

No. 5 *Jany* Term, 188

*Private Road*

**versus**

*u*

*Sandy Juk.*

**Contents:**

Part R 17014

To the Honorable the Judges of the Court  
of Quarter Sessions of the Peace in and for  
the County of Clearfield at January Ses-  
sions 1881

The petition of Thomas Wayne of the  
Township of Sandy County of Clearfield  
respectfully represents. That your  
petitioner labors under great inconvenience  
for want of a private road to lead from  
the public road running from DuBois  
Sandy Township Clearfield County to West  
Liberty Sandy Township said County to the dwelling  
of your petitioner, in said Township of  
Sandy Clearfield County

Your petitioner, there-  
fore prays the Court to appoint proper  
persons to view and lay out the same,  
according to law; and he will ever  
pray &c. Thomas Wayne

Nov 5 Jan'y 9 1881

Detritus of

Thomas Payne

Private Boat

leaving home the Rebels  
Rosa sending her children  
to seek liberty in Canada  
trusts his to the care  
of Thomas Wayne in  
San Francisco.

Now fully ~~recd~~ 1881 the  
written petition and  
one of Mr. Hugh  
John Beale or  
W. H. Parker and  
appointed  
By the Council

2. 120

Clearfield County, Pa.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 10<sup>th</sup> day of January A. D. 1881, before Judges of said Court, upon a petition of John Wayne ~~sundry inhabitants~~ of the Township of Sandy in said county, setting forth that he is in want of a ~~private~~ Road to lead from Public Road running from Quabois to West Liberty to the dwelling of the petitioner in said town,

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and make report to the Court, whereupon the Court, upon due consideration had of the premises, do order and appoint A. J. McHugh John Blair & W. A. Brothers who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road; they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do least injury to private property, and state particularly whether they judge the same necessary for a public or private road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose lands said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for the said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated lands through which the within road is intended to pass, of the time of the view, according to the 147th rule of Court.

BY THE COURT,

James Kerr

Clerk.

## RELEASE OF DAMAGES.

**KNOW ALL MEN BY THESE PRESENTS:** That we, the undersigned, owners of the 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 the ..... at and before the sealing and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease 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. 188



## ASSESSMENT OF DAMAGES.

The following named persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned, viewers, under oath in pursuance of our duty, under the Act of Assembly do assess their damages and make report thereof, as follows:

To ..... the sum of .....

To ..... the sum of .....

To ..... the sum of .....

Witness our hands this ..... day of ..... A. D. 188

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.

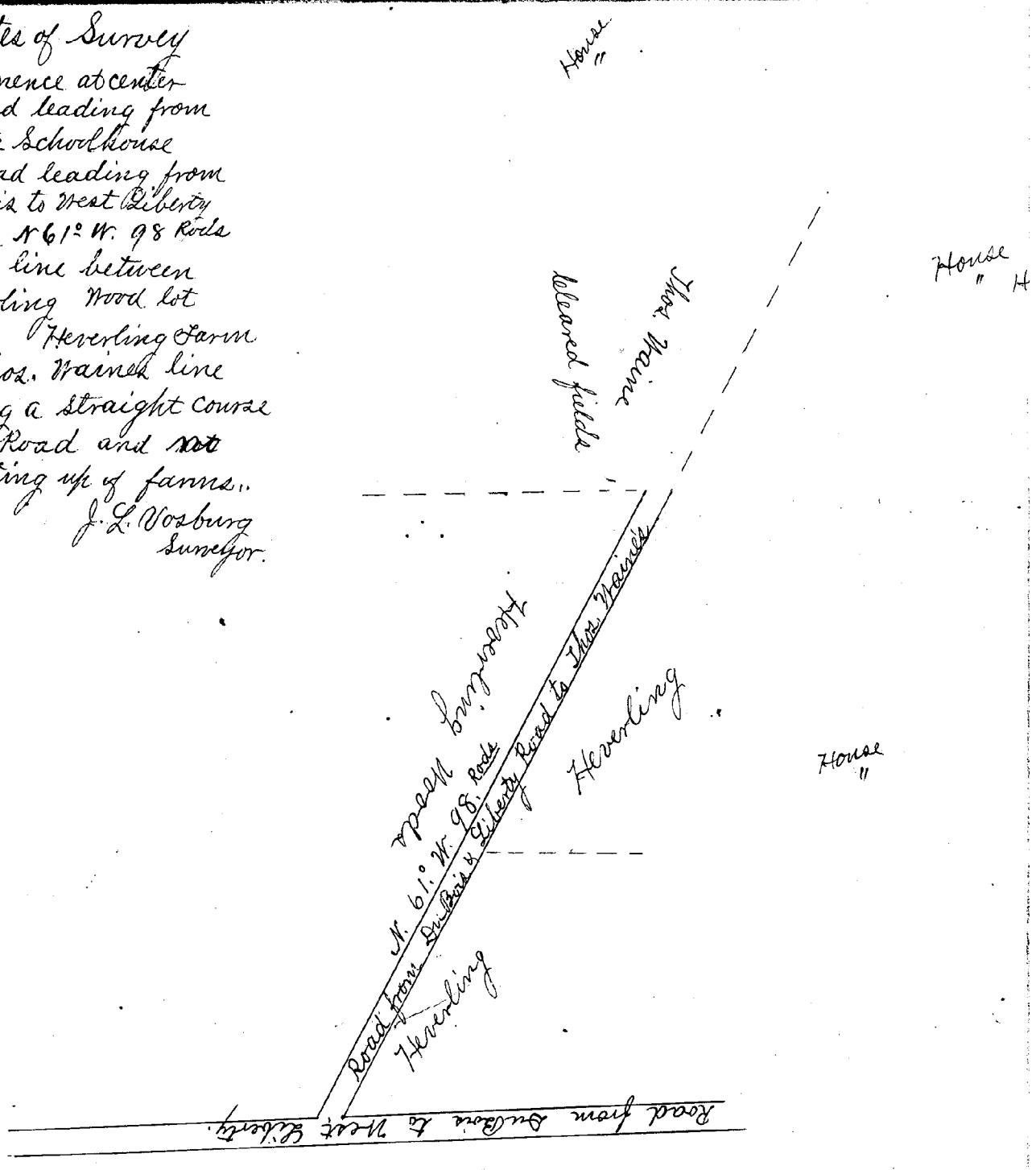
Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

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.

Notes of Survey

Commence at center  
of Road leading from  
White Schoolhouse  
on Road leading from  
DuBois to West Liberty  
thence N 61° W. 98 Rods  
along line between  
Herrling Wood lot  
and Herrling Farm  
to Thos. Maines line  
being a straight course  
for Road and not  
cutting up of farms..

J. L. Vosburg  
Surveyor.



Herrling Shaffer Farm

J. L. Vosburg  
Surveyor  
March 12<sup>th</sup>, 1881  
DuBois, Pa.

Scale 20 Rods  
= 1 - inch

To the Honorable the Judges of the Court of Quarter Sessions of Chester County.

As the undersigned persons appointed by the foregoing order of Court, to view and lay out the road therein mentioned respectfully report;

That having all been present, (notice having been previously given according to law of the time and place of holding said meeting) on the 12<sup>th</sup> day of March at 9 o'clock A.M. 1881, to view of the ground proposed for such road and having all been sworn or affirmed in pursuance of the said order, we have viewed and laid out, and do return for Private road use the following road to wit; (but would recommend to the Court that said road be made a Township, as it will be needed for Township travel and accommodation) Beginning at Center of Road leading from White School House (from duBois) to West Liberty, Thence N. 61 degrees West Sixty eight Rods along line between Heberlings woods left and Heberling farm to Thomas Waynes line, being a straight course from road and no cutting up of farms, and further we assess no damages as no injury is done but rather that said road is an advantage to the land which it passes through.

Which said road as laid out, we are of opinion is necessary for a public or private road.

Witness our hands, This 19<sup>th</sup> day of March  
AD One thousand eight hundred and eighty one

W. W. Prothero

John Blair

Mo 5 Jany 1881

No. 5 Jany Session, 1881

ORDER

To view and Lay out a Road

For Private Use in the township

of Sandy Clearfield county.

now run on 23d 1881

confirmed on 2d and  
acc'd to be open to  
traveling persons

By the County

line 2, 1881.

Confirmed above

By the County

C. C. Zee

R. J.

Filed 21 Mar 1881

FEES \$1<sup>25</sup> Paid by R. P. McPherson

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