

~~Exhibit~~

Term, 1916

#12

Plaintiff
Roald von
Bogler Supp.,

VERSUS

Defendant
P.S. vs. Page v.

Att. 17047 from 17576 to 17579

Clearfield County, Pa:

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 14 day of August in the year of our Lord one thousand nine hundred sixteen,

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

in said County, setting forth that your petitioners labor under great inconvenience for want of a public road or highway in said township of Bigler, to begin at a point in the road leading from Amesville to the Village of Shoff, at the North east corner of the lot of Louis Orudo, about 300 feet from the Cross roads where Atlantic No. 2 road intersects with the Houtzdale and Madera Road, and extending to a point in the Public Road leading from Amesville to Hendersons Cross-roads at the South East corner of the lot of Louis Goden. Your petitioners further showeth, that the road long since laid out, leading from a point in the Public road from Madera to Houtzdale at the south west corner of Louis Orudo lot to a point in the public road from Amesville to Hendersons Cross roads near Atlantic No 2 colliery as the verily believe has become dangerous and burdensome by reason of being undermined and numerous cave-ins 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, Harry Reese and J. W. 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 Slonemond, 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 three notices thereof were posted along the route of the proposed road, that the said view would be held on the 1st day of December, A. D. 1916, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 2nd day of December, 1916, at 10-30 o'clock A M. That two viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Chas. Shoff, Rep. Bigler Corp, Emery Fleish, Paul Hauchert, Nick Frits, Nick Kunkel, Jos. Robbotti, Nick Rausenau Jr & Jr., Geo. Fleish, John Nick, August Trab, August Deyen & Chippy Deyen, Jos. Fleish, Leon Gustason & Andy Rausenau parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 2nd day of December A. D. 1916 when the following appearances were noted: Jos. Fleish, Jos. Tschick, Oscar Johnson, John Nick, Theophilus Dufour & August Trab. Walter Welch Eby appeared for petitioners & no objections were filed by respondents or any other citizens.

After the view and hearing above mentioned, the undersigned, the majority of the said 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 road leading from Amesville to the village of Shoff at the North East corner of the lot of Louis Ondre about three hundred feet from the cross-roads where Atlantic No. 2 road intersects with the Hartsdale & Madena road extending to a point in the Public Road leading from Amesville to Henderson's Cross-Roads at the South East corner of the lot of Louis Ondre.

Cede vacate road leading from a point in the Public road from Madena to Hartsdale at the South West corner of Louis Ondre lot to a point in the Public Road from Amesville to Henderson's Cross-roads near Atlantic No. 2 Colley

(See map attached)

Mr. W. Sprangle one of the viewers selected by the Court to view said road did not appear at said view or hearing for reasons unknown to other viewers.

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 (none)

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:

Eli Truiney	\$1.00
Louis Godin	1.00
W. A. Wallace Est.	1.00
Simon Lester	1.00
Nicholl Bird	1.00
Paul Hanchard	1.00

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

WITNESS our hands and seals this 2nd day of December
A. D. 1916.

A. L. Edwards



T. A. Reese



ORDER

VIEWERS AND STIPEND
To view road for public use in the township of Blawie, 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.

Viewers 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 AMT.

J. A. Edwards 3 ~~10~~ ⁶⁴ 18.20
Harry Pace 3 ~~64~~ ¹⁰ 20.40
Total 4.00

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. 1911

John Blawie
May 8th 1911 (Signed)

John Blawie
Filed

Fees \$1.25 paid by



KNOW ALL MEN BY THESE PRESENTS, that we *Emory Flesher*
Mike Muka, Joe Wrobleksy, George Flesher, Nickl Feirty
Paul Haucharick, John Mika, Mike Rumesnik, Joseph Dzulik
and August Dufour,

all of Clearfield County, Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania, its certain attorney or assigns, in the sum of One hundred (\$100.00) dollars, lawful money of the United States; which sum well and truly to be paid and done, we do bind ourselves, our heirs, executors, administrators and every of them. Sealed with out seals and dated this 3rd day of August, A. D. 1916.

WHEREAS, the above bounden persons, among others have presented their petition to the Court of Quarter Sessions of appointment of Viewers to lay out a public road, from the North-west corner of Louis Lordos lot to the South-east corner of Louis Godins lot, in Bigler Township, said County, and to vacate a road leading from the South-west corner of Ourdos lot to a point near Atlantic No. 2 Colliery; and are required to give bond for paymenr of costs in case thr prayer of said petitions should not be granted.

THEREFORE THE CONDITION OF THIS OBLIGATIONS IS SUCH: that if the said Bounden *Emory Flesher, Mike Muka, Joseph Wrobleksy, George Flesher, Nickl Feirty, Paul Haucharick, John Mika, Mike Rumesnik, Joseph Dzulik and August Dufour,* or either of them, shall pay or cause to be paid, to the parties entitled thereto, all the costs of this proceeding, then this obligation to be void; otherwise to be and remain in full force and virtue.

Emory Flesher *(s)*

Mike Muka *(s)*

Joe Wrobleksy *(s)*

George Flesher *(s)*

Nickl Feirty *(s)*

Paul Haucharick *(s)*

John Mika *(s)*

Mike Rumesnik *(s)*

Joseph Dzulik *(s)*

August Dufour *(s)*

In Court of Quarter Sessions
Cumberland County

No. 1000 Sept 1916

In responsible road in
Highland Park

Notice of Detainers

Nov 14th Aug 1916
Detainee
try the court
Highland Park
17

McGrath

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

In re... Public Road : No. September Sessions, 1916.

in Bigler Township :

:
PETITION FOR APPOINTMENT OF VIEWERS

Please take notice that a petition will be presented to the Court of Quarter Sessions, asking for the appointment of Viewers to view and lay out a Township road, beginning at a point in the road leading from Amesville to the Village of Shoff, at the North-east corner of the lot of Louis Ourde, about 300 feet from Cross Roads, where Atlantic Ne 2 road intersects with the Houtzdale and Madera Road, and extending to a point in the public road leading from Amesville to Hendersons' Cross Roads at the South-east corner of the lot of Louis Goden, on Monday August 14th, 1916, at 11:00 A. M.

J. W. McGrath
.....
Attorney for Petitioners.
August 7th, 1916.

IN THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY, PA.

No. September Sessions,
1916.

In re... Public Road in
Bigler Township

NOTICE TO SUPERVISORS

McGrath.

Supervisors
Bigler Township
Penns.

The within notice served on us August 8th, 1916.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY

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

The petition of the undersigned, inhabitants of the Township of Bigler, in the County of Clearfield, respectfully showeth:

That your petitioners labor under great inconvenience for want of a public road or highway in said Township of Bigler, to begin at a point in the road leading from Amesville to the Village of Shoff, at the North-east corner of the lot of Louis ~~Orudo~~, about 300 feet from the Cross-roads where Atlantic No. 2 road intersects with the Houtzdale and Madera Road, and extending to a point in the Public road leading from Amesville to Hendersons' Cross-roads at the South-east corner of the lot of Louis Goden.

Your petitioners further showeth: That the road long since laid out, leading from a point in the Public road from Madera to Houtzdale, at the South-west corner of Louis Orudo lot, to a point in the Public road from Amesville to Hendersons' Cross-roads, near Atlantic No. 2 Colliery, as they verily believe has become dangerous, inconvenient and burdensome, by reason of being undermined and numerous "cave ins" in and around it, and that this old road will be entirely useless, if the new road prayed for is laid out and made.

Your petitioners therefore pray the Court to appoint proper persons to view and lay out the new road above mentioned, according to law, and that the old road above described may be vacated. And they will ever pray, etc.

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S. P. Moore, Harvey Mitchell...
Ch. Cornell, D. Miller...
James A. Glenn, M. Baron...
J. M. Cornely, Jr., Joseph Krabel...
John Krabel, Mike Puskas...
Joseph A. Shoff, Mike Trivitz...
Emory Flakor, Jos. Krablosky...
George Fletcher, Paul Hancharick...
John Miller, Mike Remecnik...
Chas. Johnson, Jas. P. Fletcher...
John S. Miz, Josephine C. Dufour...
Mike Remecnik, Steve Polansky...
Oscar Johnson, John Gustafson...
J. B. Wilkinson, Frank Grossman...
J. W. Bowen, Josef Dzak...
August Dufour, Frank Grossman...
Robert D. ... Andrew ...
Frank J. ... D. ...
Joseph Jersin, Alex ...
Victor ... Vital ...
W. M. ... Fred ...
John ... Donald ...
Harry ... William ...

State of Pennsylvania
County of Chesterfield A.S.

Before me, personally came Joseph
Flesher, Theophil Dufour and John Mikka, who
bring duly sworn according to law
sath that they have signed the foregoing petition
and are acquainted with its contents, and
that facts contained therein are true and
correct as stated to the best of their knowledge
and belief.

Joseph P. Flesher,

Theophil C. Dufour

John Mikka

Sworn and subscribed to before me this 5th
day of August AD 1916.

John McNamee

Notary Public

Cou Sopris Feb 24, 1917

IN THE COURT OF CHANCERY
SECTIONS OF CLARKEFIELD COUNTY

Petition for appointment of
Viewers to lay out road in
Bisler Township and to rectify
old road.

Now 14th Aug 1916,
G. L. Edwards Esq. Henry
Kane and Mr. George
Appersons men to act
as previously named

By the Court

John B. McGrath

1916

JOHN B. MCGRATH
ATTORNEY-AT-LAW
HOUTZDALE, PENNA.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY

In re.... Public Road B No/ September Sessions, 1916.

in Bigler Township :

:

PETITION FOR APPOINTMENT OF VIEWERS.

Please take notice that a petition will be presented to the Court of Quarter Sessions, asking for the appointment of Viewers to view and lay out a Township road, beginning at a point in the road leading from Amesville to the Village of Shoff, at the North-east corner of the lot of Louis Ourde, about 300 feet from Cross Roads, where Atlantic No. 2 road intersects with the Heutzdale and Madera Road, and extending to a point in the public road leading from Amesville to Hendersons' Cross Roads at the South-east corner of the lot of Louis Eeden, on Monday August 14th, 1916, at 11:00 A. M.

James McGaugh
.....
Attorney- for Petitioners

August 7th, 1916.

The within notice served on us the 8th day of August, 1916.

J. C. Morris.....
Clerk for.....
County Commissioners.

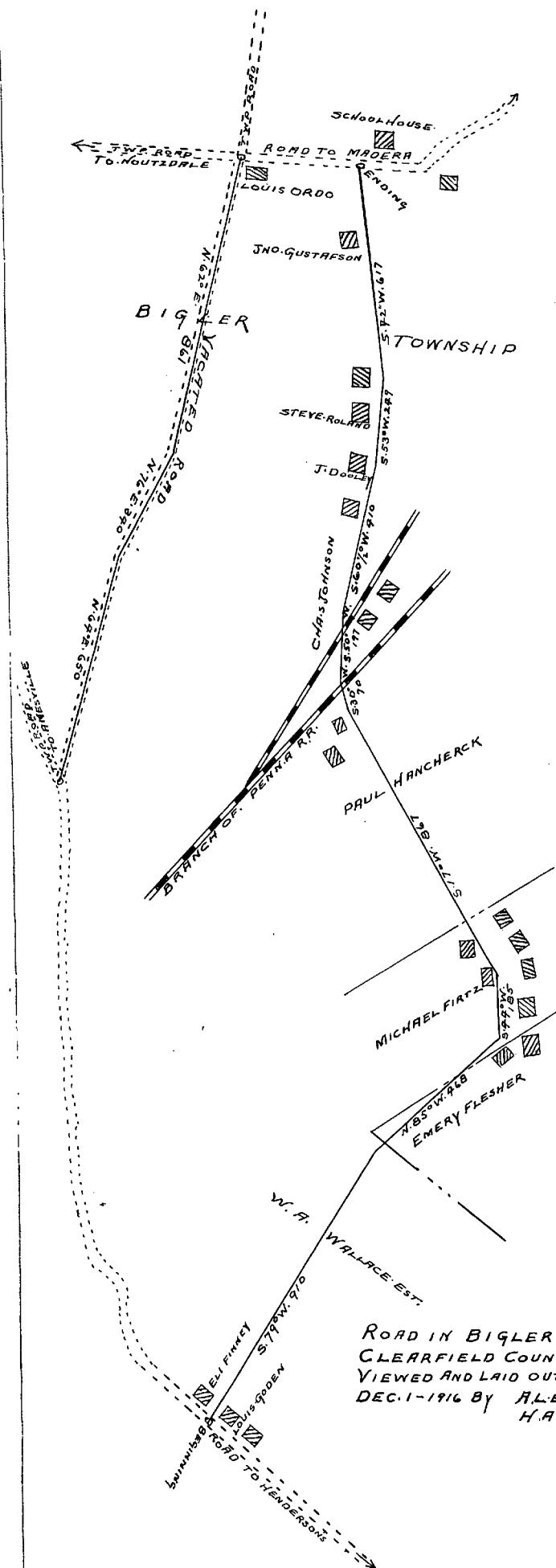
IN THE COURT OF QUARTER SESSION
OF CLEARFIELD COUNTY

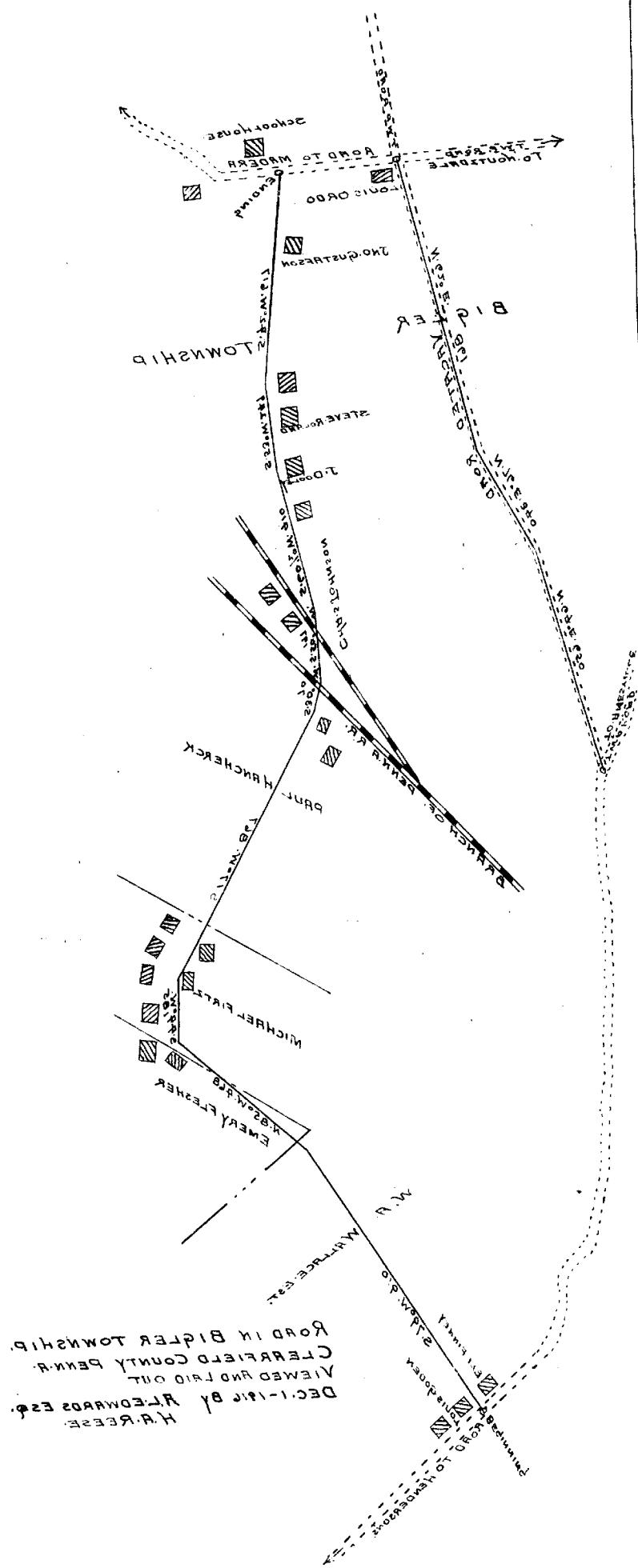
No. September Session,
1916

In re... Public road
in Bigler Township

NOTICE ~~to~~ COUNTY COMMISSIONER

McGrath.





ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Vacate and Supply

Road leading from To begin at a point in the road leading from Amesville to the village of Shoff, at the North East corner of the lot of Louis Orudo, about three hundred feet from the cross-roads where Atlantic No. 2 road intersects with the Houtzdale and Madera road, and extending to a point in the Public Road leading from Amesville to Henderson Cross-roads at the South East Corner of the lot of Louis Goden.

And vacate road leading from a point in the Public road from Madera to Houtzdale at the South West corner of Louis Orudo lot to a point in the Public Road from Amesville to Henderson's cross roads near Atlantic No. 2 colliery.

in Bigler Township to _____

(SEE ABOVE)

in Bigler Township, in the county aforesaid, will meet at the house of LOUIS ORUDO,

in Bigler Township, on Friday,

the First day of December A. D. 1916, at

o'clock M., to attend to the duty assigned them, of which time and place aforesaid all parties interested

And a hearing on the above view and vacuation will be had in the Arbitration Room at the Court House at Clearfield on Saturday December 2nd 1916 at 10-30 a.m.

✓ A. L. Edwards Recd. 13

Harry Reese

J. W. Spangle

VIEWERS

November 18th., 1916.

Nov. November 20th 1916

Service accepted by County Commissioner
L. C. Shonk
Clkse

H.B. Swage

~~Charles J. Shonk~~ ^{Supy} Bigle Twp

~~Charles J. Shonk~~ ^{Supy} Bigle Twp

~~Wm. Shonk~~ ^{has moved away}

^{Supy} Bigle Twp.

Vacate &
Supply road
at Bigler
Twp

Take at hearing
17/3/16

Joseph T. Lester sworn testifies as
follows. We want a new road from
near pro. Wilton to the road leading
from Amesville to Henderson. There
are about 18 or 19 families on this
proposed road with very poor facilities
getting in & out. There are no houses
on the road we asked the vacated & if
the road proposed is made the other
road will be of no use.

Joe. Zelick sworn. as to necessity of
new road & no use for old road.

Oscar John sworn to same.

John Mika " " "

Theophile Dufour

August Fuchs