

ROAD

DOCKET No. 6

Number

3

Term

Sept.

Year

1937

Petition of MERTIE BIGLEMAN for  
viewers to assess damages in  
Bradford Township  
Versus

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE:

:

No.3 September Sessions, 1937

MERTIE BIGLEMAN

:

NOW, August 16, 1937. The viewers in the above action having awarded damages in the sum of SEVEN HUNDRED AND NINETY (\$790.00) DOLLARS and the award being filed as of August 5, 1937. It is agreed between Mertie Bigleman, claimant, and Clearfield County that no appeal will be taken from said award, and it is further agreed that the said sum awarded together with costs may be paid at this time.

WITNESS our hands and seals as of the above date.

*Clara H. Lutz*  
Attorneys for Mertie Bigleman

*J. C. Lathouse*

*T. R. Weimer*

*H. V. Carr*

QUARTER SESSIONS  
IN THE COURT OF ~~#####~~ ~~#####~~ OF CLEARFIELD COUNTY, PENNSYLVANIA

In Re: :  
: No. September Term 1937  
MERTIE BIGLEMAN :

PETITION OF MERTIE BIGLEMAN OF CLEARFIELD COUNTY FOR  
APPOINTMENT OF VIEWERS

To the Honorable W. Wallace Smith, President Judge of said Court:

The petition of Mertie Bigleman of Bradford Township,  
Clearfield County, Pennsylvania, respectfully represents:

1. Route No. 57 is a State Highway on the plan of the  
State Highways of the Commonwealth of Pennsylvania; and section  
3a thereof is situate in Clearfield County, Bradford Township.

2. That plans submitted by the Department of Highways  
for changing Highway Route No. 57 involves changes through the  
lands of your petitioner, includes the appropriation of lands of  
your petitioner; that the premises of your petitioner affected by  
said changes in the Highway, vested in your petitioner by Deed from  
A. C. Lansberry, et al dated the 30th day of April, 1917, said  
Deed being recorded in the Office of the Recorder of Deeds in and  
for Clearfield County, Pennsylvania in Deed Book 220, Page 589  
reference thereto being had for the purpose of discription and  
boundary of said lands as affected by the changes in Route No. 57  
as aforesaid.

3. That the County Commissioners of Clearfield County  
by resolution as shown by the minutes of said office in writing  
approved and agreed to such changes in the Highway as proposed by  
the Highway Department of the aforesaid State Highway through the  
lands of your petitioner.

4. That said changes, relocation and alterations are now  
in progress and as a result of said changes, your petitioner now  
suffers and will suffer damages to the market value of her property.

5. That in said relocation and alterations of said  
Highway, lands of your petitioner have been appropriated and also  
fruit trees and other tree growth upon the lands of your petitioner.

Your petitioner therefore prays that your honorable court appoint viewers to appraise, assess and determine the amount of damages your petitioner has suffered as a result of the appropriation of the land and reconstruction and relocation of said Highway.

And she will ever pray.

Mertie Bigleman

COUNTY OF CLEARFIELD :: SS:  
STATE OF PENNSYLVANIA :

Personally appeared the under signed, Mertie Bigleman, who being duly sworn according to law deposes and says that the facts setforth in the above petition are true and correct.

Mertie Bigleman

Sworn and subscribed before me  
this 26 day of July A.D., 1937.

W. R. Gallagher, Clerk

My commission expires the day  
of

MY COMMISSION EXPIRES FIRST  
MONDAY IN JANUARY, 1940.

#### ORDER OF COURT

NOW, This 12<sup>th</sup> day of July A.D., 1937, the within petition having been presented, A. B. Shaw, and E. D. Biller, and H. A. Miles, are appointed viewers to view and report to the Court.

By the Court

J. D. Miller, Jr.  
P. J.


June 25, 1937.

Clifford Gatehouse, T. R. Weimer and Willard V. Carr  
County Commissioners  
Clearfield, Pa.

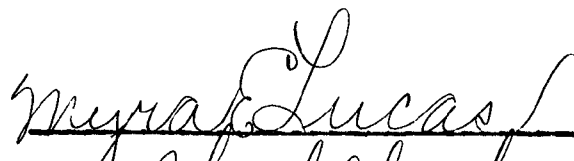
Gentlemen:

You are hereby notified that the petition of Mertie  
Bigleman to appoint viewers to assess damages will be presented  
to the Court on the 12th day of July, 1937.

Respectfully yours,

  
Attorneys for Petitioner

NOW, 28th day of June, 1937 hereby accept notice  
of the presentation of said petition.

  
Chief Clerk.

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD  
COUNTY, PENNSYLVANIA

No. 3 September Term 1937

IN RE:

MERTIE BIGLEMAN

PETITION FOR THE  
APPOINTMENT OF VIEWERS

*decedent*

FILED  
JUL 19 1937  
W. R. GALLAGHER  
CLERK

Chase & Swoope, Attys.  
Snyder Building  
Clearfield, Pa.

LAW OFFICES  
CHASE & CHASE  
SNYDER BUILDING  
CLEARFIELD, PA.

BAITSMAN'S JOURNAL PRINT.

*4-00 due*

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE:

:

No. 3 September Sessions, 1937

MERTIE BIGLEMAN

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NOW, August 16, 1937. The viewers in the above action having awarded damages in the sum of SEVEN HUNDRED AND NINETY (\$790.00) DOLLARS and the award being filed as of August 5, 1937. It is agreed between Mertie Bigleman, claimant, and Clearfield County that no appeal will be taken from said award, and it is further agreed that the said sum awarded together with costs may be paid at this time.

WITNESS our hands and seals as of the above date.

  
Attorneys for Mertie Bigleman

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**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 12th day of July  
in the year of our Lord one thousand nine hundred  
and thirty-seven

Judge of the same Court: Upon the petition of ~~sundry~~  
MERTIE BIGLEMAN OF  
~~her heirs~~ of the Township of Bradford Township  
in said County, setting forth that

That plans submitted by the Department of Highways for changing Highway Route No. 57 involves changes through the lands of your petitioner, includes the appropriation of lands of your petitioner; that the premises of your petitioner affected by said changes in the Highway, vested in your petitioner by Deed from A. C. Lansberry, et al dated the 30th day of April, 1917, said Deed being recorded in the Office of the Recorder of Deeds in and for Clearfield County, Pennsylvania in Deed Book 220, page 589 reference thereto being had for the purpose of description and boundary of said lands as affected by the changes in Route No. 57 as aforesaid.

That the County Commissioners of Clearfield County by resolution as shown by the minutes of said office in writing approved and agreed to such changes in the Highway as proposed by the Highway Department of the aforesaid State Highway through the lands of your petitioner.

That said changes, relocation and alterations are now in progress and as a result of said changes, your petitioner now suffers and will suffer damages to the market value of her property.

That in said relocation and alterations of said Highway, lands of your petitioner have been appropriated and also fruit trees and other tree growth upon the lands of your petitioner.

Your petitioner therefore prays that your honorable court appoint viewers to appraise, assess and determine the amount of damages your petitioner has suffered as a result of the appropriation of the land and reconstruction and relocation of said highway.

And she will every pray.

Mertie Bigleman

and she 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. L. Lacey, Clerk.



TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNA.

NOTICE OF VIEW

You are hereby notified that the undersigned, Viewer's, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, on the 12th day of July, A.D., 1937, to assess the damages and benefits, if any, by reason of the construction and relocation of State Highway Route #57 Sec. 3a through the premises of Bertie Bigleman, situate in the Township of Bradford, Clearfield County, Pennsylvania, will meet on the premises on Wednesday the 28th day of July, A.D., 1937 at 10:00 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 Viewer's before the filing of their report in Court, in order to give all parties interested in said view an opportunity to be heard, will be held in the Grand Jury Room in the Court House at Clearfield, on Friday the 30th day of July, A.D., 1937 at 10:00 o'clock A.M., at which time and place all parties interested may attend and be heard, if they so desire.

A.B. SMAN

H.A. GILES

E.D. BILLOTTE

VIEWERS

NOW, this 13th day of July, A.D., 1937, service of the above notice is hereby accepted by copy.

*Myra E. Lucas*  
Clerk.

# 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 or assess damages, leading from and connecting, is any, by reason of the construction and relocation of State Highway route 657 Sec. 2a through the premises of 10000 21st Avenue, Altoona .....

in                      Township, in the County aforesaid, will  
meet at the house of                       
in                      Township, on                       
the              day of             , A. D. 19207, at 10:00  
o'clock A.M., to attend to the duty assigned them, of which time and place afore-  
said, all parties interested will take notice.

[illegible]

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## VIEWS

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19 57

the construction of said highway.

The amount of damage claimed by Mertie Bigleman, the petitioner is \$1500.00, but after viewing the premises, and taking into consideration the special benefits accruing thereto, by reason of the construction and relocation of an improved highway through the premises of the said Mertie Bigleman, your undersigned viewers are of the opinion that the foregoing claim for damage, is excessive, but that the said Mertie Bigleman should be compensated for the land taken and appropriated, as well as for the damages and inconvenience caused her in the construction and relocation of said highway, and do assess to the said Mertie Bigleman, damages in the sum of Seven Hundred and Ninety (\$790.00) Dollars.

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;~~

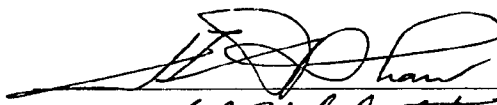
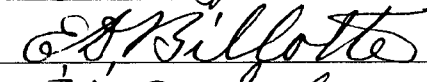
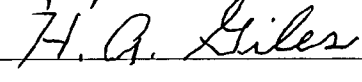
~~The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same; and that they procured such releases from~~

~~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 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 3rd day of August

A. D. 1927.

 Seal  
 Seal  
 Seal  
Seal

No. 3 Sept. Sessions, 19 37

ORDER

To view and assess damages at  
for Mertrie Bogleman  
road for use in the  
township of Bradford,  
Clearfield County

Sessions, 19\_\_\_\_,

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.

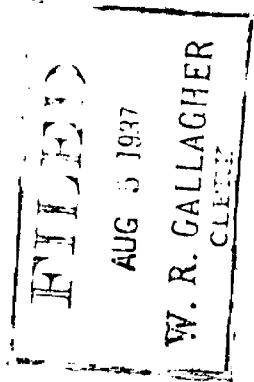
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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	AM'T.
A. B. Shaw	5	20	\$1.00
E. D. Billotte	3	80	\$4.00
H. A. Giles	2	50	\$1.50



Filed \_\_\_\_\_ 19\_\_\_\_.

Fees \$1.25 paid by \_\_\_\_\_

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