

No. "2 September SS 19 18

COMMONWEALTH

vs

Public Road in Bigler Township

P. S. #5 - Page 404

Charge

Part  
17570

JOHN C. ARNOLD,

District Attorney

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

In Re: Petition for )  
Public Road in Bigler :  
Township. )

To the Honorable Singleton Bell, President Judge of said Court:

The petition of the Subscribers, residents of Bigler Township, respectfully represents;

That your petitioners labor under great difficulty and inconvenience by reason of having no outlet to a public road; that there are forty pupils of school age who are unable to attend school and those who can attend school are obliged to travel on land belonging to other people.

Your petitioners therefore pray the Honorable Court to appoint Viewers to supply a public road to begin at a point about One Hundred (100) feet South east of the intersection of the road leading from Madera to #18 mine and the road leading from Amesville to #18 mine and leading to the railroad crossing of the Pennsylvania Railroad opposite George Nezeck residence, in Bigler Township, a distance of about seven eighths of a mile. And they will ever pray, etc.

*Joseph A. Shoff*

*J. M. Cornely*

*Jack Orjes*

*W. V. Brown*

*W. P. Cornely*

*Harry Mitchell*

*H. B. Swope*  
*Cosmo Mannino*

*C. L. Cornely*

*H. L. Stodart*

*John Stevenson*

Sang gaheski  
John Hensar  
Gow Lee

M. Baron  
Barons Dept store  
Pach, Kit-Ko

O M Wallace

Dan Roberts  
Wm. Pusey  
Chris & Dickson  
Steve Kuzona  
mase Lukacs  
John Popowich  
George Skymick

John Let  
John Materna  
John Materna  
John Onacilla  
John Ambros  
Tom Jersizuk  
Annie Fletcher  
Adam Materna  
John Materna

State of Pennsylvania )

County of Clearfield ) : SS

Antonio Crist George Riznick being duly sworn  
according to law doth depose and say that the facts set forth  
in the forgoing petition are true, to the best of his knowledge,  
information and beliefs.

Toni Krisnick

Sworn and subscribed to before  
me this 2nd day of July, A.D. 1918.

George Riznick

Clarence C. Palmer  
Notary Public

Joseph

MY COMMISSION EXPIRES AT THE END  
OF THE NEXT SESSION OF THE SENATE.

No. 2 Sept. Term, 1918

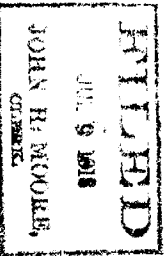
In re: Petition to supply  
Public Road in Sugar  
Township.

And NOW July 8, 1918, the within  
petition read and considered,  
whereupon Harry Lee

A. G. Edwards & F. M. Smith

are appointed Viewers to view  
the said proposed road and to  
report to the Court as provided  
by the rules of Court.

Public Road  
Englewood  
P. J.



1.50 137.00  
1.25 137.25

KNOW ALL MEN BY THESE PRESENTS, that we, Toni Krisick and George Nizick, of the Township of Bigler, County of Clearfield and State of Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of One Hundred Dollars to be paid to the said Commonwealth of Pennsylvania, its certain attorneys or assigns. Towhich payment well and truly to be made we do bind ourselves jointly and severally, our heirs, executors and administrators, firmly by these presents. Sealed with our seals and dated this Second day of July, A. D. 1918.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if a certain petition to supply a public road in the Township of Bigler and Woodward, on which the above bounden, Toni Krisick and George Nizick are petitioners, is brought to a conclusion and the costs paid by the petitioners, if the Court should so direct, then this obligation to be null and void, otherwise to be and remain in full force and virtue.

Signed, sealed and delivered

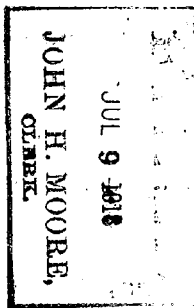
in presence of:

C. C. Palmer

Toni Krisick (SEAL)

George Nizick (SEAL)

In re: Petition to Supply  
Public Road in Higler and  
Woodward Townships.



B O N D .

And Now, July 8, 1918,

Approved

*By M. L. L. L.*  
*By J. J. P.*

P. J. P.

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

In Re: Petition to Supply ) No.      September Sessions, 1918.  
Public Road in Bigler &        ;  
Woodward Townships.        )

And Now, June 25, 1918, we hereby accept service of the notice of presentation of petition for Viewers to View a public road to begin at a point 100 feet southeast of the intersection of the road leading from Madera to No. 18 Mines and the road leading from Amesville to said No. 18 Mines and leading to the railroad crossing of the Pennsylvania Railroad opposite George Nezneck's residence in Bigler Township, a distance of about seven-eighths of a mile.

L. L. Norris  
Alena

} County Commissioners of  
Clearfield County

James H. Ruffner  
Charles S. Shuff  
John Vraha

} Supervisors of  
Bigler Township

Chas. Anderson

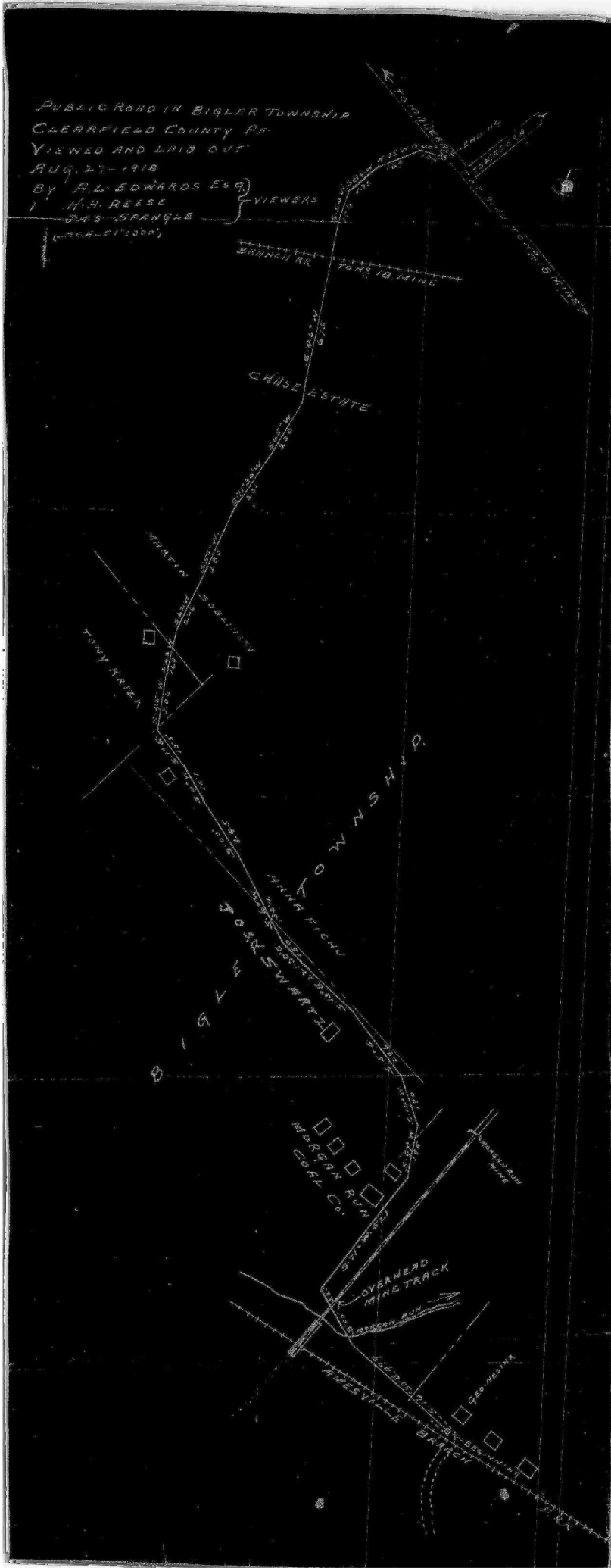
Patrick F. Hennessey

} Supervisors of  
Woodward Township.



FILED  
JUL 9 1918  
JOHN H. MOORE,  
CLERK.

PUBLIC ROAD IN BIGLER TOWNSHIP  
 CLEARFIELD COUNTY PA.  
 VIEWED AND LAID OUT  
 AUG. 27-1918  
 BY R.L. EDWARDS ESQ.  
 H.A. REESE  
 J.S. SPANGLER } VIEWERS  
 (SCALE 1"=2000')



# 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 to begin at a point about 100 feet South East of  
the intersection of the road leading from Madera to No.18 Mine and the  
road leading from Amesville to No.18 Mine

in Bigler Township to the Railroad crossing of the  
Penna.R.R.Co. opposite George Nezneck's residence

in Bigler Township, in the county aforesaid, will  
meet at the house of TONY KRIZK,  
in Bigler Township, on Tuesday,  
the 27th day of August A. D. 1918, at 11  
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 upon the above view will be held in  
the Arbitration Room of the Court House at Clearfield  
on Saturday August 31st 1918 at 11 oclock A.M.

A.L. Edwards

Harry Reese

James W. Spangle

**VIEWERS**

August 12, 1918.

Now August 15-1918 notice of the  
return of the + service of the same is accepted  
by

Charles S. Shoff  
Superintendent of Highways

John W. Vabel

Joseph Ruffner

# ROAD VIEWERS' NOTICE

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**Viewers, appointed by the Court of Quarter Sessions of**  
**Clearfield County, Pennsylvania, to view and lay out a Public**  
**Road leading from** to begin at a point about 100 feet South East of  
the intersection of the road leading from Madera to No. 18 mine and the  
road leading from Amesville to No. 18 Mine

**in** Bigler **Township to** the Railroad crossing of the  
Penna. R.R. Co. opposite George Nezneck residence

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**in** Bigler **Township, on** Tuesday,  
**the** 27th **day of** August **A. D. 1918**, **at** 11  
**o'clock** A. **M., to attend to the duty assigned them, of**  
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the Arbitration Room of the Court House at Clearfield  
on Saturday August 31st 1918 at 11 o'clock A.M.

A. L. EDWARDS

HARRY REESE

JAMES W. SPANGLE

**VIEWERS**

August 12th, **1918**.

Now August 15th., 1918 service of the within notice is hereby  
● accepted for the County Commissioners of Clearfield County.

L. L. Morris  
Deputy

## 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 8th day of  
July in the year of our Lord  
one thousand nine hundred eighteen,

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

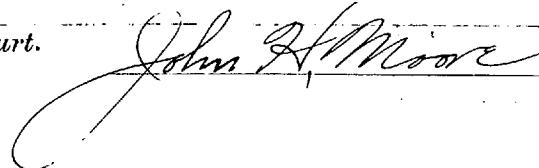
in said County, setting forth that That your  
petitioners labor under great difficulty and inconvenience for want  
of a public road to begin at a point about 100 feet south east of the  
intersection of the road leading from Madera to No. 18 Mine and the road  
leading from Amesville to No. 18 Mine and leading to the railroad crossing  
of the Penna. R.R. Co. opposite George Neaseck, residence in Bigler Twp.  
a distance of about seven eights of a mile

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 Harry Reese, A.L. Edwards and  
James 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 impartial-  
ity 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 mann r  
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 Bigler and that 3 notices thereof were posted along the route of the proposed road, that the said view would be held on the 27th day of August, A. D. 1918, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 31st day of August, 1918, at 11 o'clock A. M. That 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. L. Edwards Esq., Harry Reese, James W. Spangle, Viewers, George Nugent, Jr., Oratchley, Mike Lucas, Peter Materna, Steve Kugus, John Popovich, Henry Kutz, Joe Ondi, Adam Kachin, Joe Mahoot, Joe Materna, Joe Schwartz, Joe Lutz,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 31 day of August A. D. 1918, when the following appearances were noted: A. L. Edwards, Harry Reese, James Spangle, Viewers, George Nugent & Henry Kutz in behalf of petitioners, & Walter Welch Esq. also for petitioners.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is \_\_\_\_\_ 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 on the road near residence of George Kannek thence S. 16° 30' 47.4 feet,  
S. 0° 2' 25 feet to a point, S. 71° W. 52.1 feet, S. 41° W. 19.5 feet, S. 10° W. 19.0 feet, S. 5° 06' 29.6 feet  
S. 13° E. 22.1 feet, S. 8° E. 15.2 feet, S. 6° W. 35.4 feet, S. 0° 2' 45 feet, S. 4° W. 15.1 feet,  
S. 1° E. 15.5 feet, S. 48° W. 20.6 feet, S. 42° W. 16.9, S. 62° W. 22.6 feet, S. 54° W. 28.0 feet, S. 71° 30' W.  
23.1 feet, S. 65° W. 23.0 feet, S. 46° W. 67.5 feet, S. 54° W. 10.6 feet, S. 8° W. 13.5 feet,  
N. 75° West 16.9 feet, N. 40° W. 10.5 feet to a point about 100 feet South East  
of the intersection of road leading from Meadua to No. 18 Mine &  
the road leading from Roseville to No. 18 Mine. (See map  
attached.)



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 as per map attached

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 no one

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 31<sup>st</sup> day of August

A. D. 1918.

A. L. Edward   
H. A. Reese   
James W. Spangle 

No. 2 Sept. Sessions, 1918

## ORDER

To view Road a  
road for Public use in the  
township of Bigler  
Clearfield County

Sept. Session, 1918,  
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  
Angelus & Kelly  
Dec 26 1918 Angimus &  
Kelley  
By the Court  
Angelus & Kelly

Filed 19

Fees \$1.25 paid by

Welch Atty.

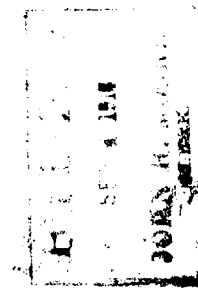
Note.—In case of a private road, the release must be executed in favor of the petitioner for said road.

Also, viewers will carefully note the number of days employed and set the amount out at the foot of their report.

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. D. Edwards	3	78 18.90
Harry Reese	3	118 20.90
James W. Spangle	2	112 15.60



## 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 \_\_\_\_\_.

