

ROAD

DOCKET No. 6

Number	Term	Year
4	Sept	1936

BECCARIA TOWNSHIP: PETITION FOR

PUBLIC ROAD

Versus

To the County Commissioners of Clearfield County

N O T I C E   O F   V I E W

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 15th day of July A.D., 1936, to view and lay out a public road in the Township of Beccaria, leading from the Improved Public Highway in the village of New London at or near the property of Wm J. Twigg, thence along streets laid out by the Berwind- White Coal Mining Co and Estate of D.K. Ramey, crossing a small run, thence along a certain street and ending at or near the property of Isaac Martin in the village of Eureka or Windcris in said Township of Beccaria, a distance of approximately 5/10 ths of a mile, will meet at the point where said proposed road has its begining in Beccaria Township on Friday the 31st day of July A.D., 1936 at 10:30 o'clock A.M. to attend the duties assigned them, and that a public hearing as required by Act of Assembly and Rules of Court to be held by the Viewers before the filing of their report in Court, in order to give all parties interested in said road an opportunity to be heard, will be held on Monday August 3rd 1936 at 10:30 o'clock A.M. in the Grand Jury Room in the Court House at Clearfield, Pennsylvania at which time and place all parties interested may attend and be heard if they so desire.

A.B. Shaw

E.D. Billotte

Thomas C. McGarvy

Viewers.

Now July 17th service of the above notice is hereby accepted  
by copy.

Myra Lucas  
Clerk

To the Supervisors of Beccaria Township, Clearfield County, Pa

NOTICE OF VIEW

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County on the 15th day of July A.D., 1936, to view and lay out a public road in the Township of Beccaria, leading from the Improved Public Highway in the village of New London at or near the property of Wm J. Twigg, thence along streets laid out by the Berwind- White Coal Mining Co and Estate of D.X. Ramey, crossing a small run, thence along a certain street and ending at or near the property of Isaac Martin in the village of Eureka or Winderist in said Township of Beccaria, a distance of approximately 5/10 ths of a mile, will meet at the point where said proposed road has its begining in Beccaria Township on Friday the 31st day of July A.D., 1936 at 10:30 o'clock A.M. to attend the duties assigned them, and that a public hearing as required by Act of Assembly and Rules of Court to be held by the Viewers before the filing of their report in Court, in order to give all parties interested in said road an opportunity to be heard, will be held on Monday August 3rd 1936 at 10:30 o'clock A.M. in the Grand Jury Room in the Court House at Clearfield, Pennsylvania at which time and place all parties interested may attend and be heard if they so desire.

A.B. Shaw

E.D. Billotte

Thomas C. McGarvy

Viewers.

Now July 21, 1936 service of the above notice is hereby accepted on behalf of the Beccaria Township Road District.

H.F. Estright  
Secretary.

# 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 Road~~ <sup>an Road</sup> ~~and~~ assess damages, leading from ~~the Improved Public Highway in the village of~~ ~~New London at or near the property of Mr. J. T. Tice~~ .....

in ~~Beechville~~ ..... Township ~~to~~ <sup>thence along streets laid out by the Herwind-White Coal Company and Estate of D.K. Hancey, crossing a small run thence along certain streets and ending at or near the property of Isaac Martin in the village of Yarets or Windorist</sup> .....

in ~~Beechville~~ ..... Township, in the County aforesaid, will meet at the house of ~~Mr. J. T. Tice~~ .....

in ~~Beechville~~ ..... Township, on ~~Friday~~ <sup>the</sup> ~~the~~ <sup>31st</sup> day of ~~July~~ <sup>July</sup> ....., A. D. 19~~22~~ <sup>25</sup>, 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.

THAT A PUBLIC HEARING AS PROVIDED BY ACT OF ASSEMBLY AND RULES OF COURT, IN ORDER TO GIVE ALL PARTIES INTERESTED IN SAID ROAD AN OPPORTUNITY TO BE HEARD WILL BE HELD IN THE GRAND JURY ROOM IN THE COURT HOUSE AT CLEARFIELD, PENNSA. ON MONDAY THE ~~30th~~ <sup>31st</sup> DAY OF AUGUST A.D., 1925 AT 10:30 O'CLOCK A.M. AT WHICH TIME AND PLACE ALL PARTIES INTERESTED MAY ATTEND AND BE HEARD IF THEY SO DESIRE.

..... A.A. SMITH .....

..... H.D. JIMMIE .....

..... THOMAS C. MCCARTHY .....

VIEWERS

JULY 20th

19 25

Improved Road → Jo. Beccaria

1210 ft.

Draft Showing location of a public Road  
Viewed and laid out in Beccara Township,  
Clearfield County, Pennsylvania, The 31st,  
day of July A.D. 1936.

A. B. Shaw,  
E. D. Billotte,  
Thomas C. McGarvey,  
Viewers,  
being on street dividing  
Berwin White and Raimy  
Operations in said Twp. of Beccaria.  
Total length of Road as laid out  
2729 feet.

New  
London School

Stn. 112 J. Twigg

→ To Hagerty's Cross Road

Shoe Tack Est.

Toucy Tishack

Owell

Bert  
Gausky

Street

MIVE  
Rudak

Mike  
Tomichik

Arick

Andy  
Machine

Wasco  
Finch

Sam  
Churner

Wasco Hosara

Andrew Smith Est.

Raimy Operations

Berwin White  
Operations  
Eureka No 22

Public Road

Joseph  
Priestley

Street

Street

Street

## 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 15th day of July in the year of our Lord one thousand nine hundred thirty six.

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, leading from the Improved Public Highway in the Village of New London, beginning at or near the properties of Wm. J. Twigg and thence along streets laid out by the Berwind-White Coal Mining Company and Estate of D. K. Ramey, crossing a small run, thence along certain streets, and ending at or near the property of Isaac Martin, in the Village of Eureka #22, or Windcrisp, in said township, a distance of approximately 5/10ths 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 A. B. Shaw, Esq. E. D. Billotte and Thomas C. McGarvey

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.

W. R. Hallagher, 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 31st day of July A. D. 1926, and the hearing to be held in the <sup>Grand Jury Room</sup> ~~Arbitration Room~~ at the Court House, in Clearfield, Pa., on the 3rd day of August, 1926, at 10:30'clock A M. That

the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view John Scollins, Esq attorney for the petitioners, Dale O'Donel, Daniel McCoy, and Harry Killion, Supervisors of the Township of Beccaria, also a number of citizens of New London and Eureka Villages whose names were not listed. parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 3rd day of August A. D. 1926, when the following appearances were noted: John Scollins, Esq, attorney for the petitioners, together with the following witnesses: Bob White, W.J. Twigg, Toney Zonza, Clyde Finch, John Shutack, Andrew Howckan, Joe Zonza, Martin Gungivac, there was also present, Dale O'Donel, Daniel McCoy, and Harry Killion, Supervisors of the Township of Beccaria.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an 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 or near the property of Joseph Priestly in the village of Eureka #22 at the intersection of a dedicated street in said village and the Township Road, leading to Smoke Run; thence along said dedicated street, crossing a small run, South 5 degrees West, 800 feet to the intersection and center of another dedicated street in said village; thence North along said street 77 degrees East, 541 and 1/4 feet to the intersection and center of another dedicated street in the village of New London, at or near the property of Toney Tischock; thence South along said street 13 degrees 30 minutes East, crossing a dirt road, at or near Wm J. Twiggs store, 1210 feet to a point where said proposed road intersects the improved State Highway Route #17035 in the village of New London, Beccaria Township, Clearfield County, Pennsylvania.

The above described road being necessary for public travel and use, and further for the benefit of a great number of school children living in that community who attend the New London School, and there being no opposition thereto from any source, and the location being over a right-of-way dedicated by the property owners abutting thereon, long since in use as a public street or streets, your undersigned Viewers do agree and recommend that the aforementioned proposed public road be opened for the use of the traveling public.

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~~

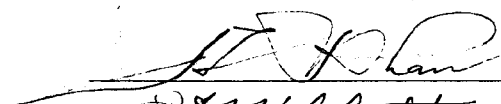
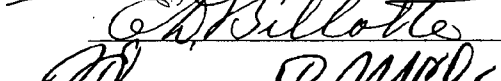
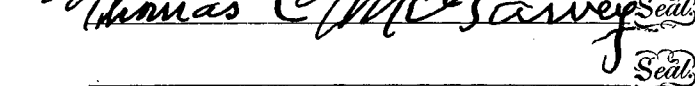




~~when it was not practical to preserve it within that limit.~~

~~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~~

~~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, view-ers, 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 8th day of August  
A. D. 1956.



No. 4 Sept Sessions, 19 36

## ORDER

To view a  
road for public use in the  
township of Beccaria,  
Clearfield County

Sept Sessions, 19 36,

read and confirmed Ni. Si. Road to be  
opened 33 feet wide, except where there  
is side hill cutting or embankment and  
bridging, there to be 16 feet wide.

*Per Curiam*  
*Robert Allison P. J. 55th*  
*Jud. Dist. Specially*  
*Presiding*

W. R. GALLAGHER  
CLERK

AUG 18 1936

FILED

*Dec 7, 1936, Confirmed*  
*clearly. H. D. Hollar*

Filed 19

Fees \$1.25 paid by

John Scollins, 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 return.

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	AMT.
A. B. Shaw	3	70	\$33.50
E. D. Billoette	3	130	\$56.50
T. C. McGarvey	2	152	\$27.60

## 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 respectfully 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. 192 \_\_\_\_\_.

Seal

Seal

Seal

Seal

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN RE: LAYING OUT OF A PUBLIC :  
ROAD IN BECCARIA TOWNSHIP. : NO. SEPTEMBER TERM, 1936.

TO THE HONORABLE W. WALLACE SMITH, PRESIDENT JUDGE OF SAID COURT:

The petition of the undersigned, citizens and taxpayers of the Township of Beccaria, in the County of Clearfield, respectfully represents:

1. That they labor under great inconvenience for want of a public road, leading from the Improved Public Highway in the Village of New London, beginning at or near the properties of Wm. J. Twigg and thence along Streets laid out by the Berwind-White Coal Mining Company and Estate of D. K. Ramey, crossing a small Run, thence along certain Streets, and ending at or near the property of Isaac Martin, in the Village of Eureka #22, or Wind-crist, in said Township, a distance of approximately 5/10ths of a mile.

2. That your petitioners have improved their properties along the said proposed road; that approximately 27 families would be accommodated thereby; that there are approximately 70 children of school age that attend the New London Public School, living along the route of said road.

3. That your petitioners have been required to maintain roads for public use, at their own expense; and as a result of the recent flood their bridge has been washed away.

WHEREFORE, your petitioners, representing that the said Road is necessary for public travel; that your petitioners labor under great inconvenience for want thereof, pray your Honorable Court to appoint a Board of Viewers, to view and lay out said proposed road, for public use, in accordance with the provisions of the Act of Assembly in such case made and provided.

AND THEY WILL EVER PRAY.

Mrs Anna Chervenik

Frank Gernert

Mike Katzin

Mrs Anna Lucas

Frank Churner

+ Frank McIntosh

Andrew Lubiec

x Mrs Mary Hrusk

Mike Ewanchuk

Andrew Monahan

Wase Kirch

Andrew Giffert

Antonio

Mr. Mike Gornick

Mike Tunch

+ Metro Klym

Mr. John Mumpack

Andrew Prehorsky

Frank Tishock

W. J. Swigg

Metro Shalbach

Metro Rudiak

Harry Harbinchak

Martin Gurijlac

Isaac Marton

Mickey Crawley

Robert Lloyd

Joseph Priselac

Thomas Lloyd

Wale O Howell Super  
Dan McCoy Super

COUNTY OF CLEARFIELD, SS:

On this <sup>July</sup> 3rd day of ~~Aug~~ A. D. 1936;  
before me the subscriber, a Notary Public in and for said County,  
personally came the above named Martin Gunjilac  
who being duly sworn according  
to law doth depose and say that the facts set forth in the fore-  
going petition are true and correct.

Martin Gunjilac

Sworn and subscribed before me  
this <sup>July</sup> 3rd day of ~~Aug~~, A. D. 1936.

A. L. Scellins

NOTARY PUBLIC  
MY COMMISSION EXPIRES MAR. 9, 1939

2-4-60  
COLUMBIA UNIVERSITY  
LIBRARY  
1261 1026

Jul 18 1966

1891

157

Adm Henry  
E. D. Drake  
of 22nd St

**JOHN SEDGWICK**  
ATTORNEY AT LAW  
MOUNTDALE, PA

**The Trade Law Firm, Publishers, Rutland, Vt.**