

DOCKET No

Number

2

Te

May

Year

1932

Petition to vacate road in Girard
Township.

Versus

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

Re; Vacation of Township road) ^{May} ~~February~~ ²² ~~20~~ 1932
in Girard Township)

To the Honorable A R Chase, President Judge of said Court:

The petition of the Supervisors of the Township of Girard respectfully represents:-

1. That a road beginning near the W K Stewart property now owned by Paul Smith, and passing through the Alfred Christ lands to the point of intersection with a public highway known as the Kraft road, said road being approximately 1/2 mile in length, has long been an established Township road.

2. That said portion of Township road has become useless, inconvenient and burdensome to the Township of Girard and the citizens thereof.

Wherefore your petitioners pray your Honorable Court that viewers be appointed to inspect said road and report to the Court recommendations relative to the vacation of same, agreeably to the Act of Assembly in such case made and provided.

And they will ever pray, etc.

Isaac London
Paul Smith

Supervisors of the Township
of Girard

STATE OF PENNSYLVANIA)
) SS:
COUNTY OF CLEARFIELD)

Before me, the Subscriber, a justice of the peace,
personally came Harry Smith Secretary of the Board of
Supervisors of Girard Township, who being duly sworn according to
law, says that the facts set forth in the within petition are
true to the best of his knowledge and belief.

Sworn and subscribed before me)
this 23rd day of February,)
A.D. 1932.)

Harry Smith

E. D. Billotte
justice of the peace
E. D. BILLOTTE, Justice of the Peace
Lebanon, Pa.
My commission expires Jan. 2, 1936

ORDER OF COURT

Now, February _____, 1932, the within petition having been
read and considered, _____ and
_____ are appointed Viewers to inspect said
premises and report to the Court.

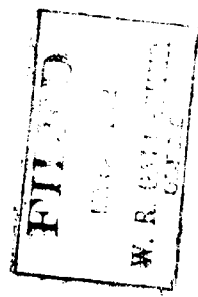
By the Court,

PJ

2 May

Now, March 22, 1932, Earl G. Boose,
Esq., Harry Reese and H. P.
Dowler are appointed viewers to
view and report.

By the Court.
A. M. Hall
P. J.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA.

PETITION TO VACATE ROAD IN GIRARD TOWNSHIP

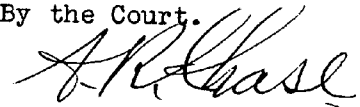
No. 6 May Sessions, 1932.

EXCEPTIONS TO VIEWERS REPORT

It appearing to the court that the exceptions
are well founded:

Now, October 12, 1932, Exceptions are sustained
to the report of the viewers recommending vacation
and the proceeding is dismissed. Clearfield County directed
to pay the costs.

By the Court.

A handwritten signature in cursive script, appearing to read "A. R. Chase".

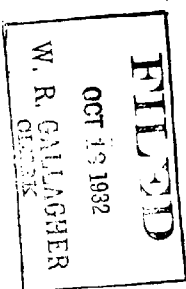
P. J.

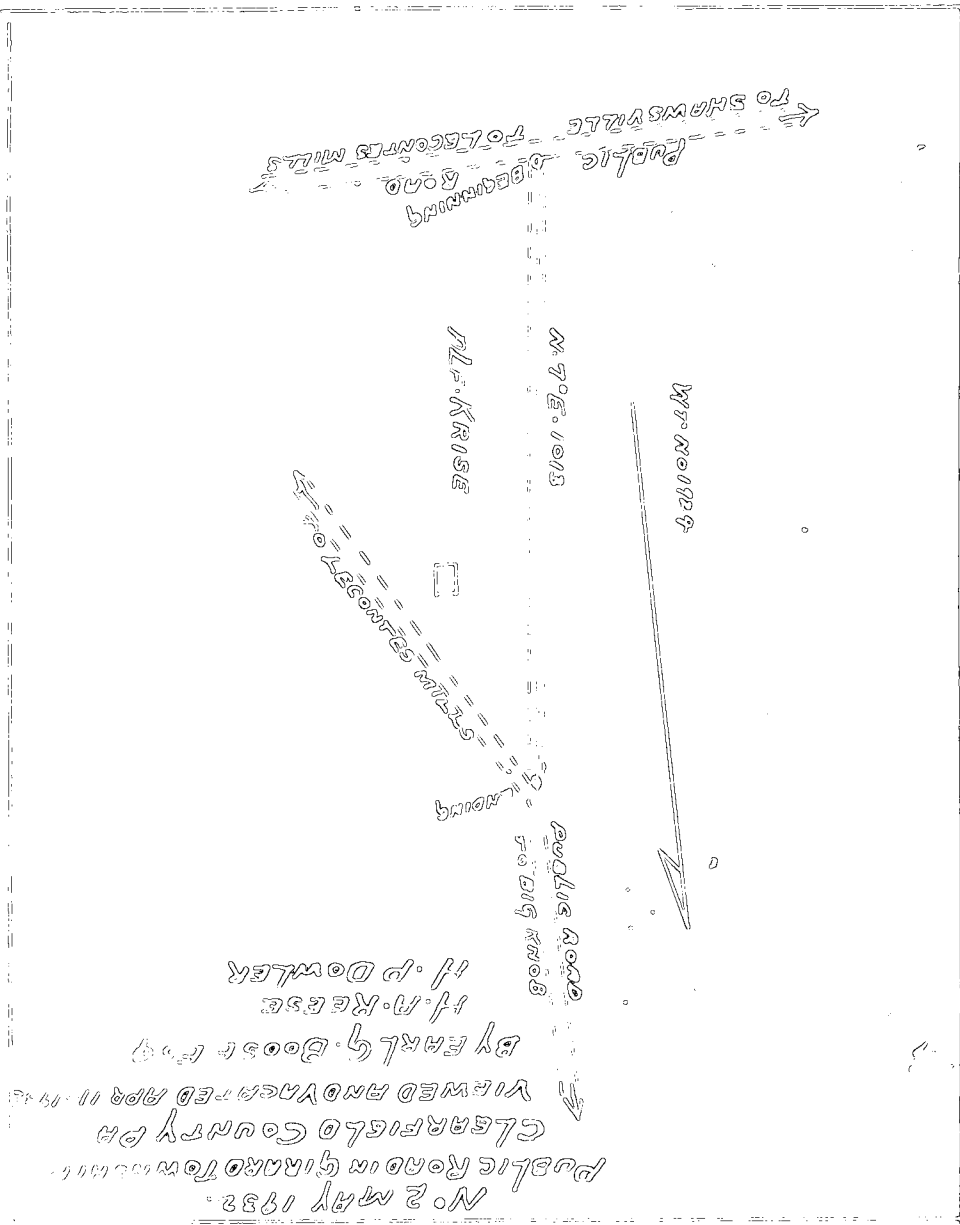
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.

PETITION TO VACATE ROAD IN
GIRARD TOWNSHIP
NO. 6 May Sessions, 1932.

EXCEPTIONS TO VIEWERS REPORT

ORDER OF COURT





2
CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa.,
in and for said County, on the **22nd** day of **March** in the year of our Lord, one
thousand nine hundred and **thirty two**

A. R. CHASE
By the Honorable ~~Seigneur~~ **Seigneur**, President Judge of the said Court: Upon the petition of ~~sixty~~
Supervisors
in ~~the~~ **the** Township of **GIRARD**, in the County aforesaid setting forth that

**a road beginning near the W. K. Stewart property now owned by Paul Smith,
and passing through the Alfred Christ lands to the point of intersection
with a public highway known as the Kraft Road, said road being approximately
1/2 mile in length, has long been an established township road.**

**That said portion of township road has become useless, inconvenient and
burdensome**

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the
points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers **Earl G. Boose, Esq. Harry Reese**

and H. P. Dowler

who have been duly appointed by the said Court on the
County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the
County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appoint-
ment, with impartiality and according to the best of their judgment; are to view the said road, and after
having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they
shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report
thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether
there is any necessity for said road, or whether the same should be vacated; and the reason why, together
with a plot, or draft, thereof showing the courses and distances with reference to the improvements through
which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from
the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating
of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the
owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers
shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from
the vacation of said road; and make report of such assessment; which report they shall in like manner trans-
mit 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 the place where they would meet, to view 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 QUARTER SESSIONS OF THE PEACE, IN AND FOR THE
COUNTY OF CLEARFIELD, PA.

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 the 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 said road to be vacated, that the said view would be held on the

eight day of April, A. D. 1932 and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield,

Pa., on the twelfth day of April, A. D., 1932 at 10.00 o'clock A.M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present

~~on Monday, the 11th day of April, 1932, at one o'clock P. M., the view having been continued to that hour by the viewers on Friday, April 8th, 1932, at one o'clock P. M. by reason of inability of all the Viewers to be present on the day and hour originally fixed by the Viewers. Notice of the continuance was duly noted on the notices. At the View there were present only Paul Smith and Isaac Condon, Supervisors of said Township.~~

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the twelfth day of April,

A. D. 1932, when the parties interested in the said road were in attendance: that is, the Supervisors of Girard Township. None of the land owners or others appeared to oppose the vacation sought.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has, become useless, inconvenient and burdensome and is only a connecting road apparently used but little and in no sense necessary for the convenience of the traveling public. The Viewers were of the unanimous opinion that the said road ought to be vacated and they do hereby return the same for vacation.

Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a certain public-----

Road ~~leading from~~ beginning near the W. K. Stewart property now owned by Paul Smith-----

in Girard Township, to- and passing through the Alfred Christ lands to the point of intersection with a public highway known as the Kraft Road

in Girard Township, in Clearfield County, aforesaid,

will meet at *House of Alfred Christ*-----

in Girard Township, on *Friday* the *8th*-----

day of April, 1932, at *100* o'clock, *P.M.*-----

to attend the duty assigned them, of which time and place aforesaid all parties interested will take notice.

The Public Hearing in the matter required by the Act of Assembly, and the Rules of the aforesaid Court, to be held by Viewers, will be held in the-----

Grand Jury Room of the Court House at Clearfield,

Penna., on *Tuesday* the *12th*----- day of

April, 1932, at *1000* o'clock-----

View is continued until Monday April 17th - 1932

Earl G. Boose-----

Harry Reese-----

H. P. Dowler-----

April 2, 1932.

Viewers.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In Re; Vacation of a Public : Of May Sessions, 1932.
Road in Girard Township. : No. 2.

To the Supervisors of Girard Township and the Commissioners
of Clearfield County;

You and each of you/ will please take notice that the under-
signed, appointed by the Court to view and vacate a certain pub-
lic road in Girard Township of said county, described in the the
petition as "beginning near the W. K. Stewart property now owned
by Paul Smith, and passing through the Alfred Christ lands to the
point of intersection with a public highway known as the Kraft Road
said road being approximately 1/2 mile in length", have appointed
Friday the 8th day of April, 1932, at 1.00 o'clock
P---M, as the time of the view; the viewers to meet for said
purpose at the said hour at the House of Alfred Christ

The public hearing in the matter as provided for by law and
the rules of this Court will be held in the Grand Jury Room of
the Court House at Clearfield, Pa., on Tuesday the 12th day
of April, 1932, at 10.00 o'clock A. M., at which times and
places parties in interest may attend.

Carl W. Jones
Henry Reese
W. P. Duvall

Apr. 2, 1932.

Viewers.

Now, April 2, 1932, notice received and copy delivered and ser-
vice is accepted for the Commissioners of Clearfield County.

L. C. Harris
Clerk,

Now, April 2, 1932, notice received and copy delivered and ser-
vice is accepted for the Supervisors of Girard Township.

John H. Hony
Solicitor.

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

~~The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from:~~ No person came to either the view or the public hearing to oppose the vacation and the Viewers are of the opinion that no damage is sustained by the vacation and they have awarded no damages.

~~And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up 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:~~

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

Witness our hands and seals this 14th day of April, A. D. 1932

E. W. Bure [SEAL.]

H. A. Reese [SEAL.]

J. H. Fowler [SEAL.]

Viewers.

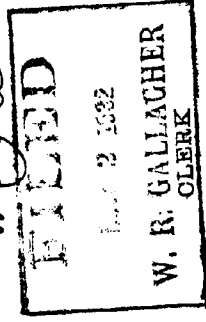
No. 2 May Term 19 32

ORDER TO VACATE

To view and vacate road situate
in the Township of GIRARD
Clearfield County.

Now May 3 Sessions 19 32
read and confirmed Ni. Si.

By the Court
Now By the Court Sessions 19 32
confirmed absolute.



Filed May 2 1932

Atty, John C. Forsyth

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 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
Earl C. Boose	1	80	\$14.00
Harry Reese		45	3.25
H. P. Dowler	1	16	\$8.30