

Road DOCKET No. 5

| Number   | Term       | Year        |
|----------|------------|-------------|
| <u>2</u> | <u>Dec</u> | <u>1921</u> |

petition for Road in Girard Twp.

Versus

X

|                         |   |                            |
|-------------------------|---|----------------------------|
| IN RE APPLICATION FOR   | } | Road Docket                |
| ROAD IN GIRARD TOWNSHIP |   | No. December Sessions 1921 |

To the Honorable Singleton Bell,  
President Judge of the said Court.

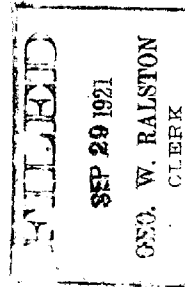
|                     |                   |
|---------------------|-------------------|
| F. Auerjonus        | Leconte Mallet Pa |
| Howard Dixon        | "                 |
| Frank Schultz       | "                 |
| Walter Stiner       | "                 |
| Sammy               | "                 |
| Chas. Hetrick       | "                 |
| Rolt Hetrick        | "                 |
| Ernest Barrigardner | "                 |
| H B Barrigardner    | "                 |
| Mike Kolobosky      | "                 |
| H H Lewis           | Surveyor Pa       |

|                      |                |
|----------------------|----------------|
| W. Kirkwood          | Leontes mellea |
| A. S. Raich          | "              |
| John Felood          | "              |
| Mrs William Kirkwood | "              |
| Stella Kirkwood      | "              |
| John H. Bell         | "              |
| Mrs John Bell        | "              |
| Chas. J. Jurg        | "              |
| J. E. Jurg           | "              |
| E. F. Renard         | "              |
| P. B. McHenry        | "              |
| Clarence Renard      | "              |
| Herman L. Smith      | "              |
| Charles J. Lippert   | "              |
| Peter Dolak          | "              |
| Nick Bilgott         | "              |
| Harry Smith          | "              |
| F. J. Martell        | "              |
| Marty Martell        | "              |
| John A. Graham       | "              |
| W. E. Graham         | "              |
| Caron Murray         | "              |
| C. E. Graham         | "              |
| Paul Smith           | "              |
| Raymond Shing        | "              |
| David Shilling       | "              |
| John Bell            | "              |
| Frances Raper        | "              |
| Sylv. S. Smart       | "              |
| George Bielt         | "              |
| A. J. Bengston       | "              |
| Edwin Jurg           | "              |
| J. A. Moore          | "              |
| Ed Gordon            | Surveyor Pa    |
| James Shaw           | "              |

|                        |                    |
|------------------------|--------------------|
| G. W. Smith            | Leconte's Mills Rd |
| J. R. Hunter           | Leconte's Mills Rd |
| Edward Leiper          | "                  |
| Fred B. Wade           | "                  |
| John G. Cedar          | "                  |
| Peter Condict          | "                  |
| Ernest Slagney         | "                  |
| Mrs. Q. E. Branaugheim | "                  |
| Mrs. Ada W. Murray     | "                  |
| J. K. Murney           | "                  |
| Isabel G. White        | "                  |
| E. J. Lunt             | "                  |
| Paul Michaels          | "                  |
| Wm. Black              | "                  |
| Ida My. B. Rouse       | "                  |
| Emmett Barnat          | "                  |
| Mrs. Ernest Barnat     | "                  |
| Edward M. Royer        | "                  |
| Mrs. Edward Royer      | "                  |
| J. T. Stilson          | "                  |
| David Davidson         | "                  |
| Chas. Lawrence         | "                  |
| Ally Hunter            | "                  |
| Wm. Bell               | "                  |
| Mrs. Eliza Bell        | "                  |
| A. A. Murray           | "                  |
| Mrs. A. A. Murray      | "                  |
| James C. Liegely       | "                  |
| Hugh D. Liegely        | "                  |
| Rebecca R. Smith       | "                  |
| Alta L. Smith          | "                  |
| Frank Kelley           | "                  |

No. 21 December Sessions 1921

IN RE APPLICATION FOR ROAD IN  
GIRARD TOWNSHIP



DAVID J. P. O'NEILL  
LOUIS R. J. NERTY  
EDWARD T. KELLEY  
ATTORNEYS-AT-LAW  
FAIRFIELD, PENNSYLVANIA

Now Sept 28<sup>th</sup> 1921 Atty. Kramer, Egn. Harry Reese and  
E. D. Bellotti an appointed viewers as prayed for  
By the Court  
Circuitin Beep  
M

# 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 26th day of October -----, A. D. 1921, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 28th day of October -----, 1921, at 9, o'clock A. M. 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 Dr. H. H. LEWIS one of the Supervisors of Girard Township-----  
in favor of the road; -----

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 28th day of October ----- A. D. 1921, when the following appearances were noted: Q. B. Smith one of the Supervisors of Girard Township E. R. Leiby, James O. Leonard, Rebecca Smith, Rev Thomas F McGovern. Q. E. Beaunizenia, Frank Kolivosky, Mike Kolivosky, James Flood and others; -----

After the view and hearing above mentioned, the undersigned, ~~viewers, do agree that there is~~ ~~no 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 in the Township road, leading from the village of Bald Hills to the Railroad Station of the New York Central Railroad Company in Girard Township Clearfield County Pa; one hundred and twenty five (125) feet, North of the bridge across Bald Hill run on said Township road: Thence over land of the Surveyor Run Lumber Company; south thirty nine (39) degrees, fifty (50) minutes, east, two hundred and thirty five (235) feet to the right of way of the New York Central Railroad Company. Thence over the right of way and through under the the tract of the New York Central Railroad by an arch fourteen (14) feet in hight, sixteen (16) feet in width; sixty six (66) feet to land of the Survey Run Lumber Company. Thence over land of the said Surveyor Run Lumber Company, south sixteen (16) degrees, fifty five (55) minutes; east one hundred and fifty five (155) feet to low water mark on the West Branch of the Susquehanna River at the mouth of Bald Hill Run in Girard Township Clearfield County Pa. -----  
At the end of the proposed location of a County Bridge across the West Branch of the Susquehanna River.

## 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 29th day of  
September in the year of our Lord  
one thousand nine hundred twenty-one.

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

in said County, setting forth that they labor under  
great inconvenience for want of a public road or highway in said Twp.  
which road shall begin at a point in Girard Twp. on the present road  
from Bald Hill Village to Bald Hill R.R. Station of the N.Y.C.R.R. the  
said point of beginning being located 125 feet northwardly on said  
present road, away from the end of said present road from the present  
highway bridge over Bald Hill Run, which bridge is 400 feet, on said  
present road away from the end of said present road at said Bald Hill  
R.R. Station; the other terminal in Girard Twp. of this proposed road  
petitioned for shall be a point on the West Branch of the Susquehanna River,  
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.,  
Harry Reese and E. D. Billette.

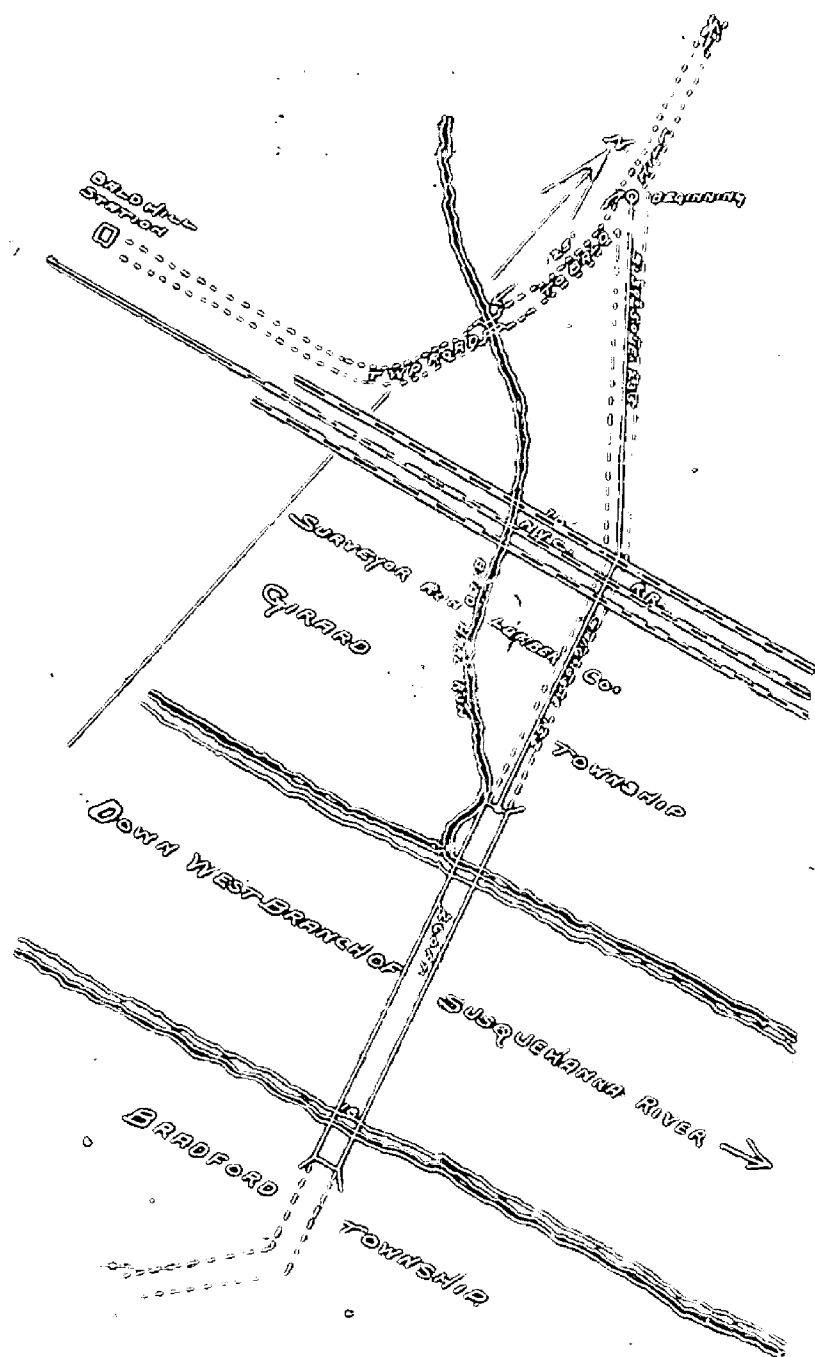
who have been duly appointed by the Court and filed their oaths of office and  
are duly qualified to perform the duties of their appointment with impari-  
ality and according to the best of their judgment; are to view the ground  
proposed for the said road, and if they view the same, and a majority of  
the 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 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 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.

Geo W Palston, Clerk.

E.D. BILLOTTE  
H.A. REESE





TO: T. R. WEIMER, JESSE, E. DALE AND M. L. FARRELL.

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 a point in the public road leading from the village of Bald Hills to the Bald Hills Station on the New York Central Railroad; about 125, feet; North or up the Creek from the bridge across Bald Hill Run and about (400), feet North East of the Bald Hill Station in Girard Township; to a point on the bank on the West Branch of the Susquehanna River, near the mouth of the Bald Hill Run; in Girard Township, will meet at the bridge across Bald Hill Run near the Bald Hill Station in Girard Township on Wednesday October 26th 1921 at one (1), o'clock P. M. to attend to the duty assigned them, of which time and place aforesaid, all parties interested will please take notice.

And that the public hearing required by the 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, either in favor of or against said road a chance to be heard will be held in the Arbitration Room in the Court House in Clearfield Pa on Friday October 28th 1921 at nine (9), O'clock A. M. when and where all parties interested in said road may appear and be heard.

A. G. Kramer  
H. A. Reed  
E. D. Billotte  
VIEWERS.

Now October 15<sup>th</sup> 1921 service accepted for the County Commissioners of Clearfield County Pa.

L. C. Morris  
Clerk.

TO: H. H. LEWIS. AND. BOWMAN. SMITH.

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 a point in the public road, leading from the village of Bald Hills to the Bald Hills station on the New York Central Railroad; about (125), feet North or up the creek from the bridge across Bald Hill Run, about (400), feet north east of the Bald Hill station: In Girard Township; to a point on the bank of the West Branch of the Susquehanna River, near the mouth of Bald Hill Run; in Girard Township in the County aforesaid, will meet at the bridge across Bald Hill Run near the Bald Hill station in Girard Township on Wednesday the 26th day of October A. D. 1921 at one (1), oclock P.M. to attend to the duty assigned them, of which time and place aforesaid, all parties interested will please take notice.

And that the public hearing required by the 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, either in favor of or against said road a chance to be heard, will be held in the Arbitration Room in the Court House in Clearfield Pa; on Friday the 28th day of October A. D. 1921 at nine (9), o'clock A. M. when and where all parties interested in said road may appear and be heard.

The view of the proposed bridge across the River at said point will be made at the same time, and the public hearing will be held at the same time as the hearing on the road view.

A. G. Kramer  
H. A. Rees  
E. D. Billotte

Now October 17th 1921 served this notice on H. H. Lewis, and Bowman Smith the Supervisors of Girard Township personally by handing to each of them a true and correct copy of same.

E. D. Billotte

[illegible]

the following persons having refused 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: Surveyor Run Lumber Co \$1.00

and we hereby retain all rights obtained and copy of the document

A. Kramer.  
Ma Reese  
Ed. Billotte

No. 2 Dec Sessions, 1921

## ORDER

To view a  
road for public use in the  
township of Girard  
Clearfield County Penna

Dec. Session, 1921,  
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.

By the Court  
Singleton Bell  
J.

Filed \_\_\_\_\_ 19

Fees \$1.25 paid by \_\_\_\_\_  
O'Laughlin, Fenerty & Kenney,  
Attorneys

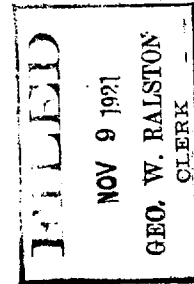
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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. |
|---------------|------|-------------|
| A. G. Kravies | 3    | 24 23.70    |
| H. A. Reese   | 3    | 22 26.10    |
| E. D. Bilbott | 2    | 24 16.20    |



### 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 \_\_\_\_\_

