

No. 10 January 1876 Term, 190

In the matter of the John M.

Chase dam on Clearfield

Creek

versus

To the Honorable the Judges of the Court of Quarter Sessions of Cleaveland County Pa.

The Undersigned petitioners living on the waters of Cleaveland Creek a tributary of the West Branch of the Susquehanna River, Respectfully Represent:

That Cleaveland Creek was duly declared a Public Highway, by an Act of Assembly approved the 13th July 1804 and subsequent acts of Assembly approved 26th March 1824 and April 6th 1833. That after the same was so declared a public highway and used and navigated the said stream for the transportation of Rafts &c to market, one John M. Chase did erect a dam across the channel of the same, and contrary to the acts of Assembly approved the 23rd of March 1803, wherein it was expressly provided, that any dam erected across any stream of water declared a public highway, shall not obstruct or impede the navigation of such stream or prevent the fish from passing up the same.

Your petitioners further represent that the said dam erected by John M. Chase does obstruct and impede the navigation of Cleaveland Creek, and injure and destroy the timber rafts of those who necessarily must pass through the same, And that the said dam is so constructed that fish cannot pass the same, and that your petitioners are informed that fish have been placed in said stream for the purpose of propaga

~~was the same~~. That the said dam has been erected since the stream was declared a public highway as aforesaid.

Your petitioners therefore pray your honors to appoint three commissioners to view said dam and compare it with the provisions of the act of Assembly approved 23 March 1803, and report to your honors at the next session of the Quarter Session Court.

And they will ever pray &c

J. H. Barton	Jos. Higgins
John Palmer	J. K. Shoff
John Rowles	G. M. Hill
H. G. Dunlop	Jos. A. Peckmore
Arthur Reece	A. D. Shoff

Wm. C. R. Robert Waring
S. J. Bush
Warren, W. Cully.
J. Mullen

Ed. W. Beck
J. H. Rupper
Mr. Suther
James Howe
Albert Shoff
Reuben Hegarty
C. W. Quinn
David Caldwell
G. W. Shoff
James Suther
Hardman Richards

John W. Kales
H. H. Baughman
B. J. ~~Shoff~~
C. A. Rowles

Austin ^{his} Steiner
mark

To the Hon. the Judges of the Court of Quarter
Session, of Clearfield County,

We the Commissioners as above named
beg leave to report.

That on the 2nd day of July last - according
to your order visited the dam on Clearfield
Creek belonging to John M. Chase who was
present, we found it ⁱⁿ process of repair. It showed
evidence of having been badly damaged by
ice freshets and in bad condition for the passage
of rafts. The repairs so far as then made were
well done, but we considered the chute and
guard walls too short and advised Mr. Chase
to add at least fifty feet to it, and one hundred
feet to the guard wall next to the saw mill
he said he would lengthen them, and as soon
as possible put it in good order for the descending
navigation. Which if not done, we recommend
that proper means be taken to enforce such
construction as will render it entirely safe for
the passage of rafts &c

Ellis Inwin

Ellis Inwin \$4,00—
H. D. Bigler 4,00
J. M. Graham 4,00

H. D. Bigler

J. M. Graham

And now 21 Jan 1876 It is hereby ordered and decreed that a copy of the report of the Commissioners be served upon John M. Chase and it is further ordered that the repairs therein advised be made by said John M. Chase within two months from this date of the service of said copy of the report. and if not so made a bill of indictment be sent up as directed by the Act of Assembly.

By the Court
C. A. M.
P. J.

No 10 Jan 1876

Petition for Share

Commissioners to view the
Chasedam on Clearfield Creek

Filed Jan 1876

June 14. 1875

Petition read by
Ellis Lawrence

J. B. Graham

W. D. Bigelow are
Appointed Commrs

specimens in accordance
with the prayer of
the petitioners

By the Court
C. A. M. P. J.

W. A. C. H. H.

Powers of Commissioners enlarged to Nov term next

By the Court
C. A. M.
P. J.

Powers of Commissioners enlarged
to Jan term 1876.

Continued to June term 76

March 28th 76

By the Court

By the Court

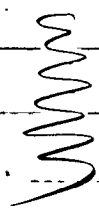
Clearfield County SS.

Personally came before me

who being duly sworn according to law doth depose
and say that the facts set forth in the petition are
true & correct to the best of their knowledge and be-
lief.

Sworn & Subscribed at

May 1st 1895



527
1895
May 1st

To the Hon the Judges of the Court of Quarter Sessions of Cleasfield County.

We the Commissioners as above named beg leave to report.

That on the 2nd day of July last agreeably to your order visited the dam on Cleasfield Creek belonging to John M. Chase who was present. We found it in process of repairs It showed evidence of having been badly damaged by ice freshets and in bad condition for the passage of Rafts. The repairs so far as they were were well done. but we considered the chute and guard walls to short and advised Mr Chase to add at least fifty feet to it, and one hundred feet to the guard wall next to the Saw Mill. he said he would lengthen them, and as soon as possible put it in good order for the descending navigation. Which if not done we recommend that proper means be taken to enforce such construction as will render it entirely safe for the passage of Rafts &c.

Ellis Irwin

Ellis Irwin \$4,00

W. D. Bigler

W. D. Bigler 4.00

Jas B. Graham

Jas B. Graham 4.00

And now 21st Jan'y 1876 It is hereby ordered
and decreed that a copy of the report of the
Commissioners be served upon John M.
Chase and it is further ordered that the
repairs therein advised be made by said
John M. Chase within two months from
the date of the service of said copy of the
report, and if not so made a bill of
indictment be sent up as directed by the
act of assembly.

By the Court
C. A. M.
P. J.

Certified from the Record
Eli Bloom
" " Clerk,

No 10 January 1876

For the Master of the
John M. Chadwick
an Olean, New York

Copy of
Receipt and
Deed.

Wm. M. 11/10

Service accepted
Jan 26 1876 for John
M. Chase.

Murray and Gordon
all 11/10 for Chase

20/1 5/1 1/2
Murray and Gordon
all 11/10 for Chase