

No. "2 September SS 19 18

COMMONWEALTH

vs

Public Road in Bigler Township

P.L. #5 - Page 404

Charge

PAK
17510

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 opposit George Nezneck residence, in Bigler Township, a distance of about seven eights of a mile. And they will ever pray, etc.

Joseph A. Shoff

J. J. Meen

J. M. Cornely

Jack Oryis

W. V. Morris

W. P. Cornely

Harvey Mitchell

H. B. Swope

Cosmo Manning

C. L. Cornely

H. F. Stoddart

John Stevenson

Sang Jaskoski
John Johnson
John Hensel
Lev Lee

M. Baron
Baron's Dept Store
Patty Kitter

C M Wallace

Dan Roberta
Wm. Pursey
Elmer & Dickins
Steve Kuzma
Majek Lukacs
John Gornick
George Skurnick

John Lut
Ruth Materna
Joe Materna
Joe Onacilla
John Ambros
Toni Jaszczik
Annie Yelchen
Adam Katchev
Joe Mawat

State of Pennsylvania)

County of Clearfield : SS)

Antonio Crist George Trzwick 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 belief.

Antonio Crist

George Trzwick

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

Clementine C. Palmer

Notary Public

ALL NO COMMISSION EXPIRES AT THE END
OF THE NEXT SESSION OF THE SENATE.

Joseph Crist

No. 2 Advt. Aug. 1918

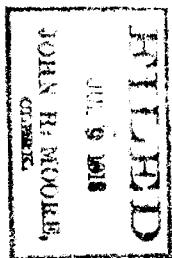
In re: Petition to supply
Public Road in Ryerson
Township.

And Now July 8, 1918, the within
in petition read, and considered,
whereupon Harry Pearce,

A. D. Edwards & W. H. Phelps,
are appointed Viewers to view
the said proposed road and to
report to the Court as provided
by the rules of Court.

Bethel Court
Wingfield Court

P.J.



150 13m a.m.
125 12m a.m.

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. To which 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
George Nizick (SEAL)

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

ג'UL 9-2018

JOHN H. MOORE,

B O N D.

And Now, July 8, 1918,

Approved

Approved
By Mr. Lord
Faythe Bue
P. J. P.

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

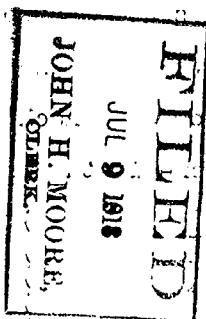
In Re: Petition to Supply) No. September Sessions, 1918.
Public Road in Bigler & :
Woodward Townships.)

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.

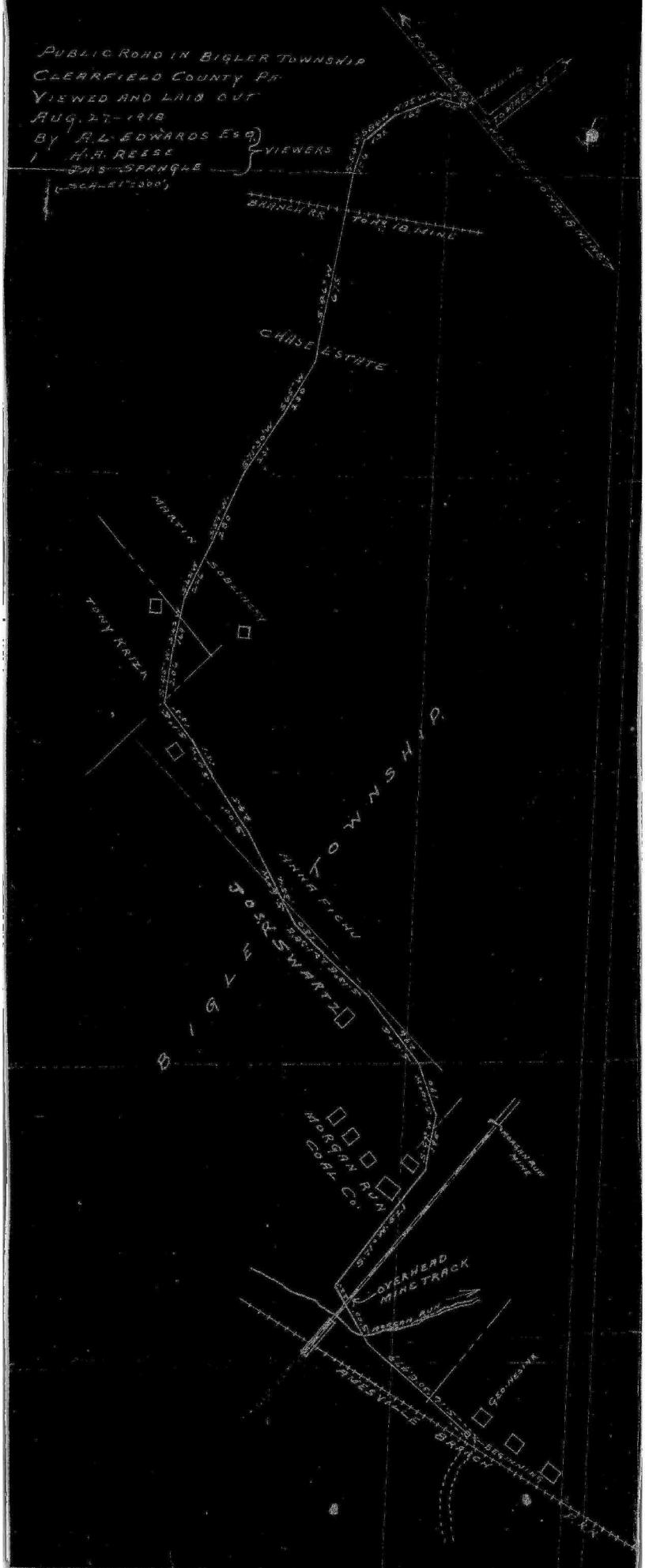
L. H. Morris } County Commissioners of
James A. Talers } Clearfield County

James H. Roffman } Supervisors of
Charles S. Stroff } Bigler Township
John Vranich

Chas Anderson } Supervisors of
Patrick J. Kennedy } Woodward Township.



PUBLIC ROAD IN BIGLER TOWNSHIP
CLEARFIELD COUNTY PA.
VIEWED AND LAID OUT
AUG. 27-1918
BY R.L. EDWARDS Esq.)
H.A. REESE SPANGLE)
SPANGLE)
MOHAWK 1200,



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. I8 Mine and the
road leading from Amesville to No. I8 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 KRIK,
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 o'clock A.M.

A. L. Edwards

Harry Reese

James W. Spangle

VIEWERS

August 12, 1918.

Now August 15-1918 notice of the
writ and service of the same is accepted
by

Charles S. Shoff
Supervisor of Bridges

John Drabel

Jas H Ruffner

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 residence

in Bigler Township, in the county aforesaid, will
meet at the house of TONY KRIKZ,
in Bigler Township, on Tuesday,
the 27th day of August A. D. 1918, at II
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 II 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. G. Morris
Stark

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 railtoad crossing of the Penna. R. R. Co. opposite George Nezneck, residence in Bigler Twp. a distance of about seven eights of a mile

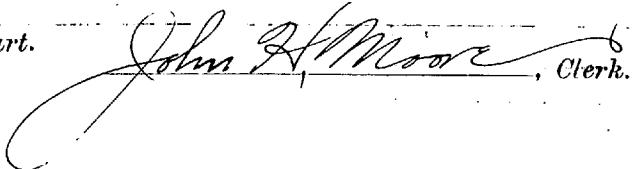
and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers Harry Reese, A.L. Edwards and

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 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 or 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 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 Rose, James W. Spangle, Viewers, George Negret, Joe Cretchley, Mike Lanes, Peter Matson, Steve Kugler, John Popovich, Tony Kugler, Joe Onde, Adam Kachter, Joe Mahot, Joe Matson, 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 Rose, James Spangle, Viewers, George Negret & Tony Kugler all 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 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 on the road near residence of George Kemer Kemer S. 16° 30' 474 feet, S. 0° 22' 25 feet to a point, S. 71° W. 52' 7 feet, S. 47° W. 196 feet, S. 18° W. 190 feet, S. 5° 06' 296 feet S. 13° E. 22' 1 feet, S. 8° E. 150 feet, S. 6° W. 354 feet, S. 0° 24' 5 feet, S. 4° W. 151 feet, S. 1° E. 155 feet, S. 45° W. 206 feet, S. 42° W. 169, S. 62° W. 226 feet, S. 54° W. 280 feet, S. 71° 30' W. 231 feet, S. 65° W. 230 feet, S. 46° W. 675 feet, S. 54° W. 406 feet, S. 8° W. 135 feet, N. 76° West 169 feet N. 40° W. 105 feet to a point about 100 feet South East of the intersection of roads leading from Number 18 Nine + the road leading from Pleasantville to No. 18 Nine. (See maps 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 31st day of August
A. D. 1918.

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

No. 2 Sept. Sessions, 1918

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.

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 changes, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

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

	Days.	Miles A.M.T.
A. K. Edwards	3	78 18.90
Henry Reed	3	118 26.90
James M. French	2	112 16.60

Sept. Session, 1918,
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
Magistrate, I,
are ss 1918 Aug 19th
absolutely
by the Court
Magistrate

Filed 19

Fees \$1.25 paid by—
Welch 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 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_____.

