

No. 13 May

Term, 189 3

Public Road

Versus

Coalport Borough

Contents:

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 17 day of July, A. D. 1893, before Judge of said Court, upon a petition of sundry inhabitants of the township of Becharia, in said county, setting forth that

Your petitioners Labor under great inconvenience for want of a public or highway to lead from the East end of Spruce Street in Coalport Boro. to a point on the Road from Utahville to Blain City near Mose Arthur's in Becharia Township

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, make Report at next term whereupon the Court upon due consideration had of the premises, do order and appoint Jos. L. Lightner David Mahaffy & Isaac Rickel 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.

D. J. Guigery  
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 paid by the \_\_\_\_\_ at and before the enseatling 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 J. Emyen the sum of Twenty Dollars  
To A. H. Agnew the sum of Nothing  
To Levi Spangar the sum of Seven and five Cents  
Witness our hands this 13<sup>th</sup> day of June, A. D. 1892

to the Judges of the Court of Quarter Sessions  
 of the peace, in the within or annexed order  
 named: We the subscribers, the persons -  
 appointed by the said Court to view and lay out  
 the road therein mentioned, report that leaving  
 from first severally sworn or affirmed in the manner  
 and form prescribed by the said order, all of us  
 viz: J. S. Diggle, David Mahaffey, Isaac &  
 Ricketts having viewed the ground for the prop-  
 ored road then of us concerning did lay out and  
 now return the same for a public road beginning  
 at Oualport through line and East end of Spruce At-  
 lantic through lands of S Haggard N (88) E - (20) Res. to a post -  
 then N (69) East - (13 1/10) Res. to a post, then N - (54) E - (22 1/10)  
 Res. to a post, then N (68) E - (9 1/10) Res. to a post, then N -  
 (75) E - (22) Res. to a post, then N (81) E - (19 2/10) Res. to a post -  
 then through lands of Jacob. Quyer. N (41) E - (27 1/10) Res. -  
 to a post - then N (58) E - (24) Res. to a post, then N (68) E -  
 (30) Res. to a post - on line of David Spanger's then through  
 lands of David Spanger N (68) E - (34) Res. to a post - then  
 then N - (44) E - (25) Res. to a post - on point on sup-  
 road leading from Uelolun to Oualport near Crown  
 Arrows. -

Witness our hands and seals this 13 day of June 1892

Jno. S. Diggle

(seal)

David Mahaffey

(seal)

Isaac & Ricketts

(seal)

NO 13 May SESSIONS, 1893

ORDER

To view and lay out a road for  
Public use in the township of  
Arcadia, Clearfield Co.  
~~May~~ Sep 1893 Sessions 1893  
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 1893 Continued to  
July 1894 By the Court

Filed 4 Sept 1893  
Fees \$1, paid by Kelly

PUBLIC SPIRIT PRINT.

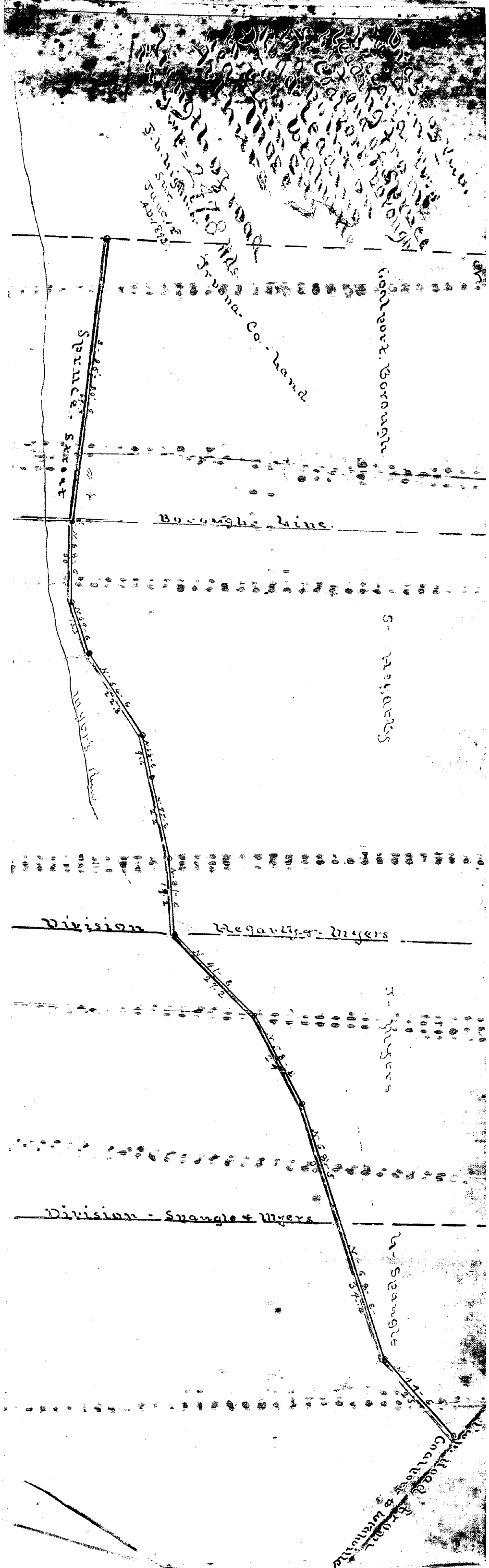
NOTE.—In case of a private road the release must be ex-  
ecuted in favor of the petitioner for said road.  
Also—Viewers will carefully note the number of days em-  
ployed and set the amount out at the foot of their return  
Reviewers cannot interfere with damages assessed by the  
original viewers, except so far as the location may be 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.

J. L. Sighler	Days 3	AMOUNT.
incidental prop-	Miles	12.00
4 new acres		0.40
(Coff #4430)		12.40
J. E. Rickells	Days 2	4.00
20 acres owned	Miles	1.00
owned (Coff #446)		5.00
Daniel Walchoff	Days 2	4.00
	Miles	1.00
		4.10

Days  
Miles

Remembrance filed 28 Sept 1893

New March 1894 Correction filed



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

In re Public Road

No 13 May Sessions 1894. (1893)

in

Beccaria Township.

Now March 31st 1894, after testimony taken, the exceptants, by their attorney Geo. M. Bilger, hereby file the following exceptions to the matters of record in the above case:-

1st. The petition fails to properly designate the termini of the proposed road.

2nd. The report of viewers fails to show that any notice of the time and place of view was given, as required by law.

3rd. The report, while showing an assessment of damages, does not show notice to the County Commissioners as required by law.

4th. The assessment of damages as contained in the report, is not signed by the viewers.

5th. Neither the report of view nor the accompanying draft shows the improvements on the ground, either to designate the termini or through which the road runs; although the testimony shows that the road runs partly through enclosed fields.

6th. Neither the report or accompanying draft sufficiently designates the termini of the said road, nor are they at all indicated on the draft.

7th. As indicated on the draft, a large part of this road reported, is within the borough of Coalport and is an extension of Spruce Street, and does not lie between the termini as mentioned in the petition.

8th. The report fails to show when the view was had.

*Geo. M. Bilger Atty for Expts*

Now March 31st 1894 I hereby certify that, in my opinion, there are legal reasons why the report in this case should not be confirmed.

*Geo. M. Bilger  
Atty for Expts*

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

In re Public Road

in

No 13. May Sessions 1893.

Beccaria Township

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

The petition of the undersigned citizens of the said township of Beccaria, respectfully represents:-

That of the seventy-nine signers of the petition for the said road, but four are residents of the said township, the others all residing in the Borough of Coalport.

That the road asked for is not necessary for the use of the public, as there now exists, between the Southern end of Coalport and the John Lightner residence, a distance of about one mile, five roads leading to Utahville, all of which are now kept in repair by the said township, and the proposed road runs between two of them which are not one-half mile apart.

That the said Township is now burdened with debt, and is required to open several new roads that have already been ordered to be opened, and the opening of the proposed road would further increase the burden upon the tax-payers without adequate advantage to any one.

Your petitioners would therefore pray the Court to refuse to confirm the order of view made and they will ever pray &c.



D. H. Dwyer  
Edward Pickett  
J. Kacheries  
D. R. Stevens  
Edward Davis  
J. L. Ince  
A. S. Warwick  
John C. Lee  
W. H. Miller  
J. M. Mully super-  
J. H. Hasson  
L. W. Miller  
J. C. Mayes  
J. F. Dick  
J. M. Hopkins  
John Hick  
A. J. Thomas  
George Weaver  
John Greinader

E. J. Hamaker  
E. J. Conrad  
E. W. J. Faust  
John D. Fink  
L. H. Beer  
E. W. Wolloe  
B. F. Dotts  
A. H. Kuhn  
L. H. Kuhn  
J. C. Wallace  
H. R. Thompson  
J. W. Lyle  
Albert E. Mott  
J. M. Beers  
L. J. Miller  
Ashley H. Fager  
D. A. Bloom  
Andrew Miller

Austin Williams

Judson Williams

Ed. Wolfe

Lewis Myers

Eino Buus

Henry Swisher

John Snyder

Jacob M. Myers

John & Matthew

John King

Dr. S. Bloom

John H. Thompson

Jos. Bountang

R. S. Gair

Ms 13 May Dec 1893

on the Road

in

Baccaria Township

Remuneration



Filed 28 Sept 1893

J. H. Simpson

Geo. M. Blyden,  
Attorney at Law,  
Clearfield, Pa.

To the Honorable David L. Krebs, President Judge of the  
Court of Quarter Sessions of Clearfield County, Pa.

The petition of the undersigned, inhabitants of the  
Township of Beccaria and the Borough of Coalport in said County, re-  
spectfully represents: That your petitioners labor under great incon-  
venience for want of a public road or highway, to lead from the East  
end of Spruce street in Coalport Borough to point on the road from  
Utahville to *Blaine City* near Moses Arthurs' in Beccaria  
Township.. Your petitioners therefore pray the Court to appoint prop-  
er persons to view and lay out the same, and they will ever pray &c.

NAMES.

*C. P. Pannetaker,*  
*J. E. Zeigler*  
*Joseph Niebauer*  
*O. G. Niebauer*  
*Wm. McClinton*  
*James Jarvie*  
*Charles Blythe*  
*E. O. Reed*  
*Joseph Rhody*  
*James Haines*  
*W. F. Wagner*  
*L. M. Beers*  
*W. C. McCartney*  
*W. J. Stull*

NAMES.

*W. C. Catlett*  
*John G. Stigers*  
*W. G. Bready*  
*B. F. Swan*  
*A. A. McClinton*  
*J. C. Patrick*  
*A. C. Lovelace*  
*V. Stevens*  
*John Benbury*  
*Edmond*  
*J. G. Patton*  
*J. Hays*  
*J. A. Libbka*  
*MacLeod*  
*J. Eselman*  
*Math. Leatherow*

Jonas Stetter  
W J McAuley  
R. A. Alden  
R. G. Mallard

J. G. Miller  
J. R. Conn

H. J. Perry  
J. J. Dyer  
W. H. Swan  
W. W. Hegarty

Joseph Lister

C. H. Claus

J. M. Elliott

Joseph Bauman

J. E. Kolbrinichlay

J. W. Holts

W. C. Thompson

E. S. Lindsey

G. S. Peacock

J. B. Lowmaster

W. H. M. Cauley

A. Hummel

Thos. A. Pomeroy

J. S. Dugan  
L. Bennett  
A. W. Mill

A. G. McEttigan  
H. Shepard

Isaac B. Kales

A. E. Brown

J. W. Hill

R. F. Gallaher

J. S. Gallaher

G. E. Confepp

John Snyder

J. B. Lydick

Geo. W. Haines

Wm. Hill

H. A. Wagner

J. W. L. L. L.

Francis L. L.

P. P. Young

Barth Young

Joseph Young

Wm. Crawford

J. S. H. H.

J. S. G. S. Lickinger

John A. Kellen

NO. 12 May Sessions 1893.

Petition for Public Road  
In  
Coalport Borough and Bec-  
caria Township.

*Andrew May, Jun 1893. Petition*

*Read and approved. John. D. Biggs  
as Surveyor. David McKeefry and  
George Ricketts are appointed to view  
and report at the next term*

*By the Court  
D. L. K  
J*

*Filed 17. May 1893*

*J. H. Kelley*

JAMES H. KELLEY,  
Attorney-at-Law,  
CLEARFIELD, PA.

John C. Clark & Sons, 230 Dock Street, Philadelphia.