

No. 1147 Term, 1912

Petition for Rezoning Board in

Elgin Twp.

Versus

P. S. ~~et al.~~ - Vaz v. S.

Twp. Bd. 1756

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 3 day of May in the year of our Lord one thousand nine hundred twenty.

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

in said County, setting forth that a public road or highway, in the Township of Bigler, to begin at a point in the Township road leading from Houtzdale to Henderson, which point is midway between Little Atlantic School House and the Township road to Brisbin and extending thence to a point in another public road leading from Madera to Blackburn, said latter point being at the Blackburn School House

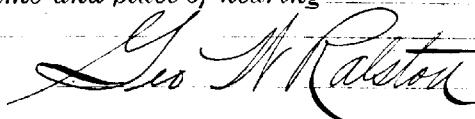
and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A. L. Edwards, Esq.,

Harry ~~passa~~ and Jas. 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.

Geo. M. Ralston, 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 18th day of August, A. D. 1921, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 19th day of August, 1921, at 11 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 Carl Cavanaugh, Alex Horwitz, Dominic Archie, George Bishop, Russell Bishop, Tom Bishop, Andy Geamer, Pete Koval, Joe Golosinski, (Chas. Shoff, J. E. Robinson, John Drable), Supervisor of Bigler Twp. parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 19th day of August A. D. 1921, when the following appearances were noted: (Same parties as above)

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is some 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 Township Road leading from Houchal to Henderson which point is midway between Little Atlantic School houses & the Twp. road to Bruskin, Thence N. 53° West 594 feet, thence N. 5° E. 393 feet, thence N. 25° W. 269 feet, thence N. 22° W. 534 feet, thence N. 31° W. 252 feet, thence N. 65° 30' W. 777 feet, thence N. 17° E. 446 feet, thence N. 41° 30' W. 304 feet, thence N. 53° W. 535 feet to residence of _____ ending.

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: Maryland Coal & Coke Co. \$1.00 per acre Wallace Estate \$1.00

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

WITNESS our hands and seals this 19th day of August
A. D. 1981.

A. L. Edwards

H. A. Reese

SEAL

SEAL

SEAL

No. 4 May Sessions, 1920

ORDER

NOT. — In case of a private road, the release must be executed in favor of the petitioner for said road.

Also, visitors 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 localities 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.

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DAYS	MILES AM'T.
A. S. Edwards	1
Henry lace	3

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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_____.
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ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a Public Road Road leading from to begin at a point in the Township Road leading from Houtzdale to Henderson which point is midway between Little Atlantic School House and the Township Road to Brisbin.

in Bigler Township to a point in another Public Road leading from Madera to Blackburn, said latter point being at the Blackburn School House.

in Bigler Township, in the county aforesaid, will meet at the house of Midway between Little Atlantic School House and Township Road to Brisbin.

in Bigler Township, on Thursday, the 18th day of August A. D. 1921, 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 a hearing on the above view will be held in the Arbitration Room of the Court House on Friday through the 29th day of August 1921.

A. L. Edwards

Harry Reese

James Spangle

VIEWERS

August 6th, 1921, 1921.

Service of Notice of within view and hearing as
hereby accepted for the Supervisors of Bryan Township.

J. B. Johnson
Charlton Shoff

Supervisors

At view:

Joe Javor

Carl Carnahan

Alex Slivitzky

Dominic Archie

George Bishop

Russell

Wor

Andy Reamer

Pete Koyal

Joe Golombitsky

Alvin Shoff

J. C. Robertson

Superv

John Urab

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NOTICE IS HEREBY GIVEN that the undersigned
Viewers, appointed by the Court of Quarter Sessions of
Clearfield County, Pennsylvania, to view a Public Road
Road leading from to begin at a point in the Township Road lead-
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Atlantic School House and the Township Road to Brisbin.

in Bigler **Township to** a point in another Public
Road leading from Madera to Blackburn, said latter point being at the
Blackburn School House.

in Bigler **Township, in the county aforesaid, will**
meet at the house of Midway between Little Atlantic School House
and Township Road to Brisbin.
in Bigler **Township, on** Thursday
the 18th **day of** August **A. D. 19121**, at
o'clock 11 A. M., to attend to the duty assigned them, of
which time and place aforesaid all parties interested
will take notice.

And a hearing on the above view will be held
in the Arbitration Room of the Court House on

A. L. Edwards

Harry Reese

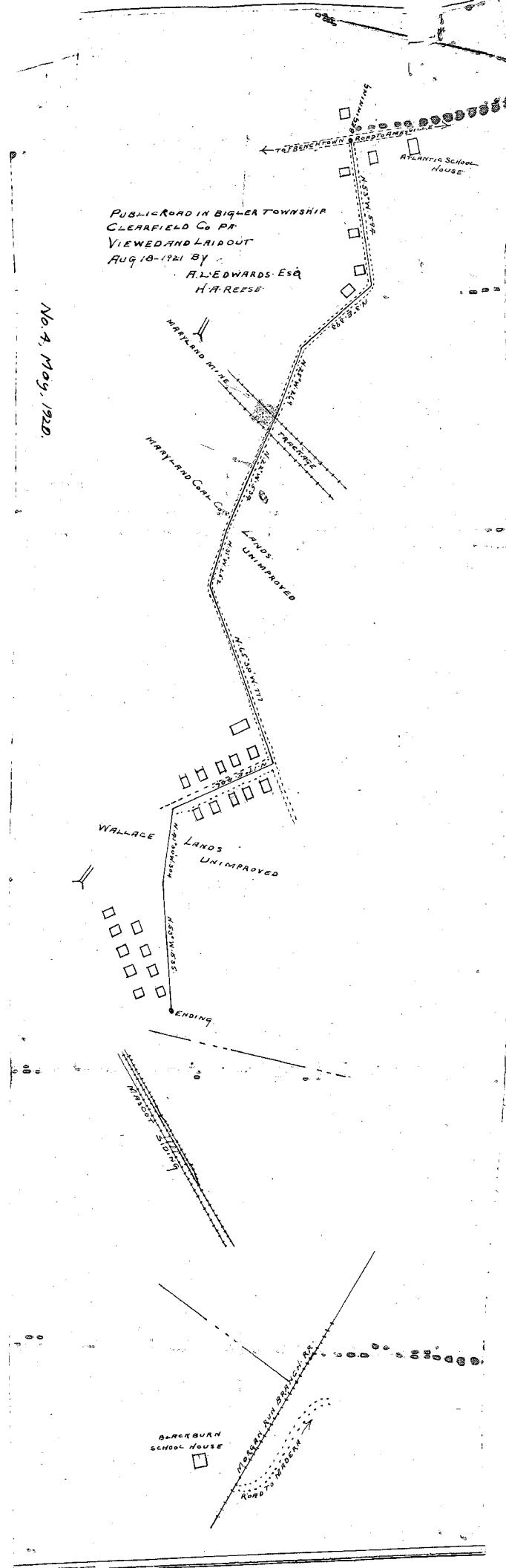
James Spangle

VIEWERS

August 6th, **19121**.

And now August 6th, service of the within notice is hereby
accepted.

L. C. Morris.
For County Commissioners



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

In re Public Road in : No. May SS. 1920.
Bigler Township. :
:

To the Honorable Singleton Bell, President Judge:

The Petition of the undersigned, inhabitants of the Township of Bigler, in said County respectfully shows:-

That your petitioners labor under much inconvenience for want of a public road or highway, in the Township of Bigler, to begin at a point in the Township road leading from Houtzdale to Henderson, which point is midway between Little Atlantic School House and the Township road to Brisbin, and extending thence to a point in another public road leading from Madera to Blackburn, said latter point being at the Blackburn School House.

Petitioners pray the Court to appoint proper persons to view and lay out the same according to law; and they will every pray.

Name	Residence.
Joe Mahute	Mascot
John Judick	Mascot
John Ambroth	Mascot
John Sutko	Mascot
Jan Zatek	Mascot
John Holesnick	Mascot
John Sutko	Holes
John Holesnick	Mascot
John Ambroth	Mascot
Pall Ambroth	Mascot
Mrs. Fred Blid	Mascot (Farmer)

Name

Residence.

Tony Jacoby		Mascot
Rope Nathan		Mascot
John Rindgisk		Mascot
Wit al Beumies		atlantic
Arthur Bierlein		atlantic
Feder Dinarot		atlantic
Gustave Bierlein		atlantic
Yules	Beguet	atlantic
John	Banlien	atlantic
Russell	Bishon	Mascot
Alex	Stovinsky	Mascot
John	Jinty	Mascot
Frank	Grossman Jr	atlantic
W.M	Elliott	Mascot
Jos	Golembiefsky	Mascot
Wm	Grumasti	Mascot
Modest Tomow		atlantic
Adolph Tomow		atlantic
Sal	charles	Mascot
Tony	albantek	Mascot
Frank Montow		atlantic

Name	Residence.
John Hancharick	Jackson
Emil Pott	Black Brun
Emely Kleber	Wester worker
Gus Tagge	
George Bishop	Mascat
Dick Modica	Mascat
Dominick Archie	Modica
George Zabrowski	Modica
Frank Buhrow	Modica
Joseph Zabrowski	Modica
John L Johnson	Mascat

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

In re Public Road in : No. May 22, 1920.
Bigler Township. : -

To the Honorable Singleton Bell, President Judge:

The Petition of the undersigned, inhabitants of the Township of Bigler, in said County respectfully shows:-

That your petitioners labor under much inconvenience for want of a public road or highway, in the Township of Bigler, to begin at a point in the Township road leading from Houtzdale to Henderson, which point is midway between Little Atlantic School House and the Township road to Brisham, and extending thence to a point in another public road leading from Madora to Blackburn, said latter point being at the Blackburn School House.

Petitioners pray the Court to appoint proper persons to view and lay out the same according to law; and they will ever pray.

Name	Residence.
M. D. Shaffer	Mascat
John Dalackey	Mascat
Andy Remar	Mascat
Peter Lepkowski	Mascat
Stanis Pietrowski	Mascat
Mike Kovacs	Mascat
Anti Kovacs	Mascat
Tom Kowalec	Mascat
Paul Tatt	Mascat
Joe Wiczek	Mascat
Tom Rost	Mascat
Frank Lown	Mascat
Mike Kovacs	Mascat

April 3, 1920, R. S. Ed.
Wanted Harry Reed
as for W. G. Youngs are
appointed messes to
travel and make return
as promptly as possible.
Very truly yours
Franklin C. Converse

A. M. Livingstone
Attn:

KNOW ALL MEN BY THESE PRESENTS, That we, Joe Mahute, . . .
Albert Johnson, Alex. Finney, Jr. Victor Woroquier, Edmond Lecerl,
and Joseph Tersire

citizens or tax payers of Bigler Township, Clearfield County, Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of One hundred (\$100.00) dollars, lawful money, to which payment well and truly to be made, we bind ourselves, and each of our heirs, executors, and administrators, firmly by these presents.

WHEREAS citizens of Bigler Township have petitioned the Court to appoint Viewers to lay out a public road in said Township, which petition is being filed to No. . . ., May Sessions, 1920, and a copy of which is hereto attached and made a part of this bond.

Now the condition of this obligation is such, that if said petitioners shall well and truly pay the costs that may be assessed against them by the Court by reason of said petition, then this obligation shall be void, or else to be and remain in full force and virtue.

SEALED with our seals and dated the . . . day of March, 1980.

WITNESSED BY:

Joe Moshak (SEAL)
Albert J. O'Donnell (SEAL)
Alex Somers Jr. (SEAL)
Victor Morogowar (SEAL)
Edward Leeser (SEAL)
Joseph Persson (SEAL)

April 3, 1920, Bank
Approved
By the Court
Duglass, B. C.
P.

Bank
Approved
By the Court
Duglass, B. C.
P.