

EEEX
ROAD
DOCKET No. 6

| Number | Term | Year |
|--------|---------|------|
| 6 | Dec. SS | 1938 |

GULICH TOWNSHIP--Petition for a
Public Road

Versus

October 6 1938.

To the Honorable Wallace Smith, Judge of the Court of Quarter Sessions in and for the County of Clearfield:

The petition of the undersigned, inhabitants of the township of Gulich, in the said county, respectfully represents: That your petitioners labor under great inconvenience for want of a public road or highway in the village of Janesville to lead from Walnut Street along Spruce Street to Simpson Street thence along Simpson Street to Oak Street thence along Oak Street to Walnut Street, also from Spruce Street along Chestnut Street to Oak Street.

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

Edward P. David, Jr. Smithmill Pa.
John Fet Pallenrober
Jules F. Driess Dintzor
Joseph L. Kandrack Smithmill Pa.
George Moroni Smithmill Pa.
Kyle Salguine Smithmill Pa.
Hercy M. Confer Smithmill Pa.
Irvin Cline Smithmill Pa.
Anthony C. Morrow Smithmill Pa.
Raymond Huling Smithmill Pa.
Flora Neuling Smithmill Pa.
Josephine Poersch Smithmill Pa.
Murray Copenhagen Smithmill Pa.
J. C. Copenhagen Smithmill Pa.

| | |
|-------------------------|-----------------|
| William Turnbull | Smith Mills |
| Elizabeth Turnbull | Smith Mills |
| Henry Dore | Smithmill |
| Mae Dore | Smithmill, Pa. |
| Thomas Turnbull | Smithmill, Pa. |
| Seth Van Davis Jr. | Smithmill, Pa. |
| Mrs. Seth Van Davis Jr. | Smithmill, Pa. |
| Robert McEntire Jr. | Smithmill, Pa. |
| St. B. Rickenbaugh | Smith Mills Pa. |
| H. J. Tamm | Smith mills Pa |
| Fred Atchens | " " " |
| Miss Minnie Harrich | " " " |
| Mary Delfosse | " " " |
| Elizabeth Copenhagen | " " " |
| Samuel J. Kost Jr. | " " " |
| John Wasilko | " " " |
| Mitchael Wasilko | " " " |
| Steve Bungs | " " " |
| Charles Bungs | " " " |
| Marion Ricciotti | Smithmill, Pa. |
| Wacegagworsky Jr. | " " " |
| Mitchel Kopelikuck | " " " |
| Wesel Kopelikuck | " " " |
| Cleopoda McEntire | " " " |
| Robert McEntire Jr. | " " " |
| Elizabeth Davis | " " " |
| Everett Davis | " " " |
| James Messing | " " " |
| L. L. Lopez | " " " |

Sam Ricciotti Smithmill Pa.
Stacy Newling " "
Bobbi Monroe " "
Alex Lindgren Smithmill Pa
John Moroni Jr. Smithmill, Penna.
Emmett Mayoff Smithmill, Penna
Earl Solberg Smith Mill Pa
S. V. Davis Smithmill, Pa.
John Kandack Smithmill, Pa.
Joseph E. Glinsky, General Store Smithmill Pa.
J. H. Glasgow Smithmill, Pa.
Althea K. Fern - Fallen Timber, Pa.
Ethel Stanley - Ginter, Pa.
Jennie Stanley Ginter, Pa.
Roberta Close Smithmill, Pa
May Curry Fallen Timber
J. G. Hoover Smith Mill Pa
John Janowski Smith mill Pa

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : : SS

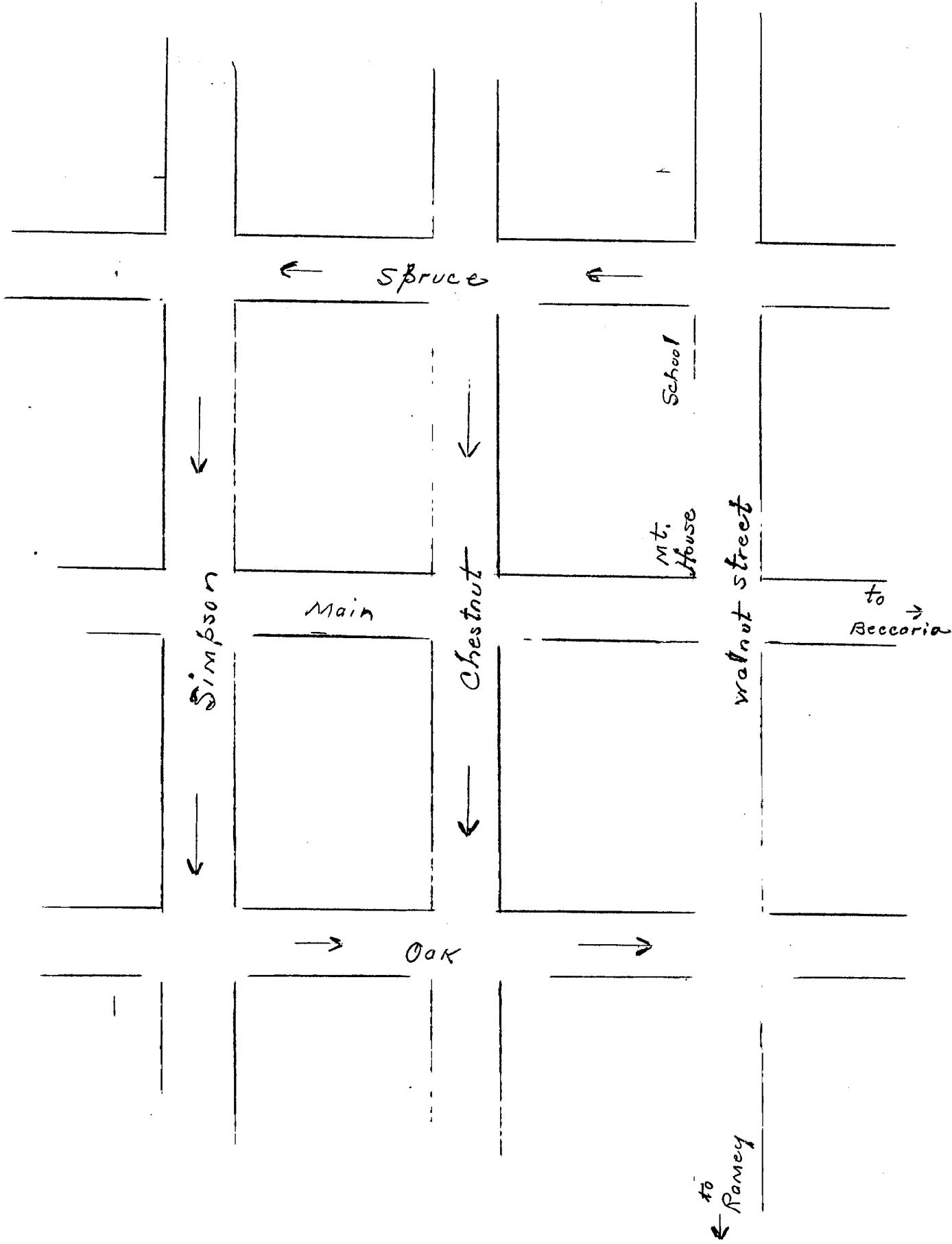
Personally appeared before me, a Notary Public in and for said county and state, Joseph L. Kandrach who being duly sworn according to law doth depose and say that the facts set forth in the foregoing petition are true and correct to the best of his information, knowledge, and belief.

Joseph L. Kandrach

Sworn to and subscribed before me
this 15th day of October, 1938.

Louise Flick
Notary Public

My commission expires May 19, 1941



No. 48 sec. 4d. 1938

Oct. 17, 1938. Am
with Justice Ginsburg
by C. A. Mann, Esq., the
following our opportunity given
to view & comment the
frank & frank discussion
with the new Justice &
duties. — John G. Clegg,
C. D. C. Holt and J. C.
McGinn.

J. Heller

H. C.
Clarence P. Freeman, Atty

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 17th day of October in the year of our Lord one thousand nine hundred and Thirty-eight

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Gulich in said County, setting forth that they labor under great inconvenience for want of a public road or highway in the village of Janesville to lead from Walnut Street along Spruce Street to Simpson Street thence along Simpson Street to Oak Street thence along Oak Street to Walnut Street, also from Spruce Street along Chestnut Street to Oak Street.

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 John Scollins, Esq., E. D. Billotte 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.

H. P. 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

Gulich and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 1st day of November A. D. 1958, and the hearing to be held in the ~~Anteroom~~ ^{Grand Jury} Room, at the Court House, in Clearfield, Pa., on the 4th day of November, 1938, at 10 o'clock A.M. That the three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view J. H. Glasgow, Peter Kandrach, Metro Stakupsky, Joseph Kandrach, John Sectich, John Morroni, Jr., Dominick Canutti; and Jule Ferrier and John Fox, Supervisors of Gulich Township,

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 Spruce Street and Walnut Street in the Village of Janesville: said Walnut Street being an improved and macadamized road leading to Beccaria (and Allemansville): thence South 57 degrees East along Spruce Street eight hundred and eighty-four (884) feet to its intersection with Simpson Street; thence thereby North 32 degrees East two hundred and forty-five (245) feet to Township road, or Tyrone Pike; thence continuing from the North side of the intersection of said Simpson Street with the Improved State Highway constructed upon Main Street North 32 degrees East four hundred and fifty (450) feet to its intersection with Oak Street; thence thereby North 57 degrees West eight hundred and sixty (860) feet to the Township road leading to Ramey; and thence beginning at the intersection of said Oak Street with Chestnut Street and running South 32 degrees East along Chestnut Street four hundred and fifty (450) feet to the northern line of Main Street; and thence beginning at the southern intersecting line of Main and Chestnut Street aforesaid and running South 32 degrees East, thereby, four hundred and fifty (450) feet, and ending in Spruce Street in said Village of Janesville.

We further find that the aforesaid roads returned for public use traverses streets dedicated by the original owner, John Nevling, for highway purposes, and the village names "Janesville" after his daughter, Jane; and that the same have been accepted for such use by the Board of Township Supervisors on behalf of the public, ac-

TO: The County Commissioners of Clearfield County:-

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

In re: Order to view and lay out
a road for public use in the
Township of Gulich. No. 6, December SS., 1938.

You are hereby notified that the undersigned Viewers,
appointed by the Court to the above number and term, to view and
lay out for public use in the Township of Gulich the following
road: Leasing from Walnut Street along Spruce Street to Simpson
Street, thence along Simpson Street to Oak Street; thence along
Oak Street to Walnut Street, also from Spruce Street along Chest-
nut Street to Oak Street, in the County aforesaid, will meet at
the intersection of Walnut and Spruce Streets in the Village of
Janesville, in said Township of Gulich, on Tuesday the first day
of November, 1938 at 10:00 o'clock A. M., to attend to the duty
assigned them, of which time and place aforesaid, all parties
interested will take notice.

And that the public hearing required by Act of Assembly
and the Ruler of Court to be held by the Viewers before the filing
of their report in Court, in order to give all parties interested
in the said road an opportunity to be heard, will be held in the
Grand Jury Room in the Court House in Clearfield on Friday, the
4th day of November, 1938 at 10:00 o'clock A. M., or as soon
thereafter as counsel can be heard, at which time and place all
parties interested may attend and be heard.

John Scellins
E. D. Billotte
T. C. Mc Garvey
Viewers

Dated: October 18th, 1938.

CLEARFIELD COUNTY, SS:

Now, this 21st day of October, 1938, service of
the above Notice is accepted for the Commissioners of Clearfield
County.

Myron E. Lucas
Clerk

TO: Jule Ferrier, John Fox and Edward David, Jr.,
Supervisors of Gulich Township, Clearfield County:-

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

In re: Order to view and lay out
a road for public use in the
Township of Gulich. No. 6, December SS., 1938.

You are hereby notified that the undersigned Viewers,
appointed by the Court to the above number and term, to view and
lay out for public use in the Township of Gulich the following
road: Leaving from Walnut Street along Spruce Street to Simpson
Street, thence along Simpson Street to Oak Street; thence along
Oak Street to Walnut Street, also from Spruce Street along Chest-
nut Street to Oak Street, in the County aforesaid, will meet at
the intersection of Walnut and Spruce Streets in the Village of
Janesville, in said Township of Gulich, on Tuesday the first day
of November, 1938 at 10:00 o'clock A. M., to attend to the duty
assigned them, of which time and place aforesaid, all parties
interested will take notice.

And that the public hearing required by Act of Assembly
and the 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 the said road an opportunity to be heard, will be held in the
Grand Jury Room in the Court House in Clearfield on Friday, the
4th day of November, 1938 at 10:00 o'clock A. M., or as soon
thereafter as counsel can be heard, at which time and place all
parties interested may attend and be heard.

John Scollard
E. J. Billotte
P.C. Mc Garvey
Viewers

Dated: October 19th 1938.

CLEARFIELD COUNTY, SS:

Now, this 25 day of October, 1938, service of
the above Notice is accepted for the Supervisors of Gulich
Township.

Edward J. David, Jr.
John Fox
Jule Ferrier
Supervisors

ording to the plan of said village of Janesville.

We further find that said roads, so as aforesaid laid out, would not be burdensome of upkeep, and are convenient and necessary for public use.

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 _____

No damages assessed, the land having been dedicated and appropriated for public use for highway purposes and accepted for such use by and on behalf of the public.

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: No damages claimed or assessed.

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

WITNESS our hands and seals this 15th day of November
A. D. 1923.

John Sellin Seal
E. J. Billotto Seal
T. C. McBarney Seal

ORDER

To view and lay out a road for public use in the township of Gulich,

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 plays 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. |
|----------------|------|-------|-------|
| E. D. Billotte | 3 | 130 | 36.50 |
| T. C. McGarvey | 2 | 116 | 25.80 |
| John Scollins | 3 | 72 | 33.60 |

December Sessions, 1938.

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.

Q. Waller J. J.

Feb. 6, 1939
Confined availability. Co.
S. S. Collier 100

Filed

Fees \$1.25 paid by _____

Clarence R. Kramer, Attorney

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 _____

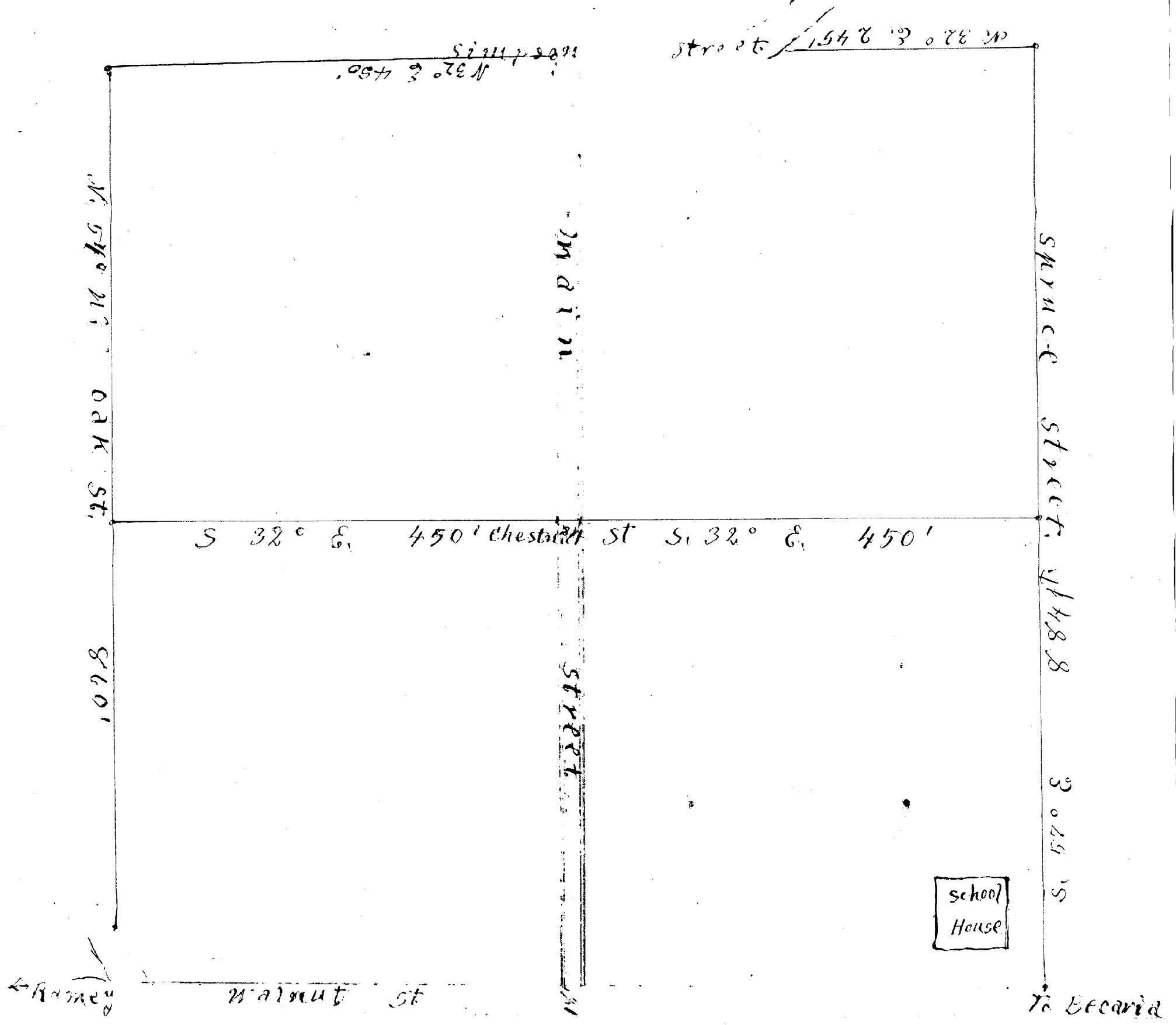
A. D. 192 ____.

Seal

Seal.

Seal.

Seal.



Draft showing location of four pieces of Tr. Road in village of Janesville, Gulich Twp. Chippewa Co., Pa. Viewed and laid out Nov 1st 1938. Colored parts show Roads now Built. Single Black lines show centre lines of Roads to be Built.

John Secklins
E. J. Billotte
J. C. McGarvey,
Surveyors.