

No. 3 Dec 11 Term, 1917

Public Road

Bayler Twp

Woodward

Versus

P. S. #5 - Page 39

Part Twp. Rd. 17652

911

17649

To the Honorable the Judge of the Court of Quarter Sessions
of Clearfield County

The petition of the subscribers citizens of Bigler
Township respectfully represent that they labor under great
inconvenience for want of a public road to lead from a point
near the residence formerly of David Johnson on Public road
leading from Madera to No. 18 mines.- and to end on a public road
near the Madera Brewery on public road leading from Houtzdale to
said Madera Brewery.- They therefore pray your Honorable Court
to appoint viewers to view and lay out the same and make return
thereof to next Term of Court.- And they will ever pray

Name

Albert Shoff

Mike Stokursky
Steve Rusnock

Thos Stibers

Geordie Byrnes

Stefan Adamak
Emery Rushner

Andy Marusa

Andy Rokitsch

Ignac Matija

Amos Hensel

Joseph Durr
Wm Hensel

G. Miller

C. E. Hildbrand

Martin Marusa

Stane Kutko

Anto Rokitsch

Mike Stokursky
John Fernald

Harry Breda

John Parnas

Victor Kirostek

Madera Penna September 3rd 1917

To To Supervisors of Bigler Township

You are hereby notified that an application will be made to the Court of Quarter Sessions of Clearfield County on Monday the 17th day of September at 10 O'clock A M of said day for the appointment of viewers to lay out a public road commencing at a point on Public road near the residence of David Johnson in Bigler Township leading from Madera to No 18 mines and to end on a public road near the Madera Brewery on public road leading from Houtzdale to Madera Brewery .- At which time you can file your objections if you have any .-

Albert Shoff
For petitioners.

September 3rd 1917 we hereby accept service of above notice

Charles S. Shoff
James H. Ruffner
Supervisors

September 15th 1917 service accepted for County Commissioners

L. C. Norris, Clerk.

Madera Penna September 3rd 1917

To Commissioners of Clearfield County

You are hereby notified that an application will be made to the Court of Quarter Sessions of Clearfield County on Monday the 17th day of September at 10 O'clock A M of said day for the appointment of viewers to lay out a public road commencing at a point on Public road near the residence of David Johnson in Bigler Township leading from Madera to No 18 mines and to end on a public road near the Madera Brewery on public road leading from Houtzdale to Madera Brewery .- At which time you can file your objections if you have any .-

Albert Shoff

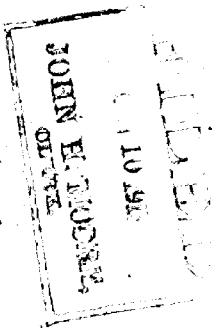
For petitioners.

Now Sept 3rd 1917 we hereby accept service of above notice

L. C. Morris
Clerk

18
Sept 20 1917
Dr H. P. Owen
in 1325 N. 2nd St

Hand Del 11/17. Dr
Edward. Hamlin
was 1784 single
of 1784 single
in 1784 single
1784 single
1784 single



150 Paid by other charges

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 10th day of
October in the year of our Lord
one thousand nine hundred seventeen,

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

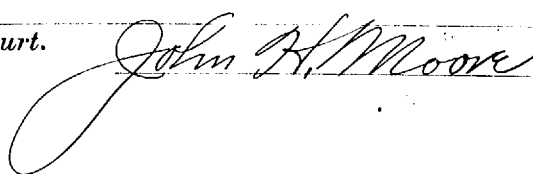
in said County, setting forth that they labor
under great inconvenience for want of a public road to lead from
a point near the residence formerly of David Johnson on public
road leading from Madera to No. 18 Mines- and to end on a public r
oad near the Madera Brewery on public road leading from Houtzdale
to said Madera Brewery.

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, H.A. 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 impari-
ality 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 dis-
tance, 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.

 , 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 Bright and that 3 notices thereof were posted along the route of the proposed road, that the said view would be held on the 30th day of November, A. D. 1917, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 1st day of December, 1917, at 10-30 o'clock A. M. That

the 3 viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view A. D. Edwards, H. A. Reese & J. W. Spangle viewers. Albert Shoff representing petitioners.

Robert P. Shoff against said road. Charles Shoff Supervisor also appeared against proposed road.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 1st day of December A. D. 1917, when the following appearances were noted: A. D. Edwards, H. A. Reese & J. W. Spangle, viewers. James W. Ruffner Supervisor appeared against said proposed road. No appearance was made by any of the petitioners.

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 use the following described road, to-wit: Beginning

Said road is hereby refused for the reason that a necessity does not exist as at present time a road exists on either side of proposed road & running parallel with same not more than two to three hundred yards on either side of proposed road.

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 Public Road leading from a point near the residence formerly of David Johnson on Public Road leading from Madera to No. 18 Mines

in Bigler Township to end on a Public Road near the Madera Brewery on Public Road leading from Houtzdale to said Madera Brewery

in Bigler Township, in the county aforesaid, will meet at the house of formerly of David Johnson, in Bigler Township, on Thursday, the 30th day of November A. D. 1917, at 10-30 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

And that a hearing on the above view will be held at the Arbitration Room of the Court House at Clearfield on Saturday December 1st at 10-30 A.M.

A. L. Edwards

H. A. Reese

J. W. Spangle

VIEWERS

November 13th, 1917.

Now November fourteenth 1917 service of the within notice of
view and hearing is hereby accepted by me as a Supervisor of
Bigler Township.

Charles S. Shoff

James N. Reffner

Kindly return this notice

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 Public Road leading from a point near the residence formerly of David Johnson on Public Road leading from Madera to No. 18 Mines

in Bigler Township to end on a Public Road near the Madera Brewery on Public Road leading from Houtzdale to said Madera Brewery

in Bigler Township, in the county aforesaid, will meet at the house of formerly of David Johnson,

in Bigler Township, on Friday,

the 30th day of November A. D. 1917, at 10-30

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

will take notice. And that a hearing on the above view will be held in the Arbitration Room of the Court House at Clearfield On Saturday December 1st at 10-30 A.M. 1917.

A. L. Edwards

H. A. Reese

J. W. Spangle

VIEWERS

November 13th, 1917.

Now November 13th., 1917 notice of the within view and hearing and service of the same is hereby accepted for the County Commissioners of Clearfield County.

L. C. Morris
Clerk.

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 _____

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: _____

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

WITNESS our hands and seals this 1st day of December

A. D. 1917.

A. L. Edwards



H. A. Reese



G. W. Spangle



No. 5 Dec Sessions, 1917

ORDER

To view 100 ft a
road for 100 ft use in the
township of 100 ft
Clearfield County

Dec Session, 1917,
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 the Court
Myself
Feb 5th 1918
Adm. Secy
Myself
1918

Filed 19
Fees \$1.25 paid by _____

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 viewers.

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.
<u>A. Edwards</u>	<u>3</u>	<u>66 18.30</u>
<u>A. A. Reese</u>	<u>2</u>	<u>110 15.50</u>
<u>J. W. Spangh</u>	<u>7</u>	<u>106 15.30</u>

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_____



State of Pennsylvania :
County of Clearfield :SS

Personally appeared before me the subscriber
a Justice of the Peace in and for County Albert Shoff one of the
petitioners for a public road in Bigler Township leading from
a point near the residence formerly David Johnson on road leading
from Madera to No 18 Mines, and ending on public road near the
Maders Brewery on public road leading from Houtzdale to Madera
who being duly sworn according to law doth depose and say
that the facts set forth in said petition are true and correct
and the names attached to said petition were signed by each
individual citizen .-

Sworn & subscribed to
before me this 8 day of
October A D 1917

Albert Shoff

James H. Reffner

My Commission Expires,
First Monday, January, 1918.