

ROAD

DOCKET No. 6

Number

2

Page 471
Term

Year
Sept. SS 1938

BIGLER TOWNSHIP--Petition for

Public Road

Versus

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 19th day of May in the year of our Lord one thousand nine hundred and Thirty-Seven

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

in said County, setting forth that Linn Street was laid out along a row of residents in the Village of Madera, and your petitioners labor under great difficulty and inconvenience by reason of having no outlet to the East end of this Street to a public road.

Your petitioners therefore pray for a road to begin at a public road leading from the State Highway in the Village of Madera leading to Betz Mines at a point at the residence of Charles S. Shoff; thence East approximately 1400 feet to Highway No. 53 including cross streets.

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 E. G. Boose, Esq., H. A. Reese and T. 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. Wallace Smith, P. J.

W. R. Gallagher, 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 Bigler 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 June, 1938 A.D. 192-, and the hearing to be held in the ~~Substitution for~~ Court House, in Clearfield, Pa., on the 13th day of June, 1938 ~~1938~~, at 9.00 o'clock A.M. That all of the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view J. W. Ruffner and other citizens of Bigler Township, who were -

Grand Jury
parties in interest. That the hearing was held in the ~~Appeal~~ Room, in the Court House, at Clearfield, Pa., on the 13th day of June A. D. 1938, when the following appearances were noted: John Scollins Esq., representing the petitioners for the road and for the Supervisors of Bigler Township, Supervisor Hensel, Supervisor of Bigler Township, J. W. Rufner, one of the petitioners.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is _____ 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 the intersection of a Public Road and Lynn Street, at a point opposite the house of Charles Shoff; thence S. 68° 40' E., 724 feet to point; thence S. 78° E., 400 feet to a point; thence S. 84° 30' E., 160 feet to a point; thence S. 31° E., 75 feet to line of the State Highway leading from Madera to Houtzdale; Also, a section beginning at a point in the proposed public road just above described, 262 $\frac{1}{2}$ feet, S. 68° 40' East, from the beginning of the point in the above described proposed public road, near the house of E. A. Miles; thence N. 21° E., 334 feet to point in line of what is known as Spruce Street: Also a section beginning at a point in the first above proposed public road, 1284 feet distant from its point of beginning; thence N. 11° E., 332 feet to point in line of what is known as Spruce Street.

Original

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY
PENNSYLVANIA.

In the Matter of Proposed : Of September Sessions,
Public Road in Madera, : 1938.
Bigler Township. : No. 2.

To the Petitioners; the Supervisors of Bigler Township & the
Commissioners of Clearfield County-

Please take notice that the undersigned have been appointed by
the Court to lay out a Public Road in the Village of Madera, Bigler
Township, which in the Order to the Viewers is described as follows-

"Your petitioners therefore pray for a road to begin at a
public road leading from the State Highway in the Village
of Madera, leading to Betz Mines at a point at the residence
of Charles S. Shoff; thence East approximately 1400 feet to
Highway No. 53 including cross streets"

The Viewers will meet to perform the duty incident to their
appointment, on Saturday, the 11th. day of June, 1938, at 9.00
o'clock P. M., at the Post Office in Madera, Pa., and will meet at
the Court House at Clearfield, Pa., on Monday, the 13th. day of
June, 1938, at 9.00 o'clock A. M., for the public hearing in the
matter as provided by law and the "rules of this Court, at which
latter time and place all parties in interest may be heard.

E. G. Boose

H. A. Reese

T. C. McGarvey

Viewers.

Now, May 25 1938, notice of above view and hearing received and
copy delivered, and service is accepted.

Now, May 25 Atty. for Petitioners. *John Bellin*
June 1938, notice of above view and hearing received and
copy delivered, and service for the Supervisors of Bigler Twp.
is accepted.

Now, May 31st., 1938, notice of above view and hearing received and
copy delivered, and service for the County Commissioners is accepted.

Myra Lucas
Clerk.

VIEWERS' NOTICE

Notice is hereby given that the undersigned, who have been appointed by the Court of Quarter Sessions of Clearfield County, Penna., to view on a Petition to ~~view and lay out for public use.....~~ a certain section of a Public Road in ~~.....~~**BIGLER** Township, County and State aforesaid, which said section of Public Road is described in the Petition as follows:

"To begin at a public road leading from the State Highway in the village of Madera leading to Betz Mines at a point at the residence of Charles S. Shoff; thence East approximately 1400 feet to Highway No. 53 including cross streets"

The Viewers will meet to view, at the first named termini, that is at ~~approximately~~ the Post Office in the Village of Madera on ~~approximately~~ **SATURDAY**, the **11th** day of ~~approximately~~ **June, 1938**, at ~~approximately~~ **2.00** o'clock

P. M., or as soon thereafter as the same can be reached.

The Public Hearing in the premises provided for by law and the Rules of this Court, will be held in the Grand Jury Room in the Court House at Clearfield, Pa., on ~~Monday~~, the **13th**, day of **June, 1938** ~~10:27~~, beginning at ~~9.00~~ o'clock A. M., at which time and place all parties in interest may appear and be heard.

E. C. Boose

H. A. Reese

T. C. McGarvey
Viewers.

PUBLIC ROAD IN BIGLER TOWNSHIP
CLEARFIELD COUNTY PA
VIEWED AND Laid out JUNE 11TH 1938
BY E. G. BOOSE Esq
H. A. REESE
THOS McGARVEY

SCALE 1:100

SPRUCE ST

ST

PUBLIC ROAD

Lynn St

CHAS SHOFF

A. WAROFNER

CHAS CHISMAN

E. A. MILES

GUS JOHNSON

J. H. RUFNER

MRS WITMER

CURRY

J. NO DAWSON

H. B. SWOPE EST

EARL SHOFF

ALEX SHOFF

J. A. SHOFF

WM HENSEL

N. 110° E 332'

STATE HIGHWAY

TO THE NORTH

TO THE SOUTH

VILLAGE OF MADEIRA

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 As all the land occupied by the proposed sections of public road above described, is either land apparently dedicated to public use as streets or is occupied by a creek, and is being used as a throughfare by the public, and in addition, no person appearing to demand any damage, the Viewers awarded no damages.

- 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 14th day of June, 1938

A.-B.-192-.

P. G. Bovee

Seal

H. A. Reese

Seal

J. C. McElroy

Seal

Seal

No. 2 Sept. Sessions, 1938

ORDER

To view and lay out a road for public use in the township of Bigler, Clearfield County.

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.

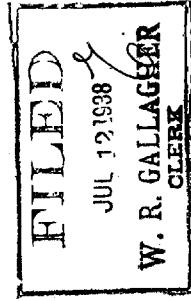
N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

	Days	Miles	A.M.T.
E. G. Booze	4	232	\$51.60
H. A. Reese	3	114	\$35.70
T. H. McGarvey	2	148	\$27.40

Sept. 12th Sessions, 1938.
J. A. Grallee (J. J.).

December 1938
Confined territory
Q. Waller (J. J.).

19
Filed
Fees \$1.25 paid by
J. A. Grallee (J. J.).



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, PENNSYLVANIA.

In Re:Petition for Public
Road in Bigler Township

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

The Petition of the Subscribers, residents of Bigler Township,
respectfully represents;

That your petitioners represent that Binn Street was laid out along a row of residents in the Village of Madera, and your petitioners labor under great difficulty and inconvenience by reason of having no outlet to the East end of this street to a public road and the conditions of this street or road is impassable during greater part of the year.

Your petitioners therefore pray the Honorable Court to appoint Viewers to supply a road to begin at a public road leading from the State Highway in the Village of Madera leading to Betz Mines at a point at the residence of Charles S Shoff; Thence East approximately 1400 feet to Highway No. 53 including ~~the~~ streets and they will ever pray .

Raymond Siford)
William Flores) ; SUPERVISORS OF BIGLER TOWNSHIP.
Josieh T. Markley)

CITIZENS & TAXPAYERS OF BIGLER TOWNSHIP.

NAME

ADDRESS.

Grace Blackenhauer
Kenneth Miles
Margery N. Shoff
Charles J. Shoff
S.W. Shoff
C. L. Cornish
Esty A. Miles

Madera Pa.
Madera, Pa.
Madera Pa.
Madera Pa.
Madera Pa.
Maderoff Pa.
Madera Pa.

NAME	ADDRESS
Gust Johnson	Madera Pa
Amanda E. Johnson	Madera, Pa.
Mrs Joe Zansa	Madera Pa
Mrs Margaret Alexander	Madera Pa
Mr Stanley Kochiasky	Madera Pa
Mrs Stanley Kochiasky	Madera Pa
Mrs Helen Nelson	Madera Pa
Jesse E. Johnson	Madera, Pa.
Mrs Robert Nelson Jr.	Madera, Pa.
Mrs Ralph Johnson	Madera Pa
Mrs. Thos. J. Grahame	Madera, Pa
Mrs. M. G. Scrano	Madera Pa
James W. Nelson	Madera Pa
Mary Eugenia Shoff	Madera Pa
William Hensel	Madera Pa
William C. Swoope	Madera Pa
Fred Norman	Madera Pa
Mrs James W. Nelson	Madera Pa
C. D. Shoff	Madera Pa.
Charlotte Blankenbeker	Madera Pa.
William A. Stiles	Madera, Pa.
Mrs Margaret Stiles	Madera Pa
C. W. Johnson	Madera Pa.
Mrs William Stiles	Madera Pa.
Mrs F. R. Kniss	Madera Pa
Mr. F. R. Kniss	Madera Pa.
Mrs Wm. Hensel	Madera Pa.

NAME	ADDRESS
<u>G. H. Johnson</u>	<u>Madera Pa.</u>
<u>T. C. Shoff</u>	<u>Madera Pa.</u>
<u>A. G. Stokes</u>	<u>Madera Pa.</u>
<u>Mrs. John Davidson Jr.</u>	<u>Madera Pa.</u>
<u>Mr. Jose Markley</u>	<u>Madera, Pa.</u>
<u>R. H. Swope</u>	<u>Madera Pa.</u>
<u>Mrs. Wm. Robison</u>	<u>Madera Pa.</u>
<u>James W. Ruffner</u>	<u>Madera Pa.</u>
<u>C. E. Johnson</u>	<u>Madera Pa.</u>
<u>John Shoff</u>	<u>Madera Pa.</u>
<u>Joseph Randolph</u>	<u>Madera Pa.</u>
<u>Millard Shoff</u>	<u>Madera Pa.</u>
<u>Mrs. Wm. Robison</u>	<u>Madera Pa.</u>
<u>Anna Stitt</u>	<u>Madera Pa.</u>
<u>Minerva Miles</u>	<u>Madera, Pa.</u>
<u>Ashley E. Hill</u>	<u>Madera Pa.</u>
<u>B. D. Lamborn</u>	<u>Madera Pa.</u>
<u>Leo J. M. Ates</u>	<u>Madera Pa.</u>
<u>W. G. M. Murray</u>	<u>Madera Pa.</u>
<u>John Morgan</u>	<u>Madera Pa.</u>
<u>Mrs. Jane Shoff</u>	<u>Madera Pa.</u>
<u>W. A. Shoff</u>	<u>Madera Pa.</u>
<u>John Rusey</u>	<u>Madera Pa.</u>
<u>Fred Schmid</u>	<u>Madera Pa.</u>
<u>Frank Mariani</u>	<u>Madera Pa.</u>
<u>Paul Conner</u>	<u>Madera Pa.</u>
<u>Jack N. Ceder</u>	<u>Madera Pa.</u>

NAME	ADDRESS
<u>Mrs Fred Norman</u>	<u>Madera, Pa.</u>
<u>Mark W Hill</u>	<u>Madera Pa</u>
<u>Gard W. Shoff</u>	<u>Madera Pa</u>
<u>Raymond K Bloom</u>	<u>Madera Pa</u>
<u>Leo Grotton</u>	<u>Madera Pa</u>
<u>Louis Nelson</u>	<u>Madera Pa</u>
<u>Mike Chimes</u>	<u>Madera Pa</u>
<u>Verna Chimes</u>	<u>Madera Pa</u>
<u>aly Wagner</u>	<u>Madera Pa.</u>
<u>R.L. Johnson</u>	<u>Madera Pa.</u>
<u>Mrs. E. G. Whitmer</u>	<u>Madera Pa.</u>
<u>Bob Graham</u>	<u>Madera, Pa</u>
<u>John Davidson Jr</u>	<u>Madera Pa.</u>
<u>Mrs Gordon Miles</u>	<u>Madera Pa</u>
<u>Mr Gordon Miles</u>	<u>Madera Pa.</u>
<u>Anthony Iraca</u>	<u>Madera Pa.</u>
<u>Mrs. Vida G. Correlly</u>	<u>Madera Pennia</u>
<u>Henry Powers</u>	<u>Madera Pennia</u>
<u>James T Black</u>	<u>Madera Pa.</u>
<u>Henry V. Bowen Jr</u>	<u>Madera Pa.</u>
<u>Charles Gaines</u>	<u>Madera Pa.</u>
<u>John W. Miles</u>	<u>Madera Pa</u>
<u>Nathan Keegan</u>	<u>Madera Pa</u>
<u>Clarence P. Powers</u>	<u>Madera Pa.</u>
<u>Jules J. Waterlos</u>	<u>Madera, Pa.</u>
<u>Gerald Alexander</u>	<u>Madera Pa.</u>

No. 2 Sept. 1d. 1938

In Re: Petition for
Public Road in Boller
Township.

FILED

MAY 19 1938

W. R. GALLAGHER
PROTHONOTARY

Now No. 1529. the
Const. of Mr. G. S. Rose
Capt. H. A. Rose, and
D. C. McEvoy, viewers
to view & lay out a road
in the village of Newell
to be laid in dirt
about 12 ft. in width.

C. De. Sutton, Jr.

Solicitor