

NO. 4462

COMMONWEALTH

VERSUS

In Re Public Roads
in Bigler Twp.

7. d. #5 - Page 309

Charge.

X
WALTER WELCH.

DISTRICT ATTORNEY.



Clif. Co., Pine Twp.
Conf. 'brol. May 1916.
33 ft. -- 10 ft.,

Beginning at a point in the Public road leading from Cle rfield to Penfield at the dividing line .O. Long and Frank Johnson near the house of Mr. Johnson being south 20 from the corner of the State Land. ---- to the intersection of the Home Camp to Winterburne Road.

IN RE: : APPLICATION TO THE COURT OF
ROAD FROM HUSTON AND PINE : QUARTER SESSIONS OF
TOWNSHIPS,,CLEARFIELD COUNTY, :: CLEARFIELD COUNTY.
PENNSYLVANIA. : No. September Sessions, 1915.

Said road to begin in road leading from Union Township to
"interburn at a point near Johnstons in Pine Township.

We the undersigned supervisors of the township of Huston,
and Pine Township, hereby acknowledge notice of the application for
the above road and waive notice prior to the filing of said petition.

October 16, 1915.

Samuel L. Wilson

Virn Keyser
Supervisors of Huston Township.

John Wilson

Supervisors of Pine Township.

TO THE HONORABLE, THE JUDGE OF THE COURT OF QUARTEP
SESSIONS OF THF COUNTY OF CLEARFIELD:

The petition of the undersigned respectfully represents:-

That they are citizens of the Townships of Huston and Pine; that they labor under great inconvenience for want of a public road to begin on a public road leading from Home Camp to Winterburn at a point Twenty one Hundred (2100) feet from Elias Linninger's house, in the Township of Huston, said county, and to end in a public road leading from Clearfield to Penfield, at the house of Frank Johnson, in the Township of Pine, said county.

Your petitioners, therefore, pray the Court to appoint proper persons to view and lay out said road.

. And they will ever pray, etc.

John H. Linniger W. H. Adams
W. D. Young C. F. Miller
John Tolson S. J. Bellard
W. A. Wilson Edw. Rhoads
A. D. Shambaugh James Solley
E. Bunker R. W. L. Jackson
Joseph A. G. H. C. Bullock
A. H. Tracy G. J. Sheldon
W. H. Coffey

<u>Thomas Belong</u>	<u>John Burridge</u>
<u>Thomas Goss</u>	<u>A. M. Belong</u>
<u>Henry Chapman</u>	<u>G. M. Harriger</u>
<u>Mr. George Stichens</u>	<u>H. G. Bennett</u>
<u>W. H. Langdon</u>	<u>Frank Johnson</u>
<u>A. E. Belle</u>	<u>W. H. J. Johnson</u>
<u>Henry Belong</u>	<u>James Pendleton</u>
<u>J. H. S. Fletcher</u>	<u>W. H. C. Schen</u>
<u>R. R. Belong</u>	<u>A. L. Parrott</u>
<u>H. Dennis</u>	

CLEARFIELD COUNTY, SS:

Personally appeared before me, a
in and for said county, W C Long,
who being duly sworn according to law, deposes and says that
the facts contained in the foregoing petition are correct and
true to the best of his knowledge and belief.

W C Long

SWORN AND SUBSCRIBED before me
this 30 day of August
A. D. 1915.

J H Lewis
Justice of the Peace
My Commission Expires
First Monday in January, 1918.

No. 3, ~~September~~ Sessions
1915.

IN RE:

PETITION FOR PUBLIC
ROAD IN HUSTON & PINE?
TOWNSHIPS.

Nov 25 Sept 1915 H. G. Knecht
Ed. G. Grotke
John an approved
Brewer located at
Chestertown Center
Annesbury, M. D.
The 1st Con
Huston & Pine
T. P.

W. C. PENTZ
DU HORN, P.A.

BALTIMORE OFFICE SUPPLY CO., BALTIMORE, MD.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the 23rd day of September in the year of our Lord one thousand nine hundred fifteen,

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Huston and Pine in said County, setting forth that they labor

under great inconvenience for want of a public road to begin on a public road to begin on a public road leading from Home Camp to Winterburn, at a point Twenty one hundred (2100) feet from ~~the~~ Linninters house, in the Township of Huston, said County, and to end ~~in~~ in a public road leading from Clearfield to Penfield at the house of Frank Johnson in the Township of Pine said County

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A.G. Kramer, F. E. Billotte and Geo K. Weber

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgment, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioner as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft or plot aforesaid. In which said reports they shall state that they have been sworn or affirmed according to law, and that due and legal notice was given of the time when, and place where, they should meet, to view and lay out said road, and the time and place of hearing

By order of the Court.

John H. Moore, Clerk.

RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of Pine and Huston and that Three notices thereof were posted along the route of the proposed road, that the said view would be held on the 17th day of November, A. D. 1915, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 18th day of November, 1915, at 9, o'clock A. M. That viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view William Payne and August Wilhelm two of the Supervisors of Huston Township and Amos Kline, Frank Johnson and W. O. Long parties interested and in favor of the road

That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 18th day of November A. D. 1915, when the following appearances were noted: W. O. Long, Amos, Kline, Frank. Johnson and William McCracken all in favor of the road.

After the view and hearing above mentioned, the undersigned viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is necessary for a Public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for Public use the following described road, to-wit: Beginning at a point in the public road leading from Clearfield to Penfield at the dividing line between W. O. Long and Frank Johnson near the house of Frank Johnson in Pine Township being south 20 twenty feet from the corner of the State Land: Thence running north eighty five (85) degrees, west, five hundred and fifty four (554) feet to line of Frank Johnson, thence across land of Frank Johnson, north sixty two (62) degrees west five hundred and twenty five (525) feet, thence north seventy four (74) degrees, and thirty (30) minutes, west four hundred and fifty (450) feet, to line of land of Hon Cyrus Gordon estate; thence north seventy four (74) degrees thirty (30) minutes west six hundred and seventy five (675) feet, thence north sixty seven (67) degrees west five hundred and twenty five (525) feet, thence north eighty seven (87) degrees, and thirty (30) minutes west three hundred (300) feet to a culvert, thence on same line six hundred (600) feet thence north seventy nine (79) degrees, west two hundred and twenty five (225) feet, thence north seventy three (73) degrees and forty five (.45) minutes west one thousand and fifty (1050) feet to a culvert thence eighty three (83) degrees and thirty (30) minutes west one hundred and thirteen (113) feet to a culvert, thence same seventy five (75) feet to a culvert, thence same seventy five (75) feet to a culvert, thence same three hundred (300) feet to a culvert, thence same six hundred (600) feet to a culvert, thence same two hundred and twenty five (225) feet to a culvert, thence same four hundred and fifty

(450) feet to Huston Township line and a culvert, thence running in the same direction twelve hundred and seventy five (1275) feet, through eighty one (81) degrees and thirty (30) minutes, west seven hundred and fifty (750) feet to tract line of Craig and Blanchard and culvert, thence in the same direction five hundred and twenty five (525) feet, thence south fifty six (56) degrees, west three hundred and seventy five (375) feet to a culvert, thence in same line and same direction eleven hundred and twenty five (1125) feet, thence south sixty seven (67) degrees west seven hundred and fifty (750) feet, thence in the same direction five hundred and twenty five (525) feet, thence south seventy five degrees (75) west five hundred and twenty five (525) feet to a spring run and culvert, thence south seventy seven (77) degrees, west seven hundred and fifty (750) feet, thence south eighty one (81) degrees and thirty (30) minutes, west five hundred and twenty five (525) feet to a culvert, thence in the same line and direction, one thousand and fifteen feet, to a culvert, thence on same line one hundred and ten (110) feet to a culvert, thence in same line one hundred and fifty (150) feet to public road leading from Home Camp to Winterburn about twenty one hundred (2100) feet north west of house of Elias Linninger in Huston Township. Length of road 15142 feet.

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees.

EXCEMPT

WITNESSES

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from

the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows:

W. O. Long	\$1.00
Frank Johnson	\$1.00
Cyrus Gordon Estate	\$1.00
Craig & Blanchard	\$1.00

WITNESSES

WITNESS our hands and seals this 26th day of November 1915.

A. D. 1915.

A. G. Kramer
ED. Billotte
Geo. K. Wehr

SEAL

SEAL

SEAL

ORDER

To view and lay out a road for public use in the township of Huston and Pine Clearfield County

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 the 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.

	Days	Miles AM'T.
A. G. Branner	5 10	27.00
E. H. Billotte	5 16	28.80
Geo H. Wheeler	3 94 19 10	

February Session, 19 1/4,
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.

Pay the Town
Highland Dell
May 21 1916 forwarded
and later under court
executed
Any attorney
engaged
19 1/4

Filed

Fees \$1.25 paid by —
M. C. Pertz.

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

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 _____

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. 191 _____.



To:- W. C. Langsford, J. S. Richards and H. L. Bowman.
County Commissioners of Clearfield County Pa.

You are hereby notified; that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County Pa to view and lay out a public road, leading from a point in the public road, leading from Home Camp to Winterburn, twenty one hundred (2100) feet from Elias Linninger's house in Huston Township; to a point in the public road, leading from Clearfield to Penfield at or near the house of Frank Johnson in Pine Township: Will meet to discharge the duties of their appointment at the house of Frank Johnson in Pine Township on Wednesday the 17th day of November A. D. 1915 at (9.30) A. M. when and where you may attend if you see proper.

You are further notified, that the public hearing required by the Act of Assembly and the Rules of Court will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday November 19th 1915 at nine (9) o'clock A. M. when and where all parties interested either for or against the said road may appear and be heard by the viewers before the filing of their report.

A G Krammer
E D Billotte
George K Weber

VIEWERS.

Now November 8 1915 service of the forgoing notice accepted for the COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. B. Morris
Salter

To; A. L. Kline. and John. Nelson. Supervisor's of Pine Township Clearfield County Pa.

You are hereby notified; that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa, to view and lay out a public road, leading from a point in the public road, leading from Home Camp to Winterburn, twenty one hundred (2100) feet from Elias Linninger's house in Huston Township; To a point in the public road leading from Clearfield to Penfield, at or near the house of Frank Johnson in Pine Township:- Will meet to discharge the dutied of their appointment at the house of Frank Johnson in Pine Township on Wednesday November 17th 1915 at (9.30) A. M. when and where you may attend if you see proper.

You are further notified that the public hearing as required by the Act of Assembly and the Rules of Court will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday November 19th 1915 at nine (9) oclock A. M. when and where all parties interested either in favor of or against said road may appear and be heard by the viewers before the filing of their report.

A G Kramer
E D Billotte
George K Weber

VIEWERS.

Now November 8th 1915 served the above notices on A. L. Kline and John Nelson the above named Supervisors of Pine Township personally by handing each of them a copy of same.

Amoy Kline

To,,August Wilhelm, William Payne. and W. J. Lanich.
Supervisors of Huston Township Clearfield County Pa. ,
You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Session of Clearfield County Pa to view and lay out a public Road leading from a point in the public road, leading from Home Camp to Winterburn, twenty one hundred (2100) feet from Elias Linninger's house in Huston Township; to a point in the public road leading from Clearfield to Penfield, at or near the house of Frank Johnson in Pine Township will meet for the discharge of the duties of their appointment at the house of Frank Johnson on Wednesday November 17th 1915 at (9.30) oclock A. M. in Pine Township when and where you may attend if you see proper.

You are further notified that the public hearing as required by the Act of Assembly and the Rules of Court will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday November 19th 1915 at nine (9) oclock A. M. when and where all parties interested either in g favor of or against said road may appear and be heard. by the viewers before the filing of their report.

A G Kramer

E D Billotte

George K Weber

VIEWERS.

Now November 9 1915 served the above notice on August Wilhelm, William Payne and W. J. Lanich the above named Supervisors personally by handing each of them a copy of same.

August Kline

clear artifact to pe

6407

E

W

S P N F

TWP.

D

town

TOWN

TWP.

road

H U S T O N

1800

Home Camp to Win

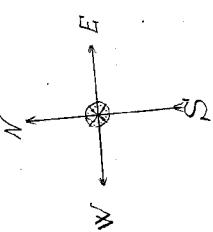
Draft of proposed Road from a
point on Penfield Pike in Pine
township, to a point on Home Camp-
Winburn Road, in Huston township,
Viewed and laid out Nov. 17th, 1915,

A. G. Kramer.

Geek Weber.

E. D. Billotte.

Scale one eighth inch to 100 feet. (R) raise
(L) Culvert.



(Original)

To the County Commissioners of Clearfield County,
Pennsylvania.

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Clearfield County, Pennsylvania, on Monday November 22nd, 1915, praying for the appointment of viewers to view and lay out a Township road to begin at a post at or near the residence of Alexander Slayinsky in the Township road leading from Madera to No. 18 Colliery, extending thence to a point on the "Brewery" road, leading from public road between Amesville and Madera to the Village of Shoff, locally known as Dutchtown, at or near the Madera Brewery; both points being located in Bigler Township.

J. M. McGrath
Attorney for the Petitioners
November 16th, 1915.

Service accepted Nov 17 1915
by the Commissioners of Clearfield
County — L. C. Morris, Clerk.

(Original)

To the Board of Supervisors of Bigler Township,
Clearfield County, Pennsylvania.

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Clearfield County, Pennsylvania, on Monday November 22nd, 1915, praying for the appointment of viewers to view and lay out a Township road, to begin at a point at or near the residence of Alexander Slavinsky in the Township road leading from Madera to No. 18 Colliery, extending thence to a point on the "Brewery" road, leading from public road between Amesville and Madera to the Village of Shoff, locally known as Dutchtown, at or near the Madera Brewery; both points being located in Bigler Township.

Jno Meehan
Attorney for the Petitioners
November 16th, 1915.

Accepted for
Board of Supervisors
H. C. Morris
Sec'y.
Nov. 17, 1915

In the matter : IN THE COURT OF QUARTER SESSION OF CLEARFIELD CO.
of Public Road :
in Bigler Township :
ship : No December Term, 1915.

To the Honorable Singleton Bell, President Judge of
the Court of Quarter Session of Clearfield County,

The petition of the undersigned, inhabitants of the Township of Bigler, in said County, respectfully shewth: That your petitioners labor under great inconvenience for want of a public road or high-way, in the Township of Bigler, to begin at a point at or near the residence of Alexander Slavinsky, in the Township road, leading from Madera to No. 18 Colliery, extending thence to a point on the "Brewery" road, leading from the Public road between Amesville and Madera, to the Village of Shoff, locally known as "Dutch Town", at or near the Madera Brewery; both the beginning and ending points being located in Bigler Township.

Your petitioners therefore prays the Court to appoint proper persons to view and lay out said road, according to law; and they will ever pray, etc.

J. H. Alexander.....
H. C. Miller.....
J. M. Connelly and
Chas. S. Shoff.....
Chas. M. Wallace.....
B. B. Alexander Jr.....
James Bloom.....
G. B. Coffey.....
P. W. Stapp.....
Clark Wilmaran.....
Millard Shoff.....
Chas. Booth.....
Ben. Alexander.....
John H. Matal.....
John Travel.....
John Barnes.....
W. Sackman.....

C. B. Murray
Joseph & Shoff
E. R. Niles
A. C. Hensel
E. G. McCrossan
James McLeamy
A. C. Shoff
James H. Ruffner
H. C. Stoddart
W. P. Cornely
Alex Skowronski
John Timansky
Samuel Bartlebach
Chas. G. Gels
Geo Lee
E. B. Bissell
J. R. Moore
Alex J. Muller
John H. Wilkinson
Allen L. Walstrom
J. W. Corwen
Lewis A. Gile
J. R. Jopling

STATE OF PENNSYLVANIA : : ss:
COUNTY OF CLEARFIELD : :

Before me a Justice of the Peace, in and for
said County, personally came J. N. Alexander, one of the petitioners,
who being duly sworn saith that the facts stated in the annexed
petition for public road in Bigler Township, are true and correct
as stated, to the best of his knowledge and belief.

J. N. Alexander

Sworn and subscribed to before me this 13th
day of November, A.D. 1915.

James H. Ruffner
Justice of the Peace.
Commission expires March 23rd, 1917.

IN THE COURT OF QUARTER
SESSIONS, CLEARFIELD COUNTY
No. . . . December Term, 1915.

Petition for Public Road
in Bigler Township.

Now Nov 22nd 1915 before
Counsel and A. L. Gray
Ex Harry Rose and James
W. Springer am opposed
and denied.

By the Com
J. B. McGrath

J. B. MCGRATH
ATTORNEY AT LAW
HOUTZDALE, PA.

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

In the Matter of a road Road Docket. No. 4 December SS., 1915.
for Public Use in the township
of Bigler.

EXCEPTIONS OF SUPERVISORS.

The Supervisors of Bigler Township, Clearfield County, Pennsylvania, hereby file exceptions to the petition and report of viewers reporting in favor of the opening of a public road in said township "to begin at a point at or near the residence of Alexander Slavinsky in the township road leading from Madera to No. 18 Colliery, extending thence to a point on the Brewery Road leading from the public road between Amesville and Madera to the village of Shoff, locally known as Dutch Town at or near the Madera Brewery", and except to the said proceeding and the report of the viewers for the following reasons, to wit:

First: Because said road is not necessary.

Second: Because all the places mentioned in said petition are now accessible by public roads.

Third: Because the beginning of said road mentioned in the said petition is indefinite and uncertain.

Fourth: Because the ending of said road mentioned in said petition is indefinite and uncertain.

Fifth: Because there is no demand on the part of the public for said road.

Sixth: Because there are now three roads close together and parallel to the route of the proposed road.

Seventh: Because the township has no funds to build this road, and no way of raising them.

Eighth: Because no bond for costs was filed by petitioners.

For all of which reasons the supervisors of said township except to the final confirmation of the said report of the said viewers.

H. B. Snyder
Charles Shoff

Supervisors of Bigler township.

State of Pennsylvania,
County of Clearfield, SS:

Before me, a Notary Public within and for the said County and State, personally appeared H. B. Swoope and Charles S. Shoff

Supervisors of said Bigler Township, in the said County of Clearfield, and being duly sworn according to law, deposed and say that the facts stated in the foregoing exceptions to the proceedings and report of the viewers in the Matter of a public road in Bigler township brought to No. 4 December SS., 1915 are true and correct to the best of their knowledge, information and belief.

Sworn to and subscribed before me this 11 day of March, A.D. 1916.

W. B. Swoope
Charles S. Shoff

My commission expires

Supervisors.

NOTARY PUBLIC - M^Y COMM^{SS} 1916
Bigler, March 23, 1916.

I hereby certify that there are legal reasons appearing on the face of these proceedings why the report should not be confirmed.

William D. Swoope
Attorney for Supervisors.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the 29 day of November in the year of our Lord one thousand nine hundred and fifteen,

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of

Bigler in said County, setting forth that your petitioner

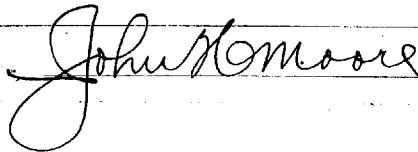
labor under great inconvenience for want of a public road or highway in the Township of Bigler, to begin at a point at or near the residence of Alexander Slavinsky in the Township road, leading from Madera to No. 18 Colliery, extending thence to a point on the Brewery road leading from the Public Road between Ameaville and Madera, to the Village of Sheff, locally known as "Dutch Town" at or near the Madera Brewery both the beginning and ending points being located in Bigler Township.

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A. L. Edwards Esq., Harry Reese and James T. Spangle

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgment, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioner as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft or plot aforesaid. In which said reports they shall state that they have been sworn or affirmed according to law, and that due and legal notice was given of the time when, and place where, they should meet, to view and lay out said road, and the time and place of hearing

By order of the Court.

 John H. Moore, Clerk.

RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of Bigler and that 4 notices thereof were posted along the route of the proposed road, that the said view would be held on the 20th day of January - 1916, A. D. 1916, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 20th day of January - 1916, at 9 o'clock A.M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view James W. Spangle, Harry Reese and A. L. Edwards, viewers and C. F. Shoff, supervisor

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 20th day of January - 1916, when the following appearances were noted:

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not necessary for a Public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for Public use the following described road, to-wit: Beginning at a point near the residence of Alexander Slavnick at the Township Road leading from Madera to No. 18 Colliery in Bigler Township to a point on the Brevity Road leading from the Public Road between Kanesville and Madera, to the Village of Shoff, locally known as Dutch Town at or near the Madera Brewery in Bigler Township, Clearfield County, Pennsylvania.

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees, excepting _____

when it was not practicable to preserve it within that limit.

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from none

the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof, as follows: To Joseph Alexander, Girt Johnson and C. L. Bender, each the sum of (\$1.00) One Dollar. They being the owners of all the land over which the proposed road would go.

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 20th day of January
A. D. 1916.

A. L. Edwards. 
W. A. Reese. 
James W. Spangle 

ORDER

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 the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

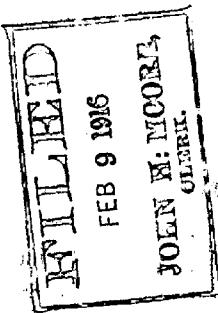
N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

To view and lay out a road for public use in the township of Figher, —, Clearfield County —.

	Days.	Miles Amt.
W. G. Edwards	3	2.8 16.40
Harry Rose	3	6.6 18.30
James W. Spangle	2	2.4 7.20

TUESDAY Session, 1916,
read and confirmed Vi. 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 the County
Twp. of Figher of Beck
1/2

Filed 19
Fees \$1.25 paid by Alexander
McGrath Atty.



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

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 20th day of January
A. D. 1916.



ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned
Viewers, appointed by the Court of Quarter Sessions of
Clearfield County, Pennsylvania, to view and lay out a
Road leading from a point at or near the residence of
Alexander Slavusky in the Township Road, leading from
Brakera to No. 18 Colliery,

in Bigler Township to appoint on the
Brewery Road leading from the Public Road between
Amesville and Madera to the village of Shoff, locally
Known as "Dutch Town" at or near the Madera
Brewery

in Bigler Township, in the county aforesaid, will
meet at the house of James M. Alexander,
in Bigler Township, on Thursday,
the 20th day of January A. D. 1916, at One
o'clock P. M., to attend to the duty assigned them, of
which time and place aforesaid all parties interested
will take notice.

R. L. Edwards.
Harry Reese
James W. Spangler
VIEWERS

Jan 6th, 1916.

Now January 10th 1916
Service accepted for the Clarfield
County Commissioners. -
L. S. Morris Clerk.

To Henry B. Swoope } Road Supervisor
C. F. Shoff } of Bigler Township

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ~~and lay out a~~ Road leading from ~~a point at or near the residence of Alexander Slavinsky in the Township Road leading from Madura to No. 18 Colliery~~

in Bigler Township to a point on the Brewery Road leading from the Public Road between Grindale and Madura, to the Village of Shoff, locally known as "Dutch Town" at or near the Madura Brewery,

in Bigler Township, in the county aforesaid, will meet at the house of James M. Alexander, in Bigler Township, on Thursday, the 20th day of January A. D. 1916, at one o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

J. L. Edwards.

Harry Reese

James W. Spangle

VIEWERS

Jan. 6th, 1916.

over

Mr A. L. Edwards Atty at Law

Dear Sir

I served Notices on the following Land owners
as near as i thought right as follows

Joseph A. Alexander
W. D. Hill
A. L. Hensel or Gust Johnson

The other Land owners signed for the road
therefore i thought it unnecessary to notify them

Yours Truly

J. N. Alexander

P. S. Also posted 4 Notices on proposed Route

Clearfield County 55.

Written notice was served upon Henry
Swoope, ^{and} C. T. Sliff Road Superintendents of Bigler Township
by handing them a true and attested copy of same. So
answers J. N. Alexander.

Notices served Jan. 10-1916

