

ROAD DOCKET No. 6

Number	Term	Year
3	May ss	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      )      # 3      <sup>May 22</sup> ~~February~~ Term 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 at the Congress Hill School House and passing from thence through the lands of the Bald Hill Coal Company, J O Leonard and Jule Derminer to the lands of Daniel McGovern Estate, said road being approximately 1 1/2 miles 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 Goudon  
Paul Smith

Supervisors of the Township  
of Girard

STATE OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS:

Before me, the Subscriber, E.D. Billotte  
personally came Henry Smith, Secretary of the Board of  
Supervisors of Girard Township, who being duly sworn according  
to law, says that the facts stated in the foregoing petition  
are true to the best of his knowledge and belief.

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

Henry Smith

E.D. Billotte  
justice of the peace

E. D. BILLOTTE, Justice of the Peace  
LeContee Mills, 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.

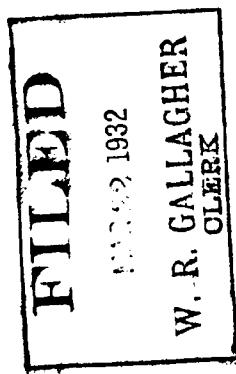
By the Court

PJ

8. 3 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.  
*H. C. Bear*  
P. J.



# 3  
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 ~~Stephen~~ Bell, President Judge of the said Court: Upon the petition of ~~any~~ ~~Supervisors~~ inhabitants of the Township of Girard, in the County aforesaid setting forth that .....

A ROAD BEGINNING AT THE CONGRESS HILL School House and passing from thence through the lands of the Bald Hill Coal Company, J. O. Leonard and Jule Derminer to the lands of Daniel McGovern Estate, said road being approximately 1 1/2 miles 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 appoint 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 appointment, 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 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 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 9th 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 12th day of April, A. D., 1932, at 11.00 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 at the view Messrs Paul Smith and Isaac Condon, the Supervisors of Girard Township, favoring the vacation, and appearing to oppose the vacation were James Leonard, C. P. DeMinier, Blair McGovern, Hobart Beauseigneur, Charles Renaud, P. B. McHenry and other citizens of Girard 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 12th day of April, A. D. 1932, when the parties interested in the said road were in attendance: There attended, the above named James Leonard, C. P. DeMinier, Blair McGovern, Hobart Beauseigneur, Charles Renaud and others opposing the vacation.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has not, become useless, inconvenient and burdensome to that degree that a vacation would be advisable at this time. The viewers therefore decline to recommend a vacation of the road described in the petition.

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:

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

*Frank B. Rose*

[SEAL.]

*H. A. Reese*

[SEAL.]

*H. H. Birne*

[SEAL.]

Viewers.

5  
No. 3 May Term 19 32

## ORDER TO VACATE

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
Carl G. Boose	2	1.54	\$27.70
Henry Looce	2	.54	\$17.70
H. P. Fowler	1	.48	\$9.90

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

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

By the Court.

*J. R. Blaase*  
Now May Sessions 19 32  
confirmed absolute.  
*J. R. Blaase*  
By the Court.

FILED
MAY 2 1932
W. R. GALLAGHER
CLERK

Filed 19

Atty, John C. Forsyth

Fees \$1.25 paid by

# 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-----  
Road leading from the Congress Hill School House and leading through the lands of the Bald Hill Coal Company, J. O. Leonard and Jule Derminier in Girard Township, to the lands of the Daniel McGovern Estate  
in Girard Township, in Clearfield County, aforesaid, will meet at *Congress Hill School House* in Girard Township, on ~~SATURDAY~~ the *7th* day of April, 1932, at *12:30* o'clock, A.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 *11:30* o'clock A.M.

Earl G. Boose

Harry Reese

H. P. Dowler

Viewers.

April 2, 1932.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In Re; Vacation of Public Road : Of May Sessions, 1932.  
in Girard Township, : No. 3.

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

You and each of you will please take notice that the undersigned have been appointed by the Court as Viewers to view and vacate a certain public road in Girard Township, in said county described in the petition as "BEGINNING AT THE CONGRESS HILL School House and passing through the lands of the Bald Hill Coal Company, J. O. Leonard and Jule Derminer to the lands of the Daniel McGovern Estate". The Viewers will meet at the Congress Hill School House in Girard Township aforesaid to view the said road, on Saturday the 9th day of April, 1932, at 10.30 o'clock A.M., and will hold the public hearing in the matter as provided by law and the Rules of this Court, in the Grand Jury Room of the Court House at Clearfield, Pa., on Tuesday, the 12th day of April, 1932, at 11.00 o'clock A.M., at which times and places parties in interest may appear and be heard.

Elmer Buss  
Mary Rose  
H. P. Sawyer

Apr. 2, 1932.

Viewers.

Now, Apr. 2, 1932, notice received and copy delivered, and service is accepted for the Commissioners of Clearfield County.

L. C. Harris  
Clerk

Now, Apr. 2, 1932, notice received and copy delivered, and service is accepted for the Supervisors of Girard Township.

J. H. D. D. D.  
Solicitor.

DEPARTMENT  
CONFESSOR HILL  
School House

JAS LEONARD

JULIE DEMINOUR

NO 3 MAY 1902  
PUBLIC ROAD IN GINGER TOWNSHIP  
CLEARFIELD COUNTY PA.  
VIEWED ON A QUESTION OF VACATION  
APR 11-1932 BY EARL G BOOSE ESO  
H. A. REESE  
H. P. DOWLER

Mc GOVERN