

Grand Jury

#1 - Sept, 1917

AGE

P.D. #5 - Page 350

ALL
Twp. Road
17631

Walter Welch,
District Attorney.

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 16 day of
April in the year of our Lord
one thousand nine hundred seventeen
Before Singleton Bell President
Judge of the same Court: Upon the petition of
sundry inhabitants of the Township of
Girard

in said County, setting forth that a road long since or
supposed to have been laid out as a public road and used commencing at
a point at the hand board in Public road leading from Clearfield to
Karthaus near the Murray Graveyard and extending to the Knobs in
said Township of Girard is inconvenient and burdensome

Your petitioners therefore pray your Hon. Court to appoint viewers
to view vacate and change said road from the sake hand boards near the
Murray Grave yard to a point on public road leading from Shawville to the
Knobs at or near the residence of F. S. Shope in said Township

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, Esq., 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 impari-
ality 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 said~~ 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 dis-
tance, 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 or 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 Emerson, 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, 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 on the 27th day of June, A. D. 1917, and the hearing to be held in the Court House, in Clearfield, Pa., on the 29th day of June, 1917, at nine o'clock A. M. That all 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, Alexander, Billoette and Alfred Krise the Supervisors of Girard Township and Aaron Murray and Henry Buck

parties in interest. That the hearing was held in the Court House, at Clearfield, Pa., on the 29th day of June, A. D. 1917, when no appearances were noted:

After the view and hearing above mentioned, the undersigned, 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 hand boards in the public road leading from Clearfield to Karthaus, near the Murray Graveyard; thence running north west along said public road, three hundred and thirty (330) feet to a point on land Aaron Murray, thence over partly unimproved and partly improved farm land, of Aaron Murray, north ten (10) degrees forty five (45) seconds, east sixteen hundred and seventy six (1676) feet, thence over unimproved wood land of the said Aaron Murray north fifty three (53) degrees fifteen (15) minutes west three hundred and twenty (320) feet; thence north twenty eight (28) degrees west two hundred and eighty seven (287) feet; thence north thirty five (35) degrees west, two hundred and twenty five (225) feet, thence north, eighteen (18) degrees, west four hundred and forty (440) feet to line of land of Mary V Coulter, thence over partly improved and partly over unimproved land of the said Mary V Coulter north twenty (20) degrees west, one hundred and sixty four (164) feet, thence north seven (7) degrees, west four hundred and sixty four (464) feet to line of land of Rebecca Smith; thence over unimproved woods land of the said Rebecca Smith the following courses and distances, north eleven (11) degrees, forty five (45) minutes west one hundred and seventy seven (177) feet; thence north eight (8) degrees west two hundred and fifty three (253) feet, thence north fourteen (14) degrees, thirty (30) minutes, east seven hundred and twenty (720) feet, to line of land of Ed and John Graham, thence over improved land of the said Ed and John Graham, north thirty (30) degrees, east three hundred and forty three (343) feet, thence north fifteen (15) degrees

east six hundred and fifty nine (659) feet to line of land of L. Jury,
 thence over improved land of said L Jury, north two (2) degrees fifteen
 (15) minutes, east one hundred and eighty (180) feet to line of land of
 Ferd Shirey; thence over improved land of said Ferd Shirey north twenty
 eight (28) degrees thirty (30) minutes west one hundred and sixty five
 (165) feet to line of land of W B Graham and R Maines thence along the
 deviding line of improved lands of the said W B Graham and R Mains, north
 thirty eight (38) degrees thirty (30) minutes, west twelve hundred and
 ninety nine (1299) feet to line of land of William Jury; thence over im-
 proved land of the said William Jury north fifty (50) degrees, west five
 hundred and fifty one (551) feet to line of land of Ashley Kyler and
 Henry Buck, thence over improved lands along the dividing line of the
 said Ashley Kyler and Henry Buck, north fifty seven (57) degrees thirty
 (30) minutes west two hundred and twenty four (224) feet; thence north
 sixty eight (68) degrees, thirty (30) minutes, west three hundred and
 fifteen (315) feet, thence over improved land of the said Henry Buck,
 north eighty five (85) degrees forty five (45) minutes, west six hundred
 and sixty six (666) feet, thence over unimproved land of the said Henry
 Buck south sixty nine (69) degrees, west one hundred and eighty nine
 (189) feet; thence south eighty nine (89) degrees thirty (30) minutes
 west two hundred (200) feet, thence north eighty seven (87) degrees west
 three hundred and eighty four (384) feet; thence over improved land of
 said Henry Buck, south eighty two (82) degrees forty five (45) minutes
 west one hundred and ninety four (194) feet; thence south seventy nine
 (79) degrees, forty five (45) minutes west seven hundred and thirty seven
 (737) feet to line of lands of I D Jury and the Bald Hill Coal Company.
 Thence through unimproved land on the dividing line between the said I. D
 Jury and the Bald Hill Coal Company south seventy four (74) degrees, west
 two hundred and fourteen (214) feet, thence south sixty six (66) degrees
 west two hundred and ninety seven (297) feet to line of land of E Martell
 thence along line of the said Bald Hill Coal Company and improved land of
 E Martell south seventy (70) degrees thirty (30) minutes, west two hund-
 ed and three (203) feet to line of land M Newcomb estate; thence through
 unimproved land on line of the said Baldhill Coal Company and M Newcomb
 estate south seventy (70) degrees west two hundred and seventy six (276)
 feet to line of land of paul Smith; thence along the dividing line of

improved land of the said Paul Smith and unimproved land of the said M
 Newcomb estate south sixty nine (69) degrees two hundred and ninety one
 (291) feet, thence south eighty seven (87) degrees thirty (30) minutes
 west one hundred (100) feet, thence north sixty one (61) degrees fifteen
 (15) minutes west three hundred (300) feet to line of land of the said
 Newcomb estate, thence over improved land of the said Newcomb estate the
 following courses and distances to wit; north forty seven (47) degrees
 forty five (45) minutes, west two hundred and fifty (250) feet, thence
 north thirty two (32) degrees, fifteen (15) minutes, west two hundred
 (200) feet; thence north forty five (45) degrees, forty five (45) minutes
 west four hundred and sixty seven (467) feet to line of land of the Isaac
 Smith estate; thence over improved land of the said Isaac Smith estate
 north sixteen (16) degrees west two hundred and seventy one (271) feet,
 thence north ten (10) degrees west four hundred and ninety one (491) feet
 thence north nineteen (19) degrees west three hundred and seventy seven
 (377) feet, thence north eleven (11) degrees thirty (30) minutes west two
 hundred and fifty five (255) feet; thence through unimproved land of the
 said Isaac Smith estate north five (5) degrees fifteen (15) minutes east
 three hundred and thirty five (335) feet to line of land of A C Smith;
 thence over improved land of the said A C Smith the following courses and
 distances, north seventeen (17) degrees, east two hundred and seventy one
 (271) feet, thence north twenty three (23) degrees fifteen (15) minutes
 east three hundred and nine (309) feet, thence north eight (8) degrees
 east two hundred and sixty (260) feet, thence north eleven (11) degrees
 forty five (45) minutes west two hundred and ninety seven (297) feet,
 thence north twenty eight (28) degrees forty five (45) minutes west four
 hundred and thirty seven (437) feet, thence north forty one (41) degrees
 thirty (30) minutes west three hundred and thirty eight (338) feet, then-
 ce north forty seven (47) degrees west two hundred (200) feet, thence
 north twenty six (26) degrees, thirty (30) minutes west four hundred (400)
 feet, thence north thirty (30) degrees, west two hundred and eleven (211)
 feet, thence north twenty seven (27) degrees, west six hundred and seven-
 ty three (673) feet to line of land of W F Krise, thence over land partly
 improved and partly unimproved of the said W F Krise, north forty one

(41) degrees thirty (30) minutes, west six hundred and seventy four (674) feet, thence north forty nine (49) degrees, west four hundred and eighty five (485) feet to church school house and cemetary lots along line of land of S C Bradfore north forty five (45) degrees thirty (30) minutes west three hundred and forty seven (347) feet to line of land of Isaac Condon, thence over improved land of said Condon, north twenty three (23) degrees thirty (30) minutes, west three hundred and seventy four (374) feet, thence north twenty four (24) degrees, thirty (30) minutes, west six hundred and forty (640) feet, thence north nineteen (19) degrees west six hundred and twenty five (625) feet, thence north thirteen (13) degrees thirty (30) minutes, west two hundred and eighty (280) feet to line of land of the George Green estate; thence over partly improved and partly unimproved land of the said George Green estate north twenty (20) degrees, west three hundred and thirty five (335) feet, thence north forty three (43) degrees, west four hundred and seventy six (476) feet, thence north thirty six (36) degrees west three hundred and twenty two (322) feet to line of land of the Robert Stewart estate, thence over unimproved land of the said Stewart estate, north twenty one (21) degrees forty five (45) minutes, west two hundred and seventy nine (279) feet, thence north thirty (30) degrees, west two hundred and forty five (245) feet to line of land of W K Stewart, thence over improved land of the said W K Stewart the following courses and distances, north thirty nine (39) degrees west four hundred and thirty five (435) feet, thence north, sixty seven (67) degrees, thirty (30) minutes west, two hundred and fifty seven (257) feet thence north seventy five (75) degrees, thirty (30) minutes, west four hundred and fifty eight (458) feet, thence north, eighty (80) degrees west two hundred and eighty four (284) feet, thence north seventy (70) degrees, west three hundred and thirteen (313) feet, thence north forty (40) degrees, west one hundred (100) feet, thence north thirty one (31) degrees forty five (45) minutes, west four hundred and thirteen (413) feet, thence north forty (40) degrees, west one hundred (100) feet, to line of land of Al Krise, thence over improved land of the said Al Krise north forty eight (48) degrees, forty five (45) minutes west five hundred and eighty one (581) feet to line of land of F J Shope, thence over improved land of said F J Shope the following courses and distances, north

forty nine (49) degrees, west four hundred and sixty seven (467) feet, thence north fifty four (54) degrees fifteen (15) minutes, west one hundred (100) feet, thence north sixty seven (67) degrees fifteen (15) minutes, west two hundred and seventy five (275) feet, thence north eighty one (81) degrees, fifteen (15) minutes, west five hundred and fifty eight (558) feet to a point in the public road leading from Shawville to the Knobs in Girard Township.

The said road as laid out is over the bed of a road long since used as a public road, but there being no record of the same ever having been formerly laid out or confirmed by the Court as a Township or public road so that to make it a legal public road the same is hereby formerly laid out as a public road and on the location of the present road, except where the same is vacated and supplied as shown by the red lines on the draft. The red lines showing the part vacated and the black lines the part supplied.

d that a plan or draft of said road showing courses and distances and the properties affected is
reto attached and made a part hereof, said road being at an elevation not exceeding five degrees,
cepting

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~~ *from all parties*
whose signatures appear on the paper attached

the following persons having refused to release the damages to which they respectfully may be en-
titled 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:

<i>Harry Murray</i>	<i>\$25.00</i>
<i>J. J. Shobe</i>	<i>1.00</i>
<i>M. Newcomb Est</i>	<i>1.00</i>
<i>Bald Hill Coal Co</i>	<i>1.00</i>

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

WITNESS our hands and seals this

28th day of *June*

A. D. 191*7*.

A. G. Kramer

E. B. Bilbette

J. S. Michael



No. 1 SEPT Sessions, 19 17,

ORDER

To view AND VACATE *Supp. 1-2*
road for *Public* use in the
township of GIRARD
Clearfield County

Sept Session, 1917.
read and confirmed Ni. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

Pay the Town
They must feel
are as 1917. Capital
absolutely Pay the Town
Anglen & Son

Filed 19
Fees \$1.25 paid by HAGERT.

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.
<i>A. G. Kramer</i>	<i>5</i>	<i>72 1860</i>
<i>C. D. Billatto</i>	<i>5</i>	<i>70 2450</i>
<i>J. S. Michaels</i>	<i>4</i>	<i>204 3020</i>

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 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 _____.

