

No. 7 Sept. Sessions, 191

**COMMONWEALTH**

**VERSUS**

In re Road in  
Grand from Baed Hill  
to Calvin Graham

P.D. #5 - Page 342

**CHARGE**

Walter Welch,  
District Attorn

Twp. Bd. 17642

In the Court of Quarter Sessions of Clearfield Co

In re road in Girard Township

To the Honorable the Judge of the said Court .-

The undersigned citizens of Girard Township respectfully represent that they stand in need of a township road to lead from the Bald Hill Station in said Township of Girard to intersect with the public road leading from Clearfield to Karthaus at or near the residence of Calvin Graham.- They therefore pray your Honorable Court to appoint viewers to view and lay out the same and make report thereof to the said Court.-

And they will ever pray &c

Henry Buck  
James B. Liger  
Paul Smith  
Mitchell Newcomb  
Hugh. Liger  
Martin Martell  
Caron Amrout  
Daniel Bradford  
Frank Roiley  
E. J. Foust  
O. E. Deauneigneur  
H. P. Michaels  
O. B. McHenry  
E. B. Deauneigneur  
Ashley Kyle

Champaign County 21

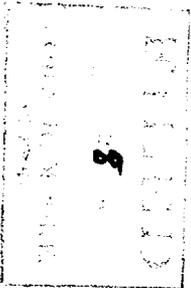
Personally appeared before me  
at Suburban Watauga, who being duly  
sworn, say that the facts set forth in the  
pregoing petition are true and correct to  
the best of his knowledge, belief,

Sworn to Subscribed } Watauga  
to before me this day }  
of July, 1916  
John N. Moore  
Pro

1499 Spe 21 1915

Order for power  
for power in  
Linn County

Now July 29 1916 follow  
for rules and a. s. Kanner  
S. S. Bice and J. S. Mahala  
from Linn County to  
make up according to  
law. By H. C. Grant  
Register Bell  
1916



Harvey

# 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, beg 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 Girard and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 18th day of August, A. D 1916. ~~That the view was held in the Arbitration Room of the Court House at Clearfield on the 18th day of August, 1916, and that the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Ashley Kyler, Alfred Krize and Alexander Billotta the Supervisors of Girard Township~~

~~parties in interest. That the view was held in the Arbitration Room of the Court House at Clearfield on the 18th day of August, 1916, and that the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Ashley Kyler, Alfred Krize and Alexander Billotta the Supervisors of Girard Township~~

Owing to there being no contest or controversy about the road and no demand for a hearing the public hearing was therefore dispensed with

After the view ~~was held~~ above mentioned, the undersigned, ~~with the aid of~~ the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is public 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 Bald Hill Station of the river line of the New York Central Railroad in Girard Township Thence running north sixty seven (67) degrees, East two hundred and eighty three (283) feet over the right of way of the New York Central Railroad Company, thence over land of the Surveyor Run Lumber Company the following courses and distances to wit: north twenty and one half (20-1/2) degrees east one hundred and fifty (150) feet to Bald Hill Run thence north twenty and one half (20-1/2) degrees, east twenty five (25) feet, thence north three and one half (3-1/2) degrees, west one hundred (100) feet, thence north seventeen (17) degrees, west two hundred (200) feet, thence north six and one half (6-1/2) degrees, west two hundred (200) feet, thence north seventeen (17) degrees west two hundred (200) feet, thence north eight (8) degrees thirty (30) minutes west three (300) feet, to land of C E Graham thence over land of C E Graham the following courses and distances, to wit: north four (4) degrees, west one hundred (100) feet, thence north seven (7) degrees west two hundred (200) feet, thence north twelve (12) degrees, west three hundred (300) feet across Bald Hill Run, thence north twenty nine (29) degrees thirty (30) minutes, west four hundred (400) feet, thence north thirty one and two fourth (31-2/4) degrees west one hundred (100) feet to the center of the public road leading from Clearfield to Karthaus near the residence of Calvin Graham in Girard Township.

**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 28 day of July in the year of our Lord one thousand nine hundred sixteen.

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

in said County, setting forth that they stand in need of a township road to lead from the Ball Hill Station in said Township of Girard to intersect with the public road leading from Clearfield to Marthaus at or near the residence of Calvin Graham.

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 A.G. Kramer, E.D. Billotte and J. S. Michaels

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 judgment, 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.

John S. Moore, Clerk.

TO:- JESSIE, E, DALE, H. H. SPENCER AND AUSTIN HANEY  
County Commissioners of Clearfield County Pa.

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa; to view and lay out a public road; leading from the Bald Hill Station on the River Line of the New York Central and Hudson River Railroad in Girard Township to a point in the public road leading from Clearfield to Karthause, at or near the residence of Calvin Graham in Girard township in the County aforesaid will meet at the end of said road at the Bald Hill Station in Girard township on friday the 18th day of August A, D, 1916 at one (1) oclock P. M. to make said view and attend to the duty of their appointment at which time and place you may attend if you see proper.

*A. G. Kramer*  
-----  
*E. D. Billotte*  
-----  
*J. S. Michals*  
-----  
VIEWERS.

Now August *f* 1916 service of this notice accepted for the  
COUNTY COMMISSIONERS OF CLEARFIELD COUNTY Pa.

*L. C. Norris*  
-----  
Clerk.

TO:- Ashley Kyler, Alfred Krise, and Alexander Billotte  
Supervisors of Girard Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers  
appointed by the Court of Quarter Sessions of Clearfield County Pa  
to view and lay out a public road; leading from the Bald Hill Sta-  
tion on the River Line of the New York Central and Hudson River  
Railroad, in Girard Township to a point in the public road leading  
from Clearfield to Karthause, at or near the residence of Calvin  
Graham in Girard township in the County aforesaid, will meet at  
the end of said road at the Bald Hill Station in Girard township,  
on Friday the 18th day of August, A. D. 1916 at one (1) oclock  
P. M. to make said view, and attend to the duty of their appoint-  
ment at which time and place you may attend if you see proper

*A. G. Kramer*  
-----  
*E. D. Billotte*  
-----  
*J. S. Michalls*  
-----  
VIEWERS.

Now August *7th* 1916 served this notice on Ashley Kyler, Alfred  
Krise and Alexander Billiotte, the Supervisors of Girard Townsh-  
ip personally by handing each of them a copy of same.

*E. D. Billotte*  
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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 practicable 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 -----

~~Failed~~  
the following persons having ~~failed~~ failed to release the damages to which they respectfully may be entitled by the 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:

The New York Central Railroad Company	\$1.00
The Surveyor Run Lumber Company	\$1.00
C. E. Graham	\$1.00

~~THESE DAMAGES WITH THE SEVERAL RELEASES HEREON MENTIONED ARE PAID TO THE HOLDERS~~

WITNESS our hands and seals this 18<sup>th</sup> day of August

A. D. 1916.

A. J. Kramer   
E. D. Billoette   
J. S. Michaels 

**ORDER**

To view and lay out a road for PUBLIC use in the township of GIRARD, Clearfield County

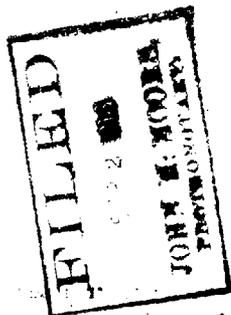
9<sup>th</sup> Left Section, 1916, read and confirmed N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court  
Engelbrecht  
July Session (1917) (7<sup>th</sup> Feb)  
Confirmed absolutely  
By the Court  
Engelbrecht

Filed 19  
Fees \$1.25 paid by Hojensky

Note - In case of a private road, the release must be effected in favor of the petitioner for paid road.  
Also, viewers will carefully note the number of days employed and set the amount out at the foot of their report.  
Viewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.  
N. S. - 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.

NAME	DAYS	MILES	AM'T.
A. G. Brown	2	28	11.40
C. B. Billeto	2	5	1.40
J. S. Michael	1	24	9.70



**RELEASE OF DAMAGES.**

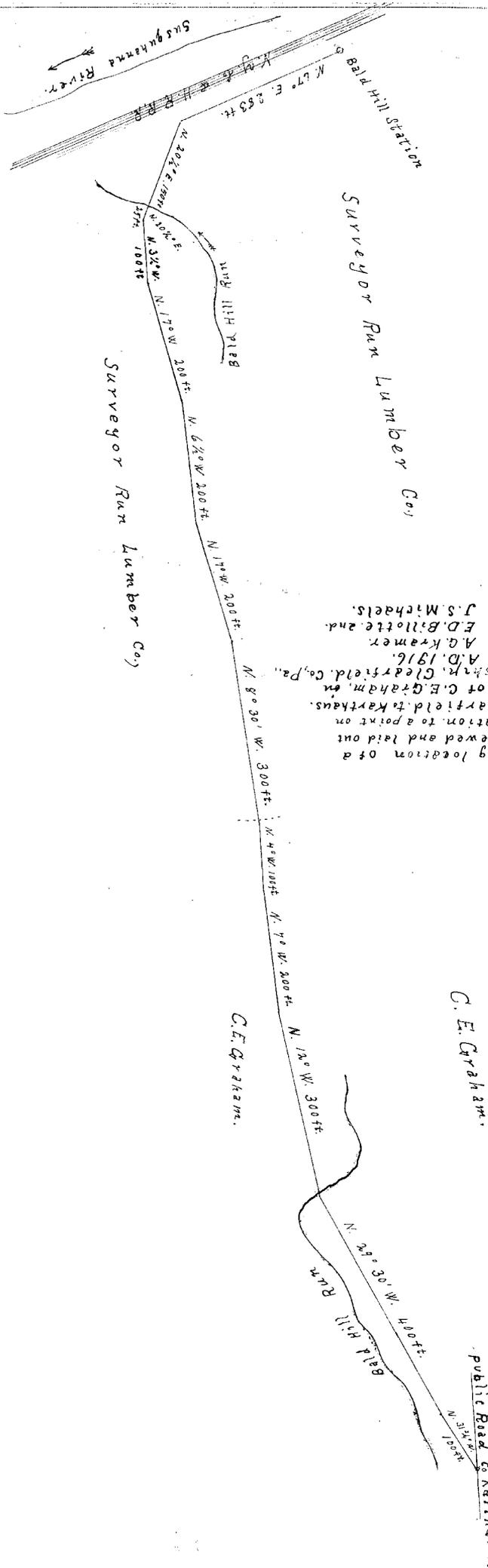
Know all Men by these Presents, that we, the undersigned, owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by

\_\_\_\_\_ at and before the ensembling 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 respectively 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. 191\_\_\_\_\_.





Draft showing location of a  
 Public Road viewed and laid out  
 from Bald Hill station to a point on  
 Public Road Clearfield to Karthaus.  
 near Residence of C. E. Graham, in  
 Girard Township, Clearfield Co., Pa.  
 on August 18th, A.D. 1916.  
 By  
 A. G. Kramer  
 E. D. Billotte and  
 J. S. Michaels.

C. E. Graham.

C. E. Graham.

Surveyor Run Lumber Co.

Surveyor Run Lumber Co.

Public Road to Karthaus.

Bald Hill Run

Bald Hill Station

Susquehanna River