

Road DOCKET No. 6

Number	Term	Year
11	Sept	1925

Petition for Appt. of viewers to view  
and lay out a road in Beccaria Twp

**Versus**

Now, July 3, 1925, I hereby accept  
service for the Board of Supervisors  
of Beccaria Township.

*J. R. Gaedwell  
J. R. Gaedwell*

ORIGINAI

To EMORY NEVELING, GEORGE MULLEN, and W. H. MELLOTT, supervisors  
of the Township of Beccaria, Clearfield County, Pa.

Please take notice that a petition will be presented to the  
Court of Quarter Sessions of Clearfield County, Pa. on Monday,  
July 13th, 1925 at 11 A.M., praying for the appointment of viewers  
to view and lay out a Township Road beginning at a point at or  
near the residence of the late Andrew Smith in said Township, in  
the public road leading from the Village of Smoke Run to the Water  
Bank, and extending from said Andrew Smith's to a point at or near  
the residence of George Roholyak in said Township.

*J. R. Gaedwell*  
Attorney for Petitioners  
July 3, 1925.

KNOW ALL MEN BY THESE PRESENTS, that we..W.J.Twigg,  
John Houdak, Joseph Polinsky, Harry Korolinchak, Mike Tompchak, ...  
Anisto Gafest, Andrew Mowczan, Wasco Finch, Sam Churner, Andrew  
Luksic, Martin Gunzilus, Nick Berzansky, Andrew Chervenik Frank  
Gunjilac.  
all of the County of Clearfield and State of Pennsylvania, are  
held and firmly bound unto the Commonwealth of Pennsylvania, its  
certain attorneys in the sum of One hundred (\$100.00) Dollars law-  
ful money of the United States; which sum well and truly to be  
paid, we and each of us, jointly and severally, do bind ourselves,  
our heirs executors and administrators firmly by these presents.  
Sealed with our seals and dated the First day of July, A.D. 1925.

WHEREAS the above bounded and other residents of Beccaria  
Township have presented their petition to the Court of Quarter  
Sessions of Clearfield County, praying the Court to appoint Viewers  
to view and lay out a public road from a point at or near the  
residence of the late Andrew Smith in Beccaria Township to a  
point near the residence of George Roholyak in the Township of  
Beccaria, said County.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if  
the said Court refuses to appoint Viewers or if the Viewers report  
unfavorable and the above bounden pay all the cost of the said  
view, then this obligation to be void; otherwise to be and remain  
in full force and virtue.

W.J.Twigg..... Harry Korolinchak  
John Houdak..... Sam Churner  
Joseph Polinsky..... Andrew Luksic  
Harry Korolinchak Martin Gunzilus  
Mike Tompchak Nick Berzansky  
Anisto Gafest Andrew Chervenik  
Andrew Mowczan Frank Gunjilac

IN COURT OF QUARTER SESSIONS,  
CLAYFIELD COUNTY, PENNA.

No. 11 Sept Term, 1925.

In re: Petition for public  
road in Beccaria Township.

BOND OF PETITIONERS

June 13<sup>th</sup> 1925.

and affixed.

By the Court

Attest

H. T. BIRD

Asst. P. J. M.

Chas. W. M.

John B. McGRAH

ATTORNEY-AT-LAW  
HOUTZDALE, PENNA.

To The COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a Public Road leading from a point near the residence of the late Andrew Smith on the Public Road leading from the Village of Smoke Run to the Water Tanks in Beccaria Township, to a point near the residence of George Roholyak on the Public Road leading from Smoke Run to Hagerty's Cross Roads in said Beccaria Township, in the County aforesaid, will meet at the house of the late Andrew Smith in Beccaria Township, on Tuesday the 11th day of August 1925 at 10:30 o'clock A.M. to attend to the duties assigned them.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield on Friday the 14th day of August 1925 at 9 o'clock A.M. when and where all interested parties may attend and be heard:

Frank Hulim  
E. D. Billotte  
Jas W Spangler  
Viewers.

DuBois, Pa. July 27th 1925

Now July 27 1925 Service of the above notice is accepted for the Commissioners of Clearfield County.

L. L. Morris

Clerk

TO THE ROAD SUPERVISORS OF BECCARIA TOWNSHIP, CLEARFIELD CO., PA.

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a public road leading from a point near the residence of the late Andrew Smith, on the public road leading from the Village of Smoke Run to the Water Tanks in Beccaria Township, to a point near the residence of George Roholyak on the Public Road leading from Smoke Run to Hagerty's Cross Roads, in Beccaria Township, in the County aforesaid, will meet at the house of the late Andrew Smith, in Beccaria Township on Tuesday the 11th day of August 1925 at 10:30 o'clock A.M. to attend to the duty assigned them, of which time and place all interested parties will take notice.

And that the required Public Hearing will be held in the Court House, in the Borough of Clearfield, on Friday the 14th day of August 1925 at 9 o'clock A.M. where you may attend and be heard if you so desire.

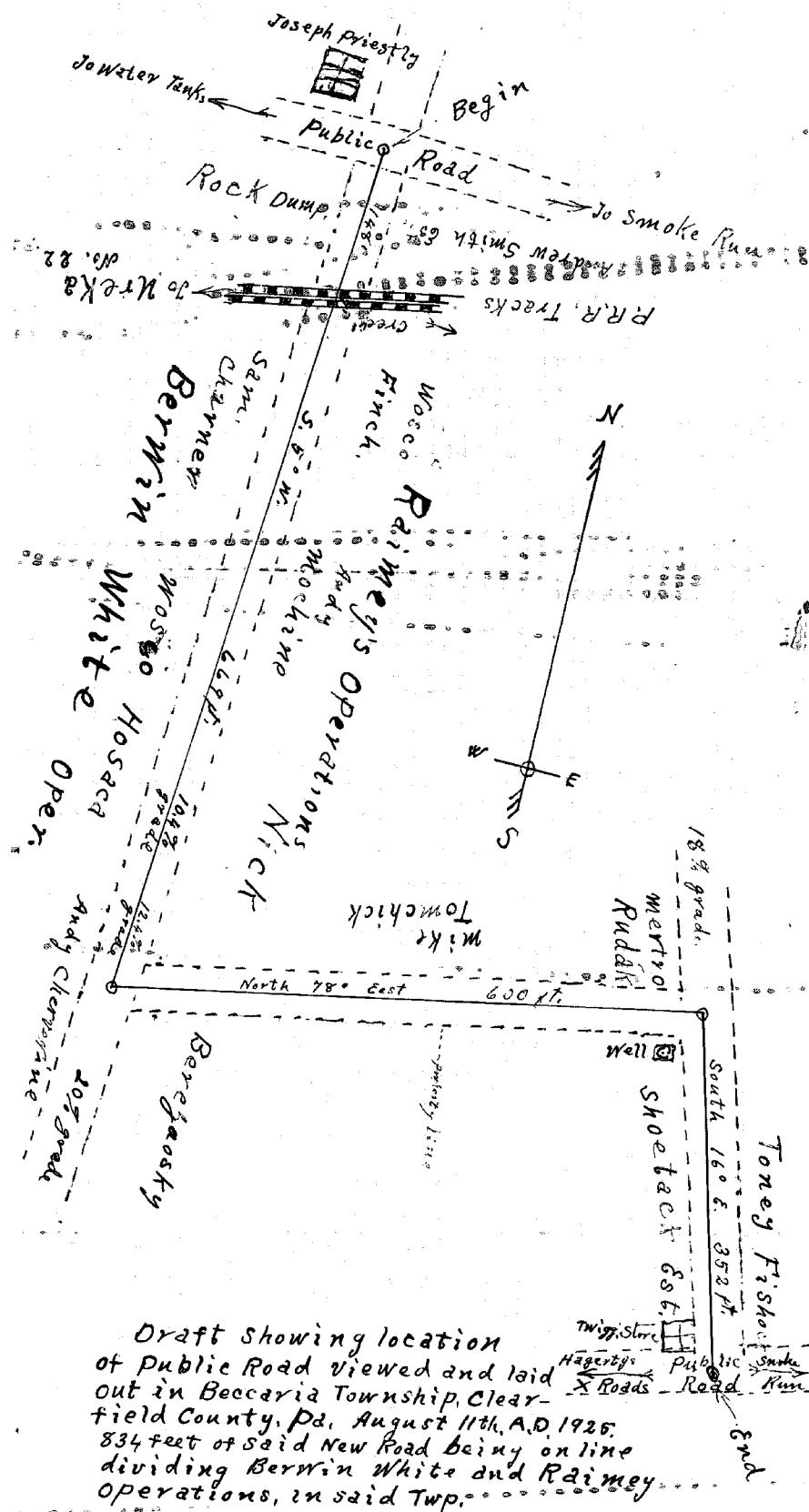
DuBois, Pa. July 27th 1925

Frank H. Bell  
Ed Bellotti  
Geo W. Spangler

Viewers.

Now July 30. 1925. I hereby accept service of the above notice for the Board of Supervisors of Beccaria Township.

Les G. McAllister  
Supervisor and President of the Board.



Frank Hutton,  
E. D. Billotte  
James Spangle,  
viewers.  
Scale 1" to 100'

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 11th day of September in the year of our Lord one thousand nine hundred twenty five

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Beccaria in said County, setting forth that they labor under great inconvenience for want of a public road or highway in the Twp. of Beccaria to begin at a point near the residence of the late Andrew Smith in Beccaria Twp. on the public road leading from the village of Smoke Run to the Water Tanks, and extending thence by a convenient route to a point near the residence of George Roholyak on the public road leading from Smoke Run to Hagerty's Cross Roads in said Twp. of Beccaria.

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 Frank Hutton, Esq., Ed. Billotte and James 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 judgement, 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 W 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, be 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 Beccaria and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 11th day of August A.D. 1925, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 14th day of August, 1925, at 9 o'clock A.M. That all the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Geo Mullen, Wm. Mellott, and Emory Nevling, Supervisors of said Twp; Chas Snaw, Perry Ball, Guy Ball, Joe Priestles, Joe Plinsky, Tony Zonza, Andrew Mochan, John Ball, S.T. Withers, F.C. Caldwell, Clark Westover, John Trollet, John Lovd, J.K. Gorman, Park Bers, Ting Beers, et al parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 14th day of August A.D. 1925, when the following appearances were noted: J.B. McGrath Esq for petitioners, and Cortez Bell Esq for Supervisors and, Saml Charney, Tony Johnson, Andrew Petrovich, Joe Polinski, Morgan D. Hays, Steven Munchak, John Lord, John K. Gorman, S.G. Warwick, Wm. H. Mellott, Valentine Beers, Perry Ball all of whom were either sworn or affirmed and testified for or against the petition

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 Your Viewers feel that all interested parties are entitled to know the principal reasons for their action in refusing to recommend the road as petitioned for. First there are already two public roads nearly parallel and at the point where this road was asked for are some 1200 feet apart; most of the mining village of Eureka No. 22 comprising some 37 houses, is located between these two public Roads, the former owners of the lands on which the village stands layed out the lands for Streets some 50 feet wide over which the petitioners have access to the road leading from Smoke Run to Hagerty's Cross Roads without trespassing on private lands. This is objected to by the petitioners on the ground that the grade is too steep, but the petition asks for a road over this same land and grade, the viewers were able to lay out a route having very little excess grade.

The petitioners insist that the natural outlet for them is on to and over the road from Smoke Run to the Water Tanks, this would give them a better grade but involves a grade crossing over the Penna R.R. tracks and right of way, and also involves the erection of a bridge over a stream at a very considerable cost estimated by Supervisor at \$2500.00 To procure this R.R. crossing would necessitate going to the Dept at Harrisburg by the Supervisors, with witnesses showing the necessity, and in view of the petitioners having access to the Hagerty's Cross Road road, and the further fact that such crossing would be a dangerous one it is very doubtful, if the consent of the State Dept. could be secured.

Your viewers are of the unanimous opinion, that the petitioners having

already a Public Road on each of two sides of them only a short distance from their properties, have such access to a Public Highway as is contemplated by the law.

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 noted on draft

when it was not practical 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 releases necessary

the following persons having refused to release the damages to which they respectfully may be entitled by 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 18th day of August  
A. D. 1925.

Frank Atwell Seal  
E. G. Billotte Seal  
James W. Spangle Seal  
Seal



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

To the Honorable A. R. Chase, President Judge of the Court of Quarter Sessions of Clearfield County, Pennsylvania.

The petition of the subscribers, residents of the Township of Beccaria, in the County of Clearfield and State of Pennsylvania respectfully represents:

That your petitioners labor under great inconvenience for want of a public road or highway in the Township of Beccaria, Clearfield County, Pa. to begin at a point near the residence of the late Andrew Smith in Beccaria Township, on the public road leading from the Village of Smoke Run to the Water Tanks, and extending thence by a convenient route to a point near the residence of George Roholyak on the public road leading from Smoke Run to Hagerty's Cross Roads in said Township of Beccaria.

Your petitioners therefore pray the court to appoint proper persons to view and lay out the same according to law, and they will ever pray, etc.

Joseph Ljize	X	Nick Berg
John P. Kost	X	Andrew P. Lukic
John L. Lachapelle		Frank G. Masiak
John L. Lachapelle		Robert J. Lloyd
John L. Lachapelle		Frank C. Litch
<u>Other Name</u>		
Joseph Polinsky		Frank Lomax
Harry Korolischak		John Masiak
<u>Mike Tomchick</u>		Steve Niemchak
Andrew Gefter		Paul Sucas
Andrew Mavragan		Antoni Rydz
Wasko & Finch		
+ Sam Churner		
Andrew Lukic		
Andrew Lukic		

STATE OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

Before me personally came John Lloyd, who being duly sworn according to law, says that he has full knowledge of the facts contained in the foregoing petition, and that the same are true to the best of his knowledge and belief.

.....John Lloyd.....

Sworn and subscribed to before me this 3rd day of July,  
A. D. 1925.

*John Lloyd*  
Notary Public  
My Commission expires Feb. 27, 1929.

IN THE COURT OF QUARTER  
SUSIONS OF CLEARFIELD COUNTY  
PAULSBOURG, PENNA

No. 11 Sept. Term 1925.

In re: Petition for  
appointment of viewers to  
view and lay out a road in  
Beccaria Township from  
Andrew Smith's to residence  
of George Robolyak.

New July 13 1925

Frank Hutton Esq  
Sol Kilkotta & James  
Spangler are appointed  
to view and report

to the County

Court of Quarter  
Susions

July 13 1925

John B. McGrath  
ATTORNEY-AT-LAW  
CLERK OF COURT  
PAULSBURG, PENNA.

New July 13 1925  
Service accepted by the County Commissioners  
of Clearfield County, A. O. Harrold  
(Seal)