

No. 4, Sept 95 Term, 189

N Public Road
Versus

In
m Beccaria Township
Contents:

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CH
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CO

Dec
97

GLEN HOPE

BORO

(Dist)

start



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Beginning on the road from Glen Hope to Sara Hegarty's Cross Roads near the Mullen Road intersection ---- to the road from Hegarty's Cross Roads to Utahville, said point being about mile south of Sara Hegarty cross roads.

IN THE COURT OF QUARTERSESSIONS OF THE COUNTY OF CLEARFIELD.

IN RE Petition
for public road
in Beccaria township.)
NO. 4 Sept. Sessions 1896.

And now this day of September A. D. 1907, A. L.
Hegarty by his attorneys, Bell & Hartswick, move the court to
quash the proceeding our in this case for the following reasons;

That the record does not show that any notice was ever
given to A. L. Hegarty, the party in interest.

That neither the petition, report, nor draft designated
either terminus of said road with the particularity required by
law.

That a legal or valid order to view never issued in this
case, the alleged order to view not bearing the seal of the Court
of Quarter Sessions, but being under the seal of the Court of
Common Pleas.

The road never having been opened nor the public moneys
expended or any valid order having been issued, the proceedings
are in law abandoned.

A. L. Hegarty
By his Attorneys.

Clearfield county. SS.

Bell & Hartswick

Singleton Bell being sworn according to law doth depose
and say. That the facts setforth in the foregoing petition are
matters of record.

Sworn and subscribed before
me this 9 day of September
A. D. 1907.

Singleton Bell

Roll B Thompson
Pro

Now this day of September, A. D. 1907 notice
of the presentation of this petition ^{accepted} by the Supervisors of
Beccaria township.

W. H. Hagerty
Atty for Peff

Now this 9TH day of September, A. D. 1907 petition
presented and ruling franted on petitioners to show cause why
proceedings should not be quashed. Service to be made on
Attorney of record.

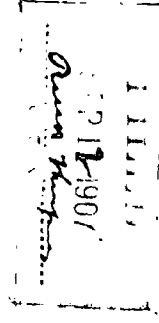
Proceeding of opening road stayed pending this petition.

By the Court
Allison D. Smith
A.D.

N^o 4 Sept Sess 1896
(Road)

In re Public Road
in Beccaria Tp.

Motion to Quash Proceedings



Bell & Hartman

IN THE COURT OF QUARTER SESSIONS. OF CLEARFIELD COUNTY, PA.
TO THE HONORABLE CYRUS GORDON, PRESIDENT JUDGE OF SAID COURT.

~~The petition of the undersigned officers of Beccaria Township~~

and Glen Hope Borough respectfully represents: That your petitioner labors under great inconvenience for the want of a public road or highway, in the Township of Beccaria, to begin at a point on the public road leading from Glen Hope to Hagerty's Cross road, and nearer the intersection of the Mullin road with said road, and extending to the point on the public road leading from Hagerty's Cross roads to Utahville, said point being about one half mile south of said Hagerty's Cross roads.

Your petitioners therefore pray the court to appoint proper persons to view and lay out the same, according to law; and they will ever pray.

Names.

Names.

David Semple	J. D. Semple
Samuel Semple	J. C. Gill
Wm M. Curry	J. M. J. Gill
John A. Smith	Edmund Williams
J. M. J. Gill	C. A. J. Gill
A. D. J. Gill	P. D. Ball
A. D. J. Gill	C. C. Ball, Jr
J. E. Kiesel	Charles Rickert
W. D. Davis	J. M. J. Gill
Gas. C. Mullin	L. W. Smith

Glenn Hooper Boring

W. H. Wright

A. M. Pent

J. C. Bloor

Isaiah Haines

D. L. Thibault

M. J. Runney

No 4 Sept 88 1896.

IN THE COURT OF QUART. SS

Petition of citizens of
Beccaria Twp. for Public
Road.

FILED MAY 8 1896

S. J. Livingston, Pro.

NOW *S* the Mayday of

1896 the foregoing petition

read and considered and there-

upon *J. S. D'Agostino, Samuel*

Boyle & James Dug

~~and~~ are appointed view-

ers to view and lay out said

road and report the same to

next term of court.

Mythea D'Agostino
James Dug
JS

FRANK G. HARRIS,
ATTORNEY AT LAW,
CLEARFIELD, PA.
HENRY HALL, PRINTER, INDIANA, PA.

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 8 day of May, A. D. 1896, before Judge of said Court, upon a petition of sundry inhabitants of the township of Beauraie, in said County, setting forth that

they labor under great inconvenience for want of a public road on highway in Beauraie Twp to begin at a point on the public road leading from Glen Hope to Hagerly's Cross Roads and near the intersection of the Mullen Road with said road and extending to the point on the public road leading from Hagerly's Cross Roads to Ulakville said point being about 1/2 mile south of Sara Hagerly's Cross Roads

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, & upon forest

whereupon the Court, upon due consideration had of the premises, do order and appoint Lightner Samuel Bode James G. 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.

Thurgery


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 said Jacob Copenhagen at and before the ensembling 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 recieve 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 .

Jacob Copenhagen 







ASSESTMENT 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 _____ the sum of _____

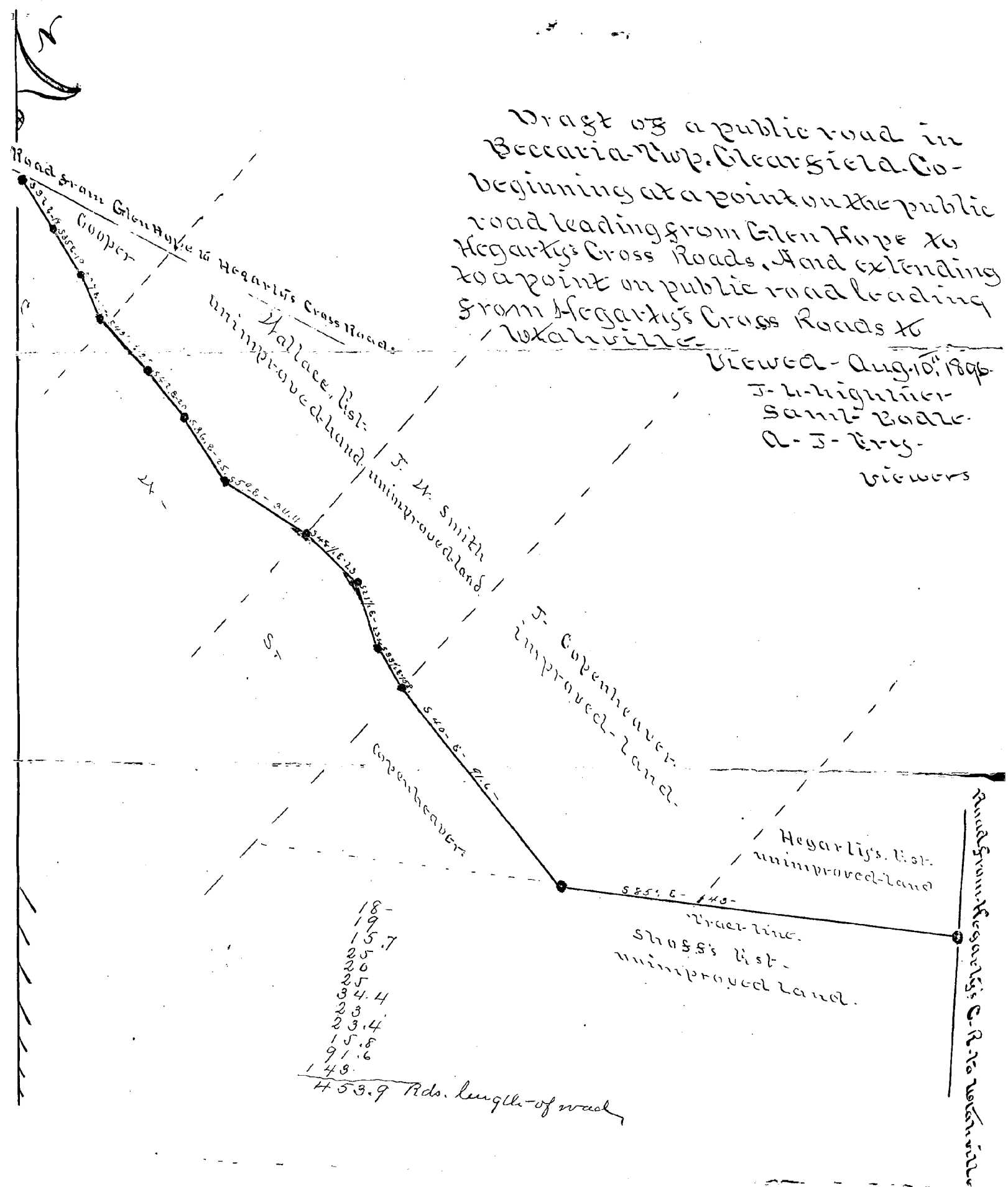
To _____ the sum of _____

To _____ the sum of _____

Witness our hands this _____ day of _____, A D. 189 .

Draft of a public road in
 Beccaria Twp. Clearfield Co.
 beginning at a point on the public
 road leading from Glen Hope to
 Hegarty's Cross Roads, and extending
 to a point on public road leading
 from Hegarty's Cross Roads to
 Watahville.

Viewed - Aug. 10, 1896
 J. H. Highmire
 Saml. Badle
 A. J. Fry
 viewers



Return of the Inquest;

To the Hon. Judge Gordon of the Court
of quarter sessions of the Peace, in the within
or annexed order named: I.e., the subscribers
the persons appointed by the court: to ~~view~~
and lay out the road therein mentioned, report
that having been first severally "sworn"
in the manner and form prescribed by the
said order, all of us (or three of us) viz:
Jno D. Lightner, Samuel Bodle and A.
J. Fry, having viewed the ground for
the proposed road, and therefor concurring
aid layout; and now return the same for
a public road. Beginning at a point
on the public road leading from Glen
Hope to Hagarly's Cross Roads in Bec-
aria sup. And near the Mullin road
intersection with said road) thence
S 32° E - through lands of Cooper 18 Rds. w. port. thence by same S 35° E - 19 Rds. w. port. thence
S 27° E - 15.7 Rds. w. port. thence S 43 1/2° E - by lands of Wallace 25 Rds. w. port. thence S 42° E
20 Rds. w. port. thence S 36° E - 25 Rds. w. port. thence S 57° E - 34.4 Rds -
w. a port. thence S 48 1/2° E - 23 Rds. w. a port. thence S 21 1/2° E -
through lands of J. B. Smith 23.4 Rds. w. a port. thence -
S 33 1/2° E - 15.8 Rds. w. a port. to lands of J. Copeland
thence by the same S 40° E - 9 1/2 Rds. to lands of Shoff & Co.
thence by division line of Copeland and Shoff. and Shoff
and Hagarly. S 85° E - 14.3 Rds. to a point on the
sup. Road, leading from Hagarly's Cross Roads to
Wallace.

Witness our hands and seals the 10th Day of
Aug. A.D. 1896.

Witness

Jno D. Lightner (seal)
S. M. Bodle (seal)
A. J. Fry (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.

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. 4 Sept Sessions, 1896

ORDER

To view and lay out a road for
Public use in the township of
Beauregard, Clearfield Co.
Sept Sessions, 1896
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.

By Geo. Gordon
Cyrus Gordon

12 Dec 1896 Certified
as correct by the
County - By Geo. Gordon
Cyrus Gordon

Filed 12 Aug, 1896

Fees \$ 1.25 paid by Harris

(670) Geo. E. Dougherty	Days <u>1 1/2</u>	# <u>6.00</u>
	Miles <u>12</u>	<u>1.20</u>
Daml. Brook A. J. Hyatt	Days <u>1</u>	<u>2.00</u>
	Miles <u>2</u>	<u>.20</u>
	Days <u>1</u>	# <u>2.00</u>
	Miles <u>8</u>	<u>.80</u>
	Days	
	Miles	
	Days	
	Miles	

In the Court of Quarter Sessions of Clearfield Co.

In Re
Petition for
Public Road
in Beccaria
Township

No. 4, Sept. ss. 1896.

Now this 9th day of September, A.
D. 1907 petition presented and rule granted on
petitioners to show cause why proceedings
should not be quashed. Service to be
made on Attorney of record.

Proceeding of opening road stayed
pending this petition.

By the Court
Allison O. Smith. P. J.

State of Penna. }
Co. of Clearfield }

ss: Certified from the records
of said Court this 18th
day of September, A. D.
1907.

Robert B Thompson
Clerk

#4 Sept 55, 89c
(100)

We're returning
from Public Road
in Oceanview Park

Sept. 20. 1907,
Landed on road

by Casey.

James A. Smith.

