

ROAD

DOCKET No. 7

Number	Term	Year
3	Dec. SS	1944

Petition to Lay Out a Road in

EIGLER TOWNSHIP

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 16th day of October in the year of our Lord one thousand nine hundred and Forty-four.

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Bigler in said County, setting forth that they labor under great inconvenience in not having a road or an outlet from their places of residence in Chesterfield, Clearfield County, Pa. That viewers be appointed to lay out a road, beginning at a point at property of Peter Jargic on Scott Street; thence along line of John Matier Estate and Bondy Estate, and Sophia Palcisco and line of Swetz to Palcisco corner, approximately 2/3 mile; thence North across Banian Run and Railroad to Township road, leading from Madera to Utahville, Clearfield County, Pa. 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., Benjamin Hughes and Harry Reese 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. F. Cortez Bell, P. J.

J. Harold McFadden, 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 9th day of November A. D. 19244, and the hearing to be held in the ~~Anteroom~~ ^{Grand Jury} Room, at the Court House, in Clearfield, Pa., on the 13th day of November, 19244, 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 John Sucick, Barbara Manion, Sophia Palcisko, and John Kanuth, petitioners and

Grand Jury

parties in interest. That the hearing was held in the ~~Antebellum~~ Room, in the Court House, at Clearfield, Pa., on the 13th day of November A. D. 1944, when the following appearances were noted: County Commissioner Ira Jay, unofficially and in behalf of Taft Williams, Mgr., Williams Supply Co.; William Ackley and Louis Mosley, Supervisors of Bigler Twp.; John Sucick, Steve Yagrik, Joseph Matier, Oscar Mannion, Barbara Manion and Sophia Palcisko; petitioners; and F. K. Etherow, Engr., State Highway Department: all of whom were sworn, examined and cross-examined by Members of the Board of Viewers.

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 a point at the property of Peter Jargic on Scott Street: thence thereby South 68 degrees West, along line of lands of Peter Jargic, John Matier, Mary Bondy and Joe Palcisko on the North, and the Bondy Estate and Elizabeth Swetz on the South, one thousand, six hundred and six (1606) feet to corner of Palcisko, Swetz and McGlynn lands; thence North 24 degrees West, along lands of Joe Palcisko, abandoned railroad right-of-way, the Slovak Hall and Mike Mowchan on the East and the McGlynn Estate, abandoned railroad right-of-way and John Kanuth on the West, six hundred and ninety (690) feet and ending in the Township Road leading from Utahville to Madera, opposite the property of John Bunyak; all in the former mining Village of Chesterfield (Ventland post office) originally laid out by the Clearfield Creek Coal Company.

We further find that a bridge is necessary to cross Banion Run, and to obtain the approval of the State Department of Highways would have to meet the following minimum requirements, viz: 12 feet in width, with 4 feet of clearance to accomodate a basin area one mile square, the estimated cost of which including excavation and abutments, $30\frac{1}{2}$ cubic yards of masonry, but excluding steel "I" beams, would approximate \$1100.00. There was testimony that the necessary steel "I" beams and plank would be furnished gratis by the County Commissioners from the fallen Second Street bridge at Clearfield.

We further find that the proposed road is necessary for public travel; that merchants and coal-dealers refuse to deliver

PUBLIC ROAD IN BIGLER TOWNSHIP
CLEARFIELD COUNTY PA.
VIEWED AND LAID OUT Nov. 9 - 1944
By JOHN COLLINS, Esq. H. A. REESE.
BENJAMIN HUGHES. SCALE 1" = 300'

← PUBLIC ROAD TO MADERA →

JOHN BUNYAK

JOHN KANUTE

FLEMING

MIKE MOWCHAN

SLOVAK

HALL

W. G. R.

ABANDONED

P.R.R. BRANCH RR.

Mc GLYNN'S EST.

BANFORD RUN

JOE

FRANCISCO

MARY

BONDY

JOHN MARIER

ELIZABETH SWERTS.

BONDY ESTATE



To The County Commissioners of Clearfield County:-

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

In re: Order to view and lay out a road for public use in the Township of Bigler.) NO. 3, DECEMBER SESSIONS, 1944.

You are hereby notified that the undersigned Viewers, appointed by the Court to the above number and term, to view and lay out a road for public use in Chesterfield, beginning at a point at property of Peter Jargic on Scott Street; thence along line of John Matier Estate and Bondy Estate, and Sophia Palcisco and line of Swatz to Palcisco corner, approximately 2/3 mile; thence North across Bannian Run and Railroad to Township Road leading from Madera to Utahville, in the Township of Bigler, in the County aforesaid, will meet at the house of Peter Jargic in said Township, on Thursday, November 9th, 1944 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 Monday, November 13th, 1944 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.

Dated: October 23rd, 1944.

County of Clearfield, SS:

Now, this 25th day of October, 1944, service of the above Notice is accepted for the Commissioners of Clearfield County.

G. A. Tuckhart
Clerk.

John Scollins
Benjamin Hughes
Harry Reese
Viewers.

TO: David R. Morgan, Lewis Mosley and Wm. H. Ackley,
Supervisors of the Township of Bigler:-

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

In re: Order to view and lay)
out a road for public use in :
the Township of Bigler.) NO. 3, DECEMBER SESSIONS, 1944.

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and line of Swetz to Palcisco corner, approximately 2/3 mile;
thence North across Banian Run and Railroad to Township Road
leading from Madera to Utahville, in the Township of Bigler, in
the County aforesaid, will meet at the house of Peter Jargic in
said Township, on Thursday, November 9th, 1944 at 10:00 o'clock
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and the Rules of Court to be held by the Viewers before the
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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
Monday, November 13th, 1944 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.

Dated: October 23rd, 1944.

John Soellard
Benjamin Hughes
Harry Reese
Viewers.

COUNTY OF CLEARFIELD, SS:

NOW, this 25 day of October, 1944, service of
the above Notice is accepted for the Supervisors of Bigler Township.

Wm H Ackley
Lewis Mosley

Supervisors

groceries, feed, fuel and other necessaries to the families living therealong in the wet and rainy seasons; during which time the automobiles used by the miners in traveling to and from their work must be left parked on the Utahville-Madera public road, without shelter, and their tires, tools and equipment at the mercy of thieves and highwaymen.

All are agreed that the proposed road is necessary, but the public officials charged with the duty of building it are unable to do so for lack of funds, and annual decreasing revenues. However your Board feels that some way must be found ~~of~~ for these long-suffering people "out of the mud", and would recommend the project be given first consideration in any municipal post-war planning.

From the foregoing view and findings of fact, your Board concludes that the proposed road is necessary for public use; that the same be recommended for approval by your Honorable Court;

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 claimed or assessed; the right-of-way having been originally dedicated for public use by the original owners;

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 assessed.

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

WITNESS our hands and seals this 25th day of November
A. D. 1924.

John Scollin *Seal*
Will Reese *Seal*
Barry and L. T. Tugher *Seal*
Seal

No. 3 December Sessions, 1944

ORDER

To view and lay out a road for public use in the township of Bigler, Clearfield County, Pennsylvania, Sessions, 1944.

Now Dec 8 1944
John Scollins
Confirms above
Signed
John Scollins

Filed 19
Fees \$1.25 paid by _____

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 as 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.
H. A. Reese	3	11.0	\$35.50
Benjamin Hughes	2	7.9	\$23.95
John Scollins	3	7.6	\$33.80

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
Seal

DISTANCE OF THE ROAD LONG.

2,325 feet.

Val 53 - Pardon

damage not to exceed 568 feet

damage not to exceed 568 feet

To the Hon. Cortez Bell, President Judge of the Court of Clearfield County, Pennsylvania.

We the petitioners and tax payers of Bigler Township, Clearfield County and residence of Bigler Township, respectfully represents, that we labor under great inconvenience in not having a road or an outlet from our place of residence, in Chesterfield, Clearfield County, Pa.

We petition that viewers be appointed to lay out a road, beginning at a point at property of Peter Jargic on Scott street; Thence along line of John Matier Estate and Bondy Estate, and Sophia Palcisco and line of Swetz to Palcisco corner, approximately 2/3 mile; Thence North across Banian Run and Railroad to Township road, leading from Madera to Utahville, Clearfield County, Pa.

Names	Addresses
Steve Jargic	Utahville Pa
Joseph Jargic	Utahville Pa
John Jargic	Utahville Pa
John Sasic	Utahville Pa
Anna Sasic	Utahville Pa
Joseph Matier	Utahville Pa
Mary Bondy	Utahville Pa
Sophia Palcisco	Utahville Pa.
Oscar Marnion	Utahville Pa
Barbara Marnion	Utahville Pa
Elizabeth Swetz	Utahville Pa.
Steve Stack	McAinch Pa
Jan Kastor	Utahville Pa
Barbara Knutts	Utahville Pa
Stephen Matier	Utahville Pa
Anna Matier	Utahville Pa.
Alex Sabol	Utahville Pa.
Matthew Luke	Utahville Pa.
Sophia Luke	Utahville Pa.
John Molner	Utahville Pa.
Steve Molner	Utahville Pa.

To the Hon'ble Governor, President Judge of the Court of
Chesapeake County, Pennsylvania.

We the petitioners and taxpayers of Bigler Township, Chesapeake
County and residents of Bigler Township, Chesapeake Liberties, first
we labor under great inconveniences in not having a road or an outlet from
our place of residence in Chesapeake County, Chesapeake, Pa.

We petition that a road be made to lay out a road, petitioning
as a favor to proper to better traffic on Scott Street; Petitioners
filed to your Master Estate and Body Estate, and bodies pleased and
filed of Streets to Petitionee corner, approximately 1/3 mile; Hence more
roads between you and Township road, leading from Main
to Unionville, Chesapeake County, Pa.

Names	Address
John Smith	1st Street
John Smith	2nd Street
John Smith	3rd Street
John Smith	4th Street
John Smith	5th Street
John Smith	6th Street
John Smith	7th Street
John Smith	8th Street
John Smith	9th Street
John Smith	10th Street
John Smith	11th Street
John Smith	12th Street
John Smith	13th Street
John Smith	14th Street
John Smith	15th Street
John Smith	16th Street
John Smith	17th Street
John Smith	18th Street
John Smith	19th Street
John Smith	20th Street
John Smith	21st Street
John Smith	22nd Street
John Smith	23rd Street
John Smith	24th Street
John Smith	25th Street
John Smith	26th Street
John Smith	27th Street
John Smith	28th Street
John Smith	29th Street
John Smith	30th Street
John Smith	31st Street
John Smith	32nd Street
John Smith	33rd Street
John Smith	34th Street
John Smith	35th Street
John Smith	36th Street
John Smith	37th Street
John Smith	38th Street
John Smith	39th Street
John Smith	40th Street
John Smith	41st Street
John Smith	42nd Street
John Smith	43rd Street
John Smith	44th Street
John Smith	45th Street
John Smith	46th Street
John Smith	47th Street
John Smith	48th Street
John Smith	49th Street
John Smith	50th Street
John Smith	51st Street
John Smith	52nd Street
John Smith	53rd Street
John Smith	54th Street
John Smith	55th Street
John Smith	56th Street
John Smith	57th Street
John Smith	58th Street
John Smith	59th Street
John Smith	60th Street
John Smith	61st Street
John Smith	62nd Street
John Smith	63rd Street
John Smith	64th Street
John Smith	65th Street
John Smith	66th Street
John Smith	67th Street
John Smith	68th Street
John Smith	69th Street
John Smith	70th Street
John Smith	71st Street
John Smith	72nd Street
John Smith	73rd Street
John Smith	74th Street
John Smith	75th Street
John Smith	76th Street
John Smith	77th Street
John Smith	78th Street
John Smith	79th Street
John Smith	80th Street
John Smith	81st Street
John Smith	82nd Street
John Smith	83rd Street
John Smith	84th Street
John Smith	85th Street
John Smith	86th Street
John Smith	87th Street
John Smith	88th Street
John Smith	89th Street
John Smith	90th Street
John Smith	91st Street
John Smith	92nd Street
John Smith	93rd Street
John Smith	94th Street
John Smith	95th Street
John Smith	96th Street
John Smith	97th Street
John Smith	98th Street
John Smith	99th Street
John Smith	100th Street

1444
No. 31 in. and 1444

1444

1444

1444

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

In re: :
Supplying of road in :
Bigler Township, Clearfield :
County, Pennsylvania :
:

O R D E R

NOW, October 16, 1944, petition having been presented to supply road in Bigler Township, John Scollins, Benjamin Hughes and Harry Reese are appointed viewers, who after giving due and proper notice as provided by law, are directed to view the premises, hold a hearing and make recommendation to the Court as to the advisability of the road therein prayed for.

BY THE COURT



President Judge

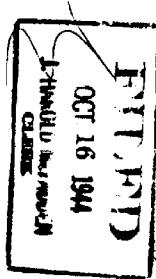
Road
No. 3 Dec. 22 1944

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD
COUNTY, PENNSYLVANIA

In re:

Supplying of road in
Bigler Township,
Clearfield County, Penna.

O R D E R



F. CORTEZ BELL
PRESIDENT JUDGE
CLEARFIELD, PENNSYLVANIA