

~~XXXX~~
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 J. David, Jr. Smithmill Pa.
John Felt Fullentimber
Jules F. Frier Dintor
Joseph L. Kandrach Smithmill Pa.
George Morroni Smithmill Pa.
Kyle Salguier Smithmill Pa.
Macey W. Longler Smithmill Pa.
Irrin Cline Smithmill Pa.
Anthony C. Morrow Smithmill Pa.
Raymond Hewling Smithmill Pa.
Helen Hewling Smithmill Pa.
Giuseppe Rossi Smithmill Pa.
Murray Copenhagen Smithmill Pa.
J. H. Copenhagen Smithmill Pa.

William Turnbull	Smith Mills
Elizabeth Turnbull	Smith Mills
Henry Dore	Smithmill
Mrs Dore	Smithmill, Pa.
Thomas Turnbull	Smithmills, Pa.
Seth Van Davis Jr.	Smithmill Pa
Mrs. Seth Van Davis Jr.	Smithmill Pa.
Robert Mc Intire S R	Smithmill, Pa.
G. B. Rickenbaugh	Smith Mills Pa.
A. J. Lawson	Smith mills Pa
Fred H. Hohn	" " "
Miss Winnie Harich	" " "
Mary Delfosse	" " "
Elizabeth Copenhagen	" " "
Samuel Kost Jr	" " "
John Wasilko	" " "
Mitchael Wasilko	" " "
Steve Bungo	" " "
Charles Bungo	" " "
Marion Ricciotti	Smithmill, Pa.
Waseo Gajewsky Jr.	" " "
Nitro Kopelchuck	" " "
Wesley Kopelchuck	" " "
Cleoda McIntire	" " "
Robert Mc Intire Jr.	" " "
Elizabeth Davis	" " "
Everett Davis	" " "
James M. Mangan	" " "
L. L. L. Pen	" " "

Sam Kicciotti	Smithmill Pa.
Stacy Newling	
Chas Morgan	
Alex Lindgren	Smithmill Pa
John Kporroki Jr	Smithmill, Penna.
Andrew Mayoff	Smithmill, Penna.
Earl Sologna	Smith mill Pa
E. V. Danks	Smithmill. Pa.
John Kandrach	Smithmill, Pa.
Joseph E. Glinesky	General Store Smithmill Pa.
J. H. Glasgow	Smithmill, Pa.
Althea K. Fern	Fallen Timber, Pa.
Ethel Stanley	Sinter, Pa.
Jennie Stanley	Sinter, Pa.
Roberta Close	Smithmill, Pa.
May Curry	Fallen Timber.
J. G. Hoover	Smith mill Pa
John Janowski	Smith mill Pa

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF CLEARFIELD :

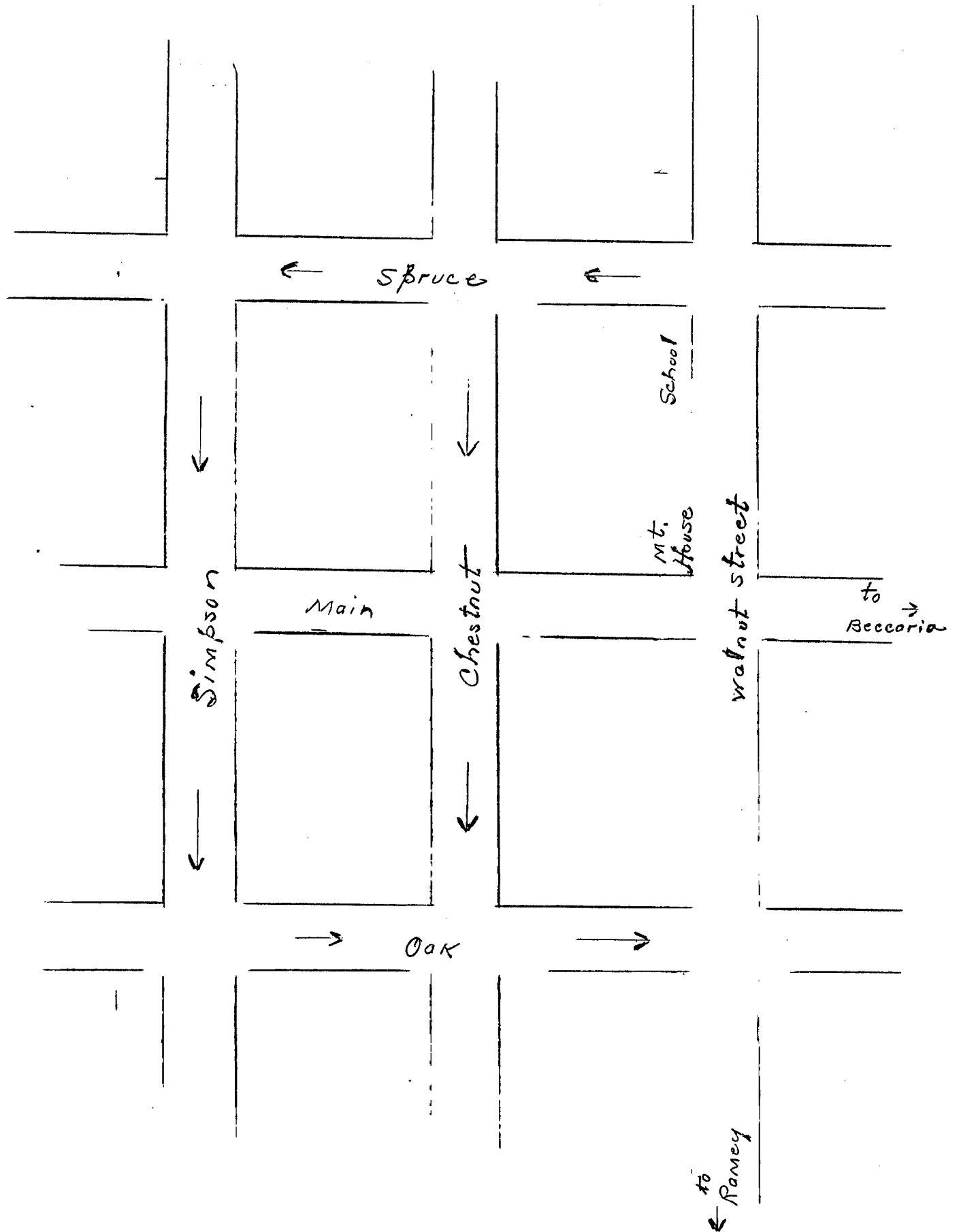
Personally appeared before me, a Notary
Public in and for said county and state, Joseph L. Kandrach
who being duly sworn according to law doth depose and
say that the facts set forth in the foregoing petition
are true and correct to the best of his information,
knowledge, and belief.

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



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.

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 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. 1938, and the hearing to be held in the ~~Association~~ ^{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 Stakutsky, Joseph Kandrach, John Sectich, John Morroni, Jr., Dominick Canutti; and Jule Ferrier and John Fox, Supervisors of Gulich Township, parties in interest. That the hearing was held in the ~~Association~~ ^{Grand Jury} Room, in the Court House, at Clearfield, Pa., on the 4th day of November A. D. 1938, when the following appearances were noted: Edward J. David, John Fox and Jule Ferrier, Supervisors of Gulich Township, all of whom were sworn, examined and cross-examined by your Board.

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: Leading 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
Jancsville, 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 Collins
E. S. Billotte
T. C. Mc Garvey
Viewers

Dated: October 13th, 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.

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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.

Ohm Collins
E. S. 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

according 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. 19238.

John Collins Seal
Ed. Bilotta Seal
T. C. McBarney Seal
Seal

No. 6 December Sessions, 19 38

ORDER

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

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.

R. Waller J. J.

Feb. 6, 1939

Confirmed absolutely by R. Waller J. J.

Filed 19

Fees \$1.25 paid by

Clarence R. Kramer, Attorney

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

RELEASE OF DAMAGES

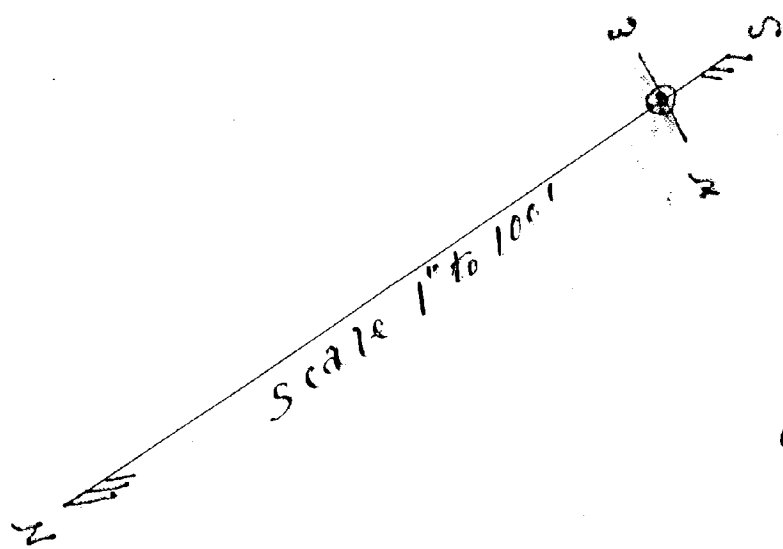
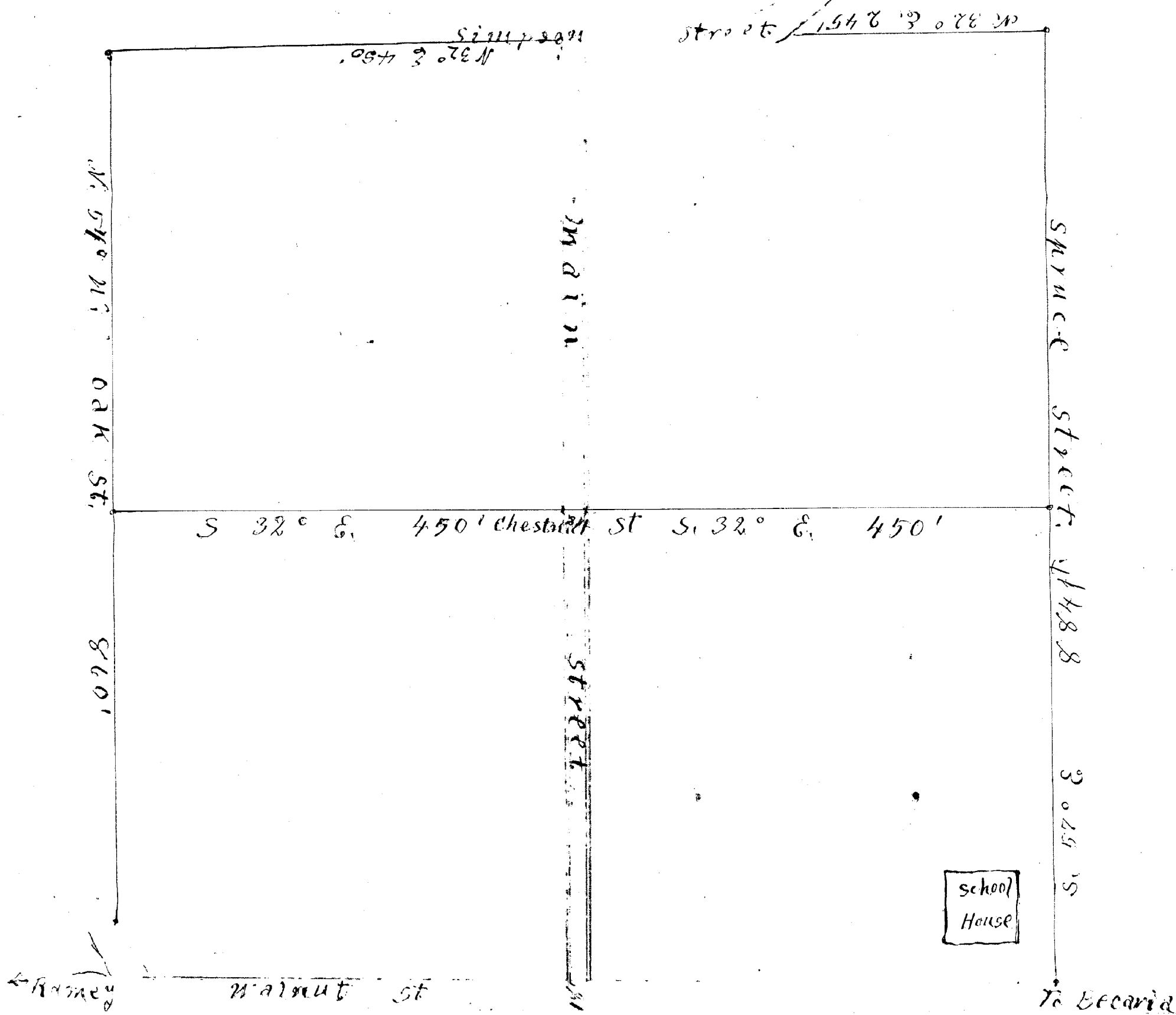
Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by

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



Draft showing location of
four pieces of Tp. Road in village
of Janesville, Calich Twp. Chd. 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 Secklin
E. H. Billotte
J. C. McGarvey.
Viewers.