

Road

In Court of Jus. Secs.

No. 1 Feb'y Sec 1902

Exceptions
to
Report of Viewers
on Road in Bigler
and Beccaria Twp

11 May 1903 Exceptions
overruled.

By the Court
Cyrus Hendry

John B. McGrath,

Attorney at Law,

Houtzdale, 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 5 day of December, A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Bigler ^{2d} Bessania, in said county, setting forth that

your petitioners labor under great inconvenience for want of a Public Road, beginning at a point on Township Road in the village of Smoke Run Bigler Township said County, and being corner of land of Pidgeon and Stewart and a small run, and ending in the village of Winderist or Emeka No. 22 at a place known as the Water Tank in Bessania aforesaid.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, report to next term of Court whereupon the Court, upon due consideration had of the premises, do order and appoint C. B. Maxwell A. H. Henderson and John Beyers 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 view and 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.

Grant H. Thompson
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 County of Clearfield 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 County of Clearfield 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 12 day of April
A. D. 1902.

Henry Gossar Seal
Pidgeon Stewart Seal
BERWIND WHITE COAL MINING CO.
By J. M. Brown, Treasurer 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 Andrew Smith the sum of 25⁰⁰/₁₀₀
To J. K. Ranney the sum of 1⁰⁰/₁₀₀
To _____ the sum of _____

Witness our hands this 12 day of April A. D. 1902

Chas B Maxwell
A Henderson
W. Chaugstad

To the Hon. Cyrus Gordon. P. J.
Court of Quarter Sessions of Clearfield County.

The persons appointed by the within order of Court to view and lay out the road therein mentioned, to wit - C. B. Maxwell & H. Henderson & W. C. Langsford being present and first severally sworn, according to law, and after having given ten days (at least) notice to the County Commissioners of Clearfield County, the Supervisors of Beccaria and Bigler Townships, and the owners and occupiers of the lands through which proposed road passes, of the time and place of view as appears by the annexed copy of notices and acceptances and returns of service enclosed thereon, do hereby certify that in pursuance of said order we met at ~~the place~~ ^{the place} appointed in said notice, and after hearing the persons interested and viewing the proposed road we found there was occasion and great need for a public road between the points fixed as termini for the accommodation of the public, and of owners of land through which road passes and adjacent thereto, and we have viewed and laid out and do return for public use and road the following road to wit - Beginning at point in road leading from Ranney to Hegarty's X roads, in Bigler Twp. near corner of land of Pidgeon and Stewart and Small Run; thence South 86° Dist 223.6 feet to point; thence South $44^{\circ} 15'$ Dist 112.2 feet to point; thence South $66^{\circ} 45'$ Dist 681 feet to point; thence South $49^{\circ} 30'$ Dist 254.6 feet to point; thence South $64^{\circ} 45'$ Dist 123 feet to point; thence South $52^{\circ} 30'$ Dist 164.5 feet to point; thence South $40^{\circ} 15'$ Dist 325.3 feet to point; thence South 38° Dist 323.5 feet to point; thence South $44^{\circ} 45'$ Dist 541.6 feet to point; thence South $84^{\circ} 45'$ Dist 561.5 feet to point; thence South 88° Dist 135 feet to point; thence North 50° Dist 130 feet to point; thence South $34^{\circ} 15'$ Dist 344 feet to point in the road leading to Curkoick 19, or village of Chesterfield near water tank in village of Thinderick - Beccaria Township and the courses of said road, and the land through which it passes and improvements thereon are more fully shown by the annexed draft and made part of this report -

Your Viewers further report they have obtained release of damages from owners of land through which road passes, and where they have been unable to do so they have assessed damages to them - as appears by the annexed "Release of Damages" and "Assessment of Damages" Schedules.

In witness whereof we have hereunto set our hands and seals This 28th day of April. A. D. 1902

Chas B Maxwell
A. H. Henderson
W. C. Langsford

Feby 4th 1902. By order of Court. filed. W. C. Laughsford
 is substituted as a Newer in the room and stead
 of John Buyer, and within order to view is expended,
 to May Sessions 1902. Grant Thompson
 Clerk.

No. 1 Feby Sessions, 1902

ORDER

To view And lay out a
 road for Public use in the
 townships of Bigler & Benning
 Clearfield County

7 MAY Sessions, 1902
 read and confirmed N. S.
 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 the Court
 Sept 6 1902 Confirmed and
 Et amended, see 10 Feb.
 By the Court

FILED
 5 2 190
 Fees \$1.25 paid by Atty.
 Boni

21 Oct 1903 5 Sessions
 -renewed to 27th Feb. (renewed)

NOTE.—In case of a private road, the release must be executed
 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 origi-
 nal viewers, except so far as the location may be changed by the
 reviewers.
 B.—If the viewers believe the parties are not entitled to dam-
 ages, taking into consideration the advantages as well as the
 disadvantages of the road, they will report to that effect.

AMOUNT.

A. Anderson	Days 3-	
	Miles 3.4	
E. B. Marnell	Days 3	\$15.00
	Miles 8.4	\$4.44
W. C. Laughsford	Days 8	
	Miles 1.8	
W. C. Laughsford	Days	
	Miles	
W. C. Laughsford	Days	
	Miles	

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

In the Matter of the report } No 1. February Term, 1902
of Viewers to lay out a
public road in Bigler
and Beecoria Twp,
leading from a point in the
public road in the vil-
lage of Snake Run to
the village of Windrist or
Eureka No 22, at Water Tank.

Andrew Smith, one of the owners of
land, through which the proposed road passes,
files the following exceptions to the confirma-
tion of said Road, and Viewers Report, viz:

- 1 The petition for the view, asks for appointment
of viewers to lay out a public road leading
from or beginning at a point in the Twp. road
in the village of Snake Run, Bigler Twp. said
County and being the corner of land of Ridgeman
& Stewart and a small run, and ending in the
village of Windrist in Beecoria Twp, at a place
known as the Water Tank, while the viewers report
a road ending at a point in the road leading to
Eureka No 19. or village of Christypt. near Water Tank
and is not in accordance with the order of Court.
2. That the Draft accompanying the Viewers Report
does not set out the location of the village of

Windsorist and designates the private road to Christfield as a "public road", and is therefore untrue and incorrect and misleading.

3. That the terminus of said road as set out in the order for appointment of Viewers is "the water tank" - while ~~the terminus in the Viewers report~~ fixes the terminus at a point in the road leading to Ennoka No. 19 or village of Christfield, near water tank, and that the terminus of the road is not fixed to a definite point in said road as required by law.

4. That the said road is not needed to accommodate the public travel, and in fact, is located for the use of Padagon and Otterworth to enable them to haul some props and ties, and will be of no benefit to the residents of the Village of Windsor.

5. That the residents of Windsor, in order to make use of the proposed road will have to cross over the railroad and trespass on private lands, which would be clearly shown if the plot of said Village had been copied on the map accompanying the Report.

6. That the said private road, at the terminus of proposed road, is owned exclusively by the Berwind-White Coal Mining Company, and may be abandoned at anytime, as the Colliery to which it leads has been practically abandoned, and the improvements offered for sale.

7. That Joseph Maxwell, one of the petitioners for said road furnished free entertainment to the viewers.

8. That the Jurors, when upon the ground, refused to hear the objections of those who opposed the location of the road, ^{and publicly insulted them} and it was with great reluctance, and not until after requested to do so by Counsel for the Petitioners for the Road ^{that} would they consent to hear Counsel for those in opposition to the said road.

9. That the damages assessed to the said Andrew Smith, owner of the greater part of the land through which the proposed road passes, ~~are~~ inadequate, and that the real damages that will be suffered by the said Andrew Smith if the road is built as located by the Drivers, will exceed the sum of sixty (\$60.) dollars, - the Drivers allowing but \$25.00.

10. That the road at present located, will be accessible to but four or five families, while it will be inaccessible to more than twenty (20) families of said Village of Windmill.

11. For the reasons above given as well as for the reasons that a large part of said road is entirely unnecessary, and will be used almost exclusively by said Ridgers & Stewart, ~~your~~ exception asks the Court to refuse to confirm the report of the Drivers.

Andrew Smith

Charford Co. Jt.

Before me a Justice of the Peace in and for the said County personally came Andrew Smith who being duly sworn according to law said that the facts stated in the foregoing statement are true and correct to the best of his knowledge and belief.

Given and subscribed before me this 29th day of August 1902.
W.P. Harpster J.P.

Andrew Smith

ROAD

In Court of Law, Sees,
N ^o . 1 Feb 4 Sea 1902
Exceptions to Report of Viewers on Road in Bigler and Beccaria Twp ^s
11 May 1903 Exceptions overruled. By the Court Cyrus Gordon
John B. McGrath, Attorney at Law, Houtzdale, Pa.

° 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 on Township Road in village of Smoke Run near corner of land of Edgewood Stewart and a small run

in *Bigler* Township, to a place known as the Water Tank in village of *Shinderist or Eureka No 22*

in *Beccaria* Township, in the county aforesaid, will meet at the house of

Bigler Township, on *Saturday*, the *Twelfth* day of *April*, A. D. 1902, at 12 o'clock *P.M.*, to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

A. W. Henderson
H. C. Langsford
C. B. Maxwell

Viewers.

March 24, 1902.

Service accepted March 24th, 1902

A. Beaver

clerk to the Court

Now March 24, 1902. service of notice
of within view accepted

J. W. Shoff

O. E. Becker

Supervisors Bigler Imp
supervisors of Beccaria Imp

Mar 27 1902

Served the within notices on John Washburn
a copy with his wife so as to S. Loughhead const Bigler Imp
of except notices left at my house for supervisors of
of Beccaria Imp J. E. Washburn

Now March 24, 1902. I served within notice on
Ed. Pidgeon of Pidgeon & Stewart, Henry Gosser
and John Beizer and B. Delia

And on April 2, 1902, Andrew Smith served
by reading notice to him.

And on March 25, 1902, served notice
on T. B. Beyer, agent for Dr. Ramey said Ramey
being a non resident of the County.

D. P. Loughhead const
of Bigler Imp

Sworn and subscribed

before me this 12 Apr. 1902

W. B. Langsfua J. P.

State of Pennsylvania
County of Clearfield. S.S.

A. H. Henderson, Chas. Langsford and
C. B. Maxwell, being duly sworn, say
that as viewers appointed in the annexed
order to view and lay out a public
road. At / Term Sessions 1902, that
they will perform the duties of their
appointment impartially and with
fidelity and further ~~say~~ not.

Sworn and sub-
scribed before me this
12th day of April. A.D. 1902.

Chas B Maxwell
A H Henderson
W B Langsford

Harry Boulton
Notary Public.

NOTARY PUBLIC COMMISSION
EXPIRES JAN. 26 1903.

To the Honorable Cyrus Gordon, President Judge of the Court
of Quarter Sessions of Clearfield County:

The petition of the undersigned citizens and residents of the
Township of Bigler, ^{Beccaria and vicinity} respectfully represents:

That your petitioners labor under great inconvenience for
want of a public road, beginning at a point on Township Road in the
village of Smoke Run, Bigler Township, said County, and being corner
of land of Pidgeon and Stewart and a small Run, and ending ~~at a point~~
in the village of ^{Windcrest} or Eureka No. 22, at a place known
as the Water Tank, in ~~Beccaria~~ Township aforesaid; your petitioners
therefore respectfully pray the Court to appoint proper persons to
view and lay out a public road between the points aforesaid according
to law. And they will ever pray.

Names

Berwind, White Coal Mining Co

A. S. R. Richards, Supt

Ed Pidgeon

A. S. Stewart

~~A. S. Stewart~~

C. C. Ball

Leo W. Beyer

J. S. Stuckman

E. D. Link

Alfred Wilson MD

Eureka Supply Co Ltd

John M. Maye
Wm Pollock

Names

John P. Henderson

R. A. Leonard

Ch. S. Bergh

Frank J. Johnson

Joseph Maxwell

Jacob Olver

David Johns

Charley Lynn

William Lewis

John M. Barlin

P. M. H. H.

George Common

George Benvenuto

Names

Names.

D. P. Loughhead
 John Shea
 Henry Bennetto
 Frank Belier
 Thomas Watson
 O. W. Hoff
 John Cowhe

E. J. Hartog
 Samuel Barteluch

Austin Kerin
 Andrew Veeres

Ed Brubaker Supt. C. C. M. Co
 W. Wingard

Mike & Cowell.

Mike & Alasky

John Bartick

Samuel Chirerak

Michael Scollins

Epunka Supply Co. dim. Han. today

James West H. L. S.

Wm. Hoagel

G. B. Edgson

J. D. Post

J. D. Post Ramey
 Mgr.

S. W. Croyl

In re. Petition for
Public Road in
Bigler & Beeoria
Townships

Nov. Dec 5-1901.
Petition read and
considered and
C B Maxwell, A H Wicks
designing John Bayl
are appointed viewers
to view and report
to next term -

By the Court
J. J. Gentry
DEC 5 1901

Harry Boulton
Houtzdale

TO THE PROTHONATARY OF CLEARFIELD COUNTY.

I, *J. G. Higgins* Supervisor of Bigler Township do hereby certify that the Township Road leading from Smoke Run, in Bigler Township, to the Water Tank, near the village of Wind Crist in Beccaria Township is now open to the public for general travel.

Witness my hand and seal this *14* day of December 1904.

J. G. Higgins

TO THE PROTHONATARY OF CLEARFIELD COUNTY.

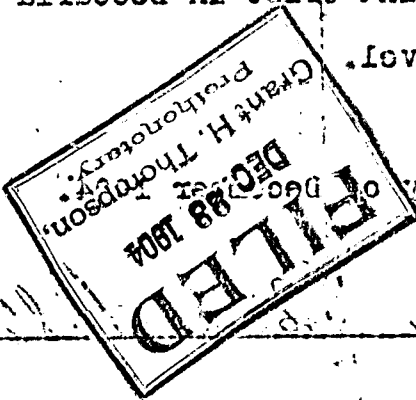
I, John Burchill, Supervisor of Beccaria Township, do hereby certify that the Township Road leading from Smoke Run, in Bigler Township, to the Water Tank, near the village of Wind Crist in Beccaria Township is now open to the public for general travel.

Witness my hand and seal the 27 day of December 1904.

John Burchill

TO THE PROTHONOTARY OF CLEARFIELD COUNTY.

I, John D. Smith, Supervisor of Beechris Township, do hereby certify that the Township Road leading from Smokey Run, in Bigler Town-ship to the Water Tank, near the village of Tind Creek in Beechris Town-ship is now open to the public for general travel.



18th Dec 1904

Bigler & Becarria

Conf Sept 16 1903

33-16

Begin on Road from
Ramey to Hegartys
& Roads to a point
on public Road to
Chesterfield.

stop  start