents:

Legal Exceptions to the Conformation absolute

1. The road has never been conformed ~~in part~~
2. The road not having been acted upon
~~at the time of Court to which it was re-~~
~~turnable, & then being no continuance,~~
~~and a term of Court having intervened,~~
~~the report ~~of~~ ^{and} never~~ cannot now be
conformed ~~now~~ pro time.
3. Filing the report of viewers in the
office of the Clerk of the Court is not
a return to the Court.
4. The report of viewers does not show
the public road as ending at any
public point or place.
5. A Railroad where there is neither
a siding or station or a public
road is not a proper terminus for
a public road.
6. Byres Road one of the viewers was dis-
qualified to act as such. He was interested
in the road. He carried the petition, ^{for the road} and obtained
signatures thereto.

7. Reasons set forth in Remonstrance

Milton McClellan
Lawrence May +
my others get by all
W. D. Bigler
G. R. Bigler

May 5, 1894

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 Fifth day of December, A. D. 1893, before Judge of said Court, upon a petition of sundry inhabitants of the townships of Bloom and Pike, in said County, setting forth that

They labor under great inconvenience for want of a Public road Beginning at a point on the Old Erie Pike in Pike Township at the intersection of the said Pike with the road leading from said Pike to Pennsboro near the house of Edinger and leading to a point on the Cleaphus and Mahoning Railroad in Pike Township on the west line of right of way of said Railroad at a distance of 370 feet measured in the direction of said Railroad toward Rockton from the northeast corner of a clearing where said Railroad passes over a Spring run about one half mile below the mouth of Bear Run. The last designated point being the location for a station on said Railroad

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Make Report at Kelly B 1894

whereupon the Court, upon due consideration had of the premises do order and appoint Harry Byers W. D. Wood J. L. Robertson

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 land 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 land 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.

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 John Dale the sum of ten Dollars

To the sum of

To the sum of

Witness our hands this 22nd day of December, A. D. 1893.

Harry Byers
C. A. Woods
J. L. Robison

ROAD VIEWERS' NOTICE.



NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view Public Road leading from Point at the old Erie Pike in Pike Township at the intersection of the said pike with the road leading from the said pike to Pennville near the house of Ellinger in Pilse Township, to a point on the Clearfield and Mahoning Railroad in Pike Township on West line of right of way of said railroad at a distance of five hundred feet in the direction of said railroad toward Rockton from the North East corner of a culvert where said railroad passes over a spring run about one half mile below the mouth of Bear Run in Pilse Township, in the county aforesaid will meet at the house of Said Ellinger, in Pilse Township, on Friday, the 22nd day of December, A. D. 1893, at 1 o'clock P.M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice

Harry Byers
C. A. Wood
F. L. Robison } per B.
VIEWERS.

Clearfield Pa Dec 12 1893.

Service of within notice
accepted this 12th
day of Dec 1593

Francisco
Carrasco

Clearfield & Mahoning
RR

1/2
MILL GAN
ESTATE
Unseated

Road to
PENVILLE
34 1/2 miles
E
BELLING
TOWN
SET
MEADOW
DALE
Pike
To CUMBERLAND
10 1/2 miles
N 10° W 76.5°

No 1 Dec 55 1893
Bloom & Pilke
30 stick = 1 inch

Viewers { Harry Rogers
C. A. Wood
Frank Robison

To the Honorable the Judge of the Court of Quarter Sessions
of Clearfield County Pennsylvania. We the undersigned
viewers appointed by the written order of court to view and
lay out the road therein mentioned respectfully report that
we gave legal notice of said roadview by posting notices
and with five days notice to County Commissioners and
and having met at time and place stated on notices we,
having been first severally sworn or affirmed, have laid out
and do return for public use the following road to wit: Beginning
at a point on the old Erie Pipe in Pulse at the intersection
of the said pipe with the road leading from the said pipe to Pennville
near the house of George Ellinger, thence by said pipe toward
Conneautville South forty four and one half degrees East seventeen and
eight tenth perches thence, leaving pipe and passing through
meadow of Wm Dale North fifty three degrees East seven perches
to a post, thence through unimproved land of Milligan North
one degree East twenty five and seven tenth perches to a hemlock
thence North ten degrees West seventy six - and five tenth perches
to hemlock thence North two degrees West twenty one perches to a
white oak thence North one half degree West eighteen perches to a
hemlock thence North thirteen and one fourth degrees West sixteen
perches to pine stump thence North thirty one degrees West seventeen
perches to post thence North twenty three degrees West eleven
(1) to Birch Sapling thence North twenty six degrees West fifteen
and four tenth perches to Post thence North thirty two and three fourth degrees
West nine and six tenth perches to a hemlock stump thence
North forty six and three fourth degrees West five perches
to point sixteen and one half feet from right of way of Ma-
honing and Clearfield Railroad thence parallel with said
right of way at a distance of sixteen and one half feet from it
(being center of road we are laying out) South seventy five degrees East
twelve and eight tenth perches to point on right of way of
said railroad at a distance of five hundred feet measured
toward Rockton from where spring run passes under said rail
road being about one half mile below the mouth of Bear
Run. A plot or draft of which road as aforesaid laid out
is herunto annexed. Which road so as aforesaid laid out
is necessary in our opinion for a public road. We
believe owner of land except Wm Dale, whose damage we place
of ten dollars, is entitled to damage by reason of locating
and opening said road. Witness our hands this 22nd day
of Dec A. D 1893

Viewers { Harry Byers,
D. A. Woods
F. L. Robison

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. 1000 Sessions, 1893

ORDER 

To view and lay out a road for
public use in the township of
Clemont Lake, Clearfield Co.

Sessions, 1893
read and confirmed Ni. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

	AMOUNT.
Days 2	\$ 9.10
Hangings	Miles 1 \$ 5.10
Franklin	Miles 1 \$ 5.10
Ca. Woode	Miles 2 \$ 9.20
H. Cung	Miles 1 \$ 5.00
Chairman	Miles
Days	Miles

Filed 5 Henry, 1894
Fees \$1.25 paid by ~~John~~ ~~John~~
John C. M. ~~John~~ ~~John~~
John C. M. ~~John~~ ~~John~~

TO THE HONORABLE THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

The undersigned citizens of Pike Township, Clearfield County, Penna. respectfully
all
monstrate against that certain road in Pike and Bloom Townships, leading from
the Erie Pike to the C. & W. Railroad and on the records of the Court to c. 1
Dec. term 1897, for the following reasons;

1. That the said road is not a public necessity or convenience, and is no benefit to any citizen of the Township.
2. That after passing through a small field at the beginning point, it passes no improvement, no habitation, no cleared land, intersects no public road and its entire route is through a barren waste and along a steep rocky hill side and terminates at a railroad where there is neither station or siding, and where there is no public road, place or place of resort.
3. That while it is only a mile long yet from the character of the country it passes through, being principally a steep hillside and very rocky, it would cost over a thousand dollars (\$1000) to build said road.
4. That Pike Township is now in debt for road and bridges to the amount of ~~\$2000~~ and by a recent order of the Court is required to build during the present season the greater part of a new road from Clearfield to Curwensville and can only with great difficulty provide sufficient funds for that purpose, and that the granting of the proposed road would be very burdensome.
5. Said road is set forth in the petition and report as being in Pike and Bloom Townships, but the same is entirely in Pike Township and no part thereof in Bloom Township.

We therefore pray the Court that said road may not be granted.

W. C. Spencer
C. F. Hayes
Paulin Bonsall
J. K. Spencer
Glyde C. Spencer

C. J. Spencer
Johnson Holden
George Cleaver
Cyrus Cleaver
G. Bailey

C. H. Marshal
C. W. Bailey.
S. M. Dale
J. St. Dale
George W. Ellinger
D. P. Pyle
Reed R. Bloom
S. L. Horn
Charles Shubert
G. W. Lines

Samuel Horn
J. H. Taylor
W. L. Dale.
W. A. Hipp
James Smith
Newton Freeman
Richard Freeman
J. M. Bennett
H. C. Porter
James Babcock
Thos. Humphreys
D. While.
Paul Mullen

C. B. Morris
John R. McCleure
E. L. Addleman
B. B. Addleman
Lafayette McCleure
Robt M. Addleman
W. C. Garwell
A. H. Garwell
J. M. Ward
J. H. Caldwell
D. W. McVane
John H. Humphreys
H. H. C.
Chas. Harmon
George Spangler
Frank Holden
H. R. Nash
Sam. Whitaker
Allen Bloom
L. M. Bloom
Jacob J. Ritter
Jno. A. Dale
L. E. Bailey
H. G. Hale
A. J. Bishop,

I. W. Johnson
Edwin Way
B. Kastrom
A. M. Kester
Wm. Sharp
Charlie Sharp
Harvey Bloom
James Sharp
J. H. Shirey
G. S. Clark
C. E. Bay
Jas R. Morris
Joseph L. Dale
Rush M. Leeder
J. L. May
J. R. Caldwell
O. L. Morris
J. G. Hartshorn
M. C. Morris
Walter Morris
Joseph Whitaker
John Porter
Chas. M. Smith
J. N. Porter
H. A. Sharp
O. B. Otis - 86

No 1 See. See p 3

Permittee of
Cirgion of Co, No
Twp. of New Road
No 1 Sec Sec. 193

Sept 1, 1894
John W. D.

Bigler

TO THE HONORABLE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY;

The undersigned citizens of Bloom Township, Clearfield County, Pennsylvania respectfully remonstrate against the granting of a proposed road between the Frie Furnaik and the C. & W. Railroad alleged to be in Pike and Bloom Townships, for the following reasons:

That the same is unnecessary and the making would be a useless expense and no benefit to ~~any~~ ^{but one} citizen of Bloom Township. That it would be expensive to build and there is no place or habitation along the line of it or at its termination.

We therefore pray the Court that the said road may be granted.

*J. J. Seger
mark*
George D. George
Joseph M. Shubert
Isaac Thoroway
J. D. McCaff
W. E. Thomas
Henry D. Haag
Calvin Bilger
Gilbert Thomas
J. Warren Henry
A. Hudson
C. Conrad

Isaac Bloom

W P Bloom.

Henry Bricks

Geo. E. Leech

Spencer

L. P. Leech

W. Grant

S. S. Reams

F. H. Brink

W. M. Lines

W. M. A. Lines

Harrison Shaffer

A. S. Holden

Isaac Bloom

G. L. Smith

W. M. Henry

Walter Henry

Milton Smith

George Leech

W. G. Henry - 32

- no 1 see sec 103

Penns. Proc. of
Citizens of Bloch.
Agamemnon
Mar. no 1 see
sec 103

July 11 1874
John W.
A. Co.

B. C. L.

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

In re Public Road

in

No.

Dec Sessions 1893.

Pike Township.

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

Court:-

The petition of the undersigned citizens of the Townships of Bloom and Pike, in said County, respectfully represents:-

That they labor under great inconvenience for want of a public road, beginning at a point on the old Erie Pike, in Pike Township, at the intersection of the said pike with the road leading from said pike to Pennville, near the house of ~~Berry~~ Ellinger, and leading to a point on the Clearfield and Mahoning Rail Road, in Pike Township, on the West line of right of way of said Rail Road, at a distance of Five Hundred (500) feet, measured in the direction of said rail road toward Rockton, from the North-West corner of a culvert, where said rail road passes over a spring-run, about one half mile below the mouth of Bear Run- The last designated point being the location for a siding on said Rail Road.

They would therefore pray the Court to appoint suitable persons to view the premises and report according to law. And they will ever pray &c.

Jacob Bilger
Robert Weir
E. Bilger

J. O. Ellinger
J. T. Dab
A. C. Bilger

J. W. Bailey

in Dr. Marshall.

L. H. Marshall
William George
W. C. Clegg
Newton, Soldiers
A. J. Oliver
170 Carnegie

1. 1. 1. 1. 1. 1. 1.
annexed 11. 9. 9
Loreto 11. 9. 9
11. 9. 9

Geo. Rapp
R. C. Bigner
J. A. Thompson
Mrs. B. Conole
S. W. Kelly
H. J. Smith
Geo. W. Gray
John Peacock

Monroe 85185

Dec 6 Dec 1893

This Dec 5 or 1893
Harry Price, C. A.
Wood & G. J. Robinson
submitted wherein to
view & return to the
Scriber H. H. &
May 10th

Geo. H. Blyer,
Attorney at Law,
Clearfield, Pa.

CLEARFIELD REPUBLICAN PRINT.