

No. 13, May Term, 1893.

Public Road

Versus

Coalsack 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 ~~Beccaria~~

....., in said county, setting forth that your petitioners labor under great incon-
venience 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 Utica to
Blair City near Mose Arthur in
Beccaria 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 ~~John L. Highline~~ ~~David Mahaffy~~ ~~Isaac Pickel~~
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 per-
sons through whose lands said road may pass, or failing to procure such re-
leases, 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. Guigerry,
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 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. 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 - Guyen the sum of Twenty Dollars
To J - B - F - gally - the sum of Nothing
To S - evi Spangler the sum of Sixty five Dollars

Witness our hands this 13th day of December, A. D. 189 .

to the Judges of the Court of Quarter Sessions
of the Peace, in the within or annexed order
named, We the subscribers, the persons -
as aforesaid by the said court, to view and lay out
the road therein mentioned, report, that leaving
from first aforesaid town or village, in the manner
and form prescribed by the said order, all of us
viz: J. S. Duglair David Mahaffey Isaac E.
Ricketts leaving viand the ground for the prop-
erty road later of us, occurring did lay out and
now return the same for a public road beginning
at Coalport - through the land of Sprout-
thorpe through lands of S. Hargate - in (88) E - (20) Ras. to a post-
house in (690) East - (13 1/10) Ras. to a post-house in - (54) E - (22 1/10)
Ras. to a post-house in (68) E - (9 1/10) Ras to a post-house in (75) E - (2) Ras. to a post-house in (81) E - (19 2/10) Ras to a post-
house through lands of Jacob - Myers. in (41) E - (27 1/10) Ras -
to a post-house in (58) - E - (24) Ras - to a post-house in (68) E -
(30) Ras - to a post-house in of S. Sprout - through
lands of S. Sprout - in (68) E - (34) Ras to a post-house in (44) E -
in (26) Ras to a post or point on the
road leading from Coalport to Coalport near Cress-
well -

Witness our hands and seals this 13 day of June 1893

Jno. S. Duglair

seal

David Mahaffey

seal

Isaac E. Ricketts

seal

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. Viewers 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 13 May SESSIONS, 1893

ORDER

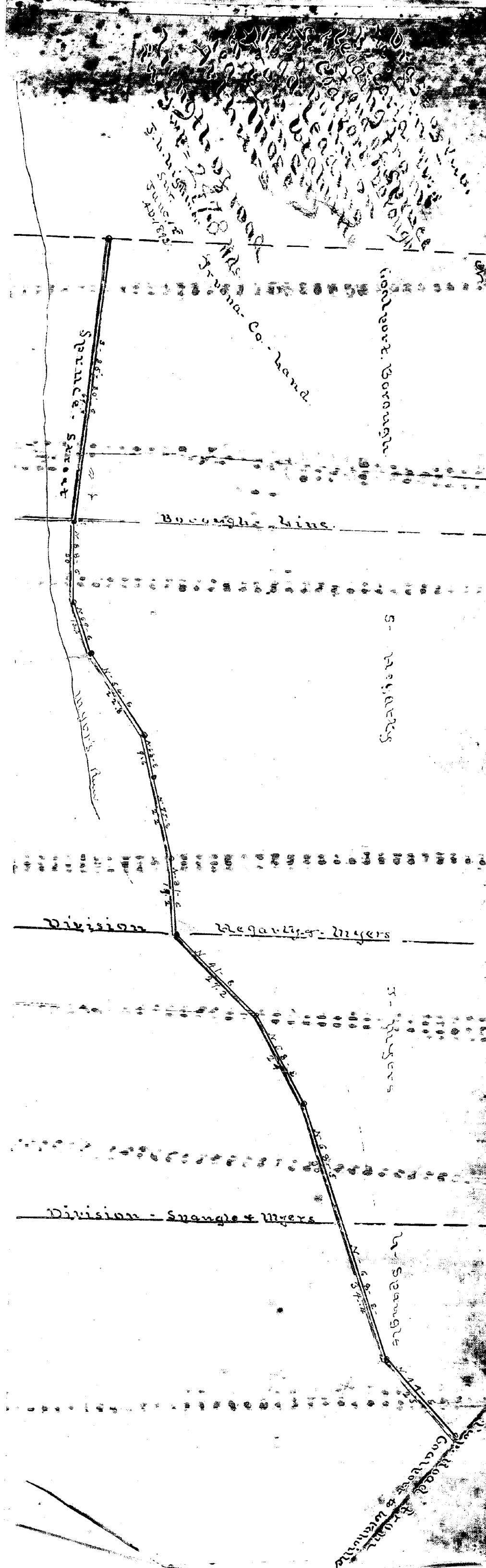
To view and lay out a road for
Public use in the township of
Beccaria, Clearfield Co.
May 1st, 1893 Sessions 1893
read and confirmed Ni. Si.
Road to be opened 33 feet wide,
except where there is side hill,
cutting or embankment and
bridging, there to be 16 feet
wide.

Beccaria 1893. Continued to
May 4th next

	AMOUNT
Days 3	12.00
Miles 4.00	12.00
Days 2	4.00
Miles 1.00	1.00
Days 2	4.00
Miles 1.00	1.00
Days 1	4.00
Miles 1.00	1.00

Filed 4 Dept., 1893
Fees \$1, paid by viewer

PUBLIC SPirit PRINT.



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 Exceptants

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 Exceptants

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. Drygan
Edward Ricketts
J. S. Kachuris
D. R. Stevens
Edward Davis.
J. L. Brabaz
G. S. Wassick
John C. Lee
D. K. Diller
Jno McNulty super
J. Hasson
L. W. Miller
F. W. Mayes
John F. Dick
John Hopkins
John Leick
A. J. Thomas
George Weaver
John Grenadier

E. G. Hamaker
E. J. Conrad
B. J. House
John D. Kuhn
L. H. Beer
G. W. Wollaer
B. F. Dotts
A. H. Kuhn
H. H. Ostell
J. B. Wallace
H. R. Thompson
J. W. Lyle
Albert E. Mellatt
J. M. Beers
L. J. Willett
Ashley H. Dozier
D. A. Brown
Andrew Webster

Austin Williams

Judson Williams

Ed. Wolfe

Lewis Myers

Eric Buro

Henry Whistler

John Snyder

Jacob M. Myers

John S. Matthew

John King

Dr. S. Bloom

John Thompson

Jos. Bowne

R. S. Yaide

1613 May 26 1893

In re Public Road

in

Buccania Township

Commonwealth



Filed 08 Sept 1893

S. J. Benger
By

Geo. W. Gilger,
Attorney at Law,
Garfield, 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. Pannabaker
J. G. Beigler
Joseph Niebauer
O. G. Niebauer
Wm Mc Clintick
James Jarvie
Charles Bly
E. O. Reid
Joseph Rhody
James Harris
W. F. Wagner
J. M. Beers
W. C. McCarthy
W. J. Still

NAMES.

M. J. Caldwell
John G. Stigers
W. G. Bready
B. T. Swan
A. A. Mc Clintick
J. C. Patrick
A. C. Lovelace
W. Stevens
John Penbury
Edwood
J. G. Paxton
J. Dye
J. A. Libretta
Oppac Seol
J. Oselman
Math. Leatherow

Jonas Steller
W. J. McCauley
S. G. Davis
R. Rosselton
R. G. Mallard
J. G. Miller
J. R. Conn
W. J. Perry
J. J. Dugan
J. J. Swan
W. W. Hegarty
Joseph Fisher
C. H. Claus
J. M. Elliott
Joseph Bauman
J. E. Kolbrinachay
J. W. Hollis
W. G. Thompson
E. S. Lindsey
Geo. Peacock
J. B. Townaster
W. H. M. Cauley
A. J. Himmel
Chas. T. Pennebaker

J. S. Dugan
J. Bennett
A. W. Miller
A. G. McGettigan
H. Shepard
Isaac B. Tales
A. Brown
J. W. Miller
R. J. Gallaher
J. S. Gallaher
G. Confer P. Kelly
John Snyder
J. B. Lyall
Geo. W. Haines
Wm. Hulse
H. A. Wagner
C. M. C. C.
H. W. P. C.
O. P. Young
Barth Young
Joseph Gormel
Wm. Crawford
J. D. H. C.
J. H. D. C. C.
John D. G. C. C.

NO. 13 May Sessions 1893.

Petition For Public Road
In
Coalport Borough and Bee-
caria Township.

shown May last 1893. Petition
and thew. John. S. L. Johnson
as Surveyor. David McHaffey and
have Petitioners appointed to give
an report in the next term

By the Trust
D. L. K.

Signed May 1893

John C. Clark

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

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