

No. 16, *May* Term, 1884

Vacate vs. Supply
Public Road

versus

Sandy Downship

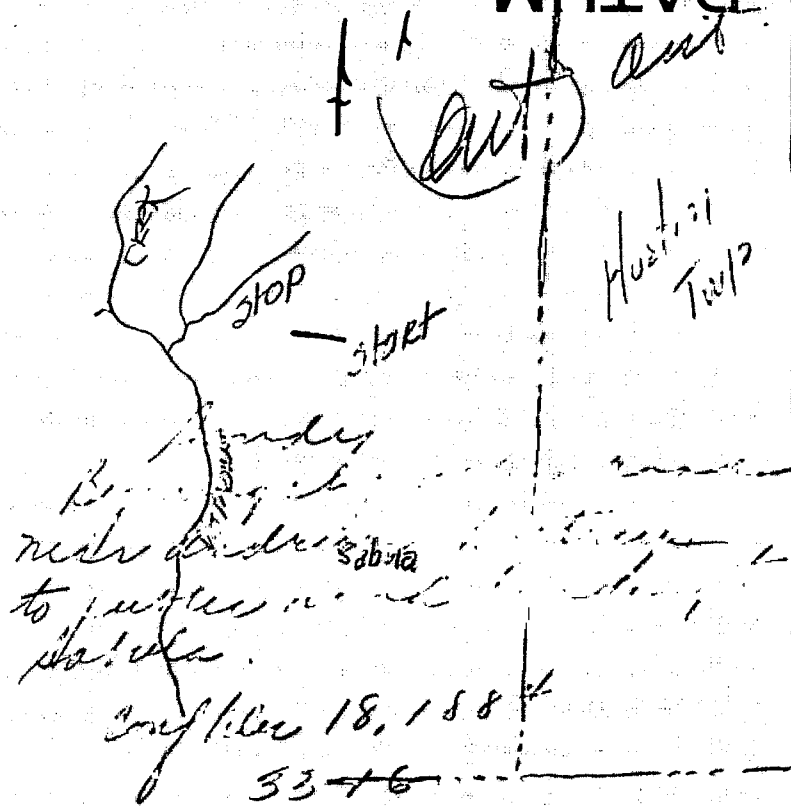
Contents:

62



vacated

74111 VCL



Joseph Brandy

Rinaldo Ransin

Anthony Brandy

James Brandy

Alexander Brandy

John Brandy

W. A. Brandy

John Place

Andrew Dwyer

J. G. Brandy

Joseph Washburn

E. E. Washburn

Sam Dyer

B. G. Litan

H. Wiggley

H. H. Walker

Wm. Long

Augusta Brandy

To the Honorable the Judges of the Court
of Quarter Sessions of the Peace in and
for the County of Cleaveland.

The petitioners of the undersigned,
inhabitants of the Township of Sandus
in said county respectfully sheweth.

That the public road leading from
Andrew Outtripe to intersect public road
leading from Mrs E Berkey to Sabula
your petitioners conceive has become
useless inconvenient and burdensome by
running almost parallel with Sabula
road and intersecting at Mrs E. Berkey.

Your petitioners therefore pray the Court
that the said road may be vacated
and public from Andrew Outtripe
to intersect said Sabula road at any
point between Eastern and Western line
of Jos New and Geo Brown of Eastern
and Western line of J. S. Sumner and Geo
Brown. Said road being more direct
thereby shortening the road and being
more convenient to your petitioners.

Your petitioners therefore pray to Court
to appoint proper persons to view and
lay out the same according to law
and they will ever pray &c.

16 Jan 1884

Petition to vacate and
supply public road
leading from Andrews

Outroad to a public
road leading from
Mrs E. Berthoff's land
Andrews

Andrews Jan 14 1884
Petition, laws and
grants and

J. L. Breckinridge
Land Bureau

Geo. B. Bannison
are appointed referees to make
report at March 1884

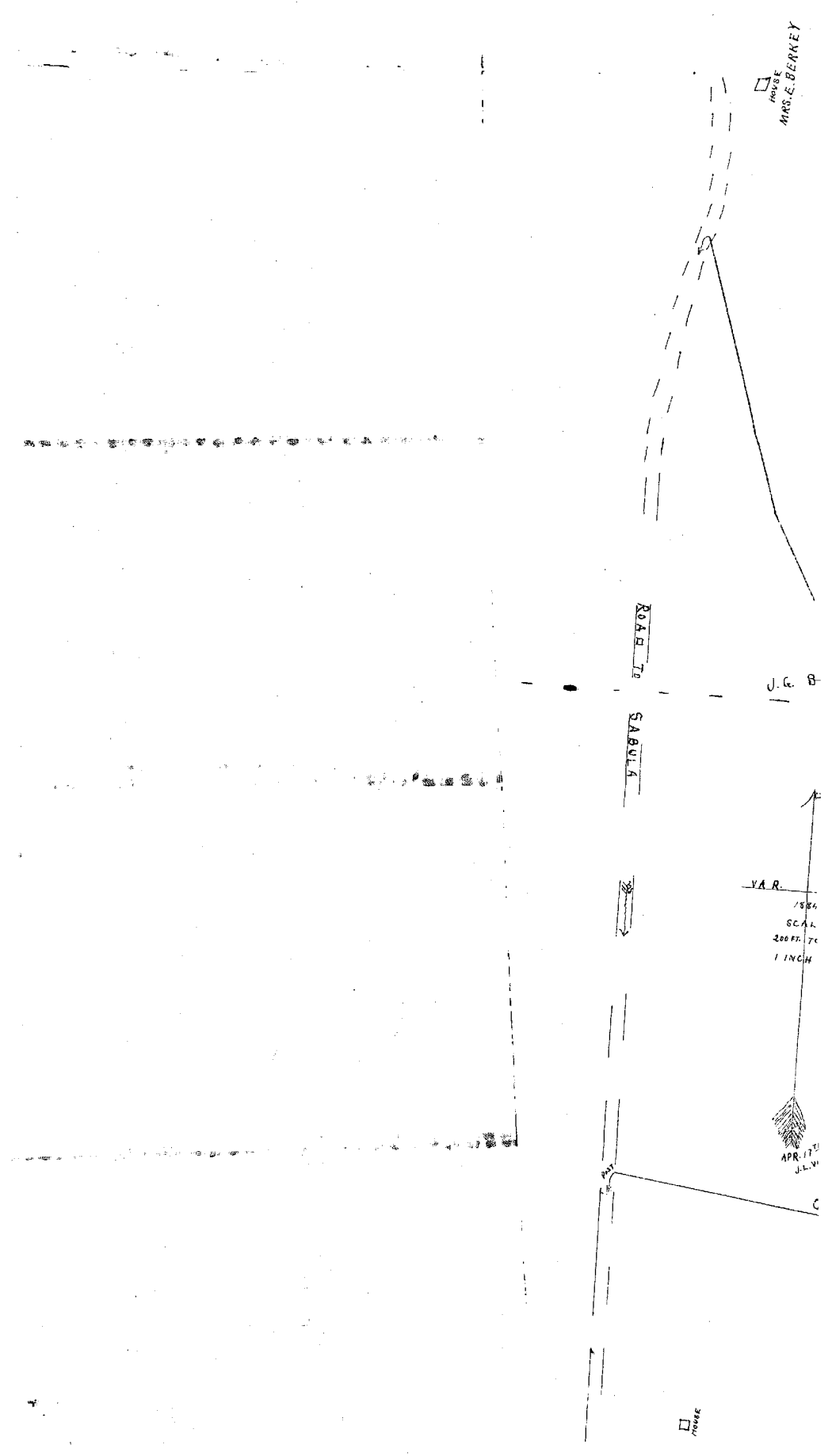
Filed 14 Jan 1884

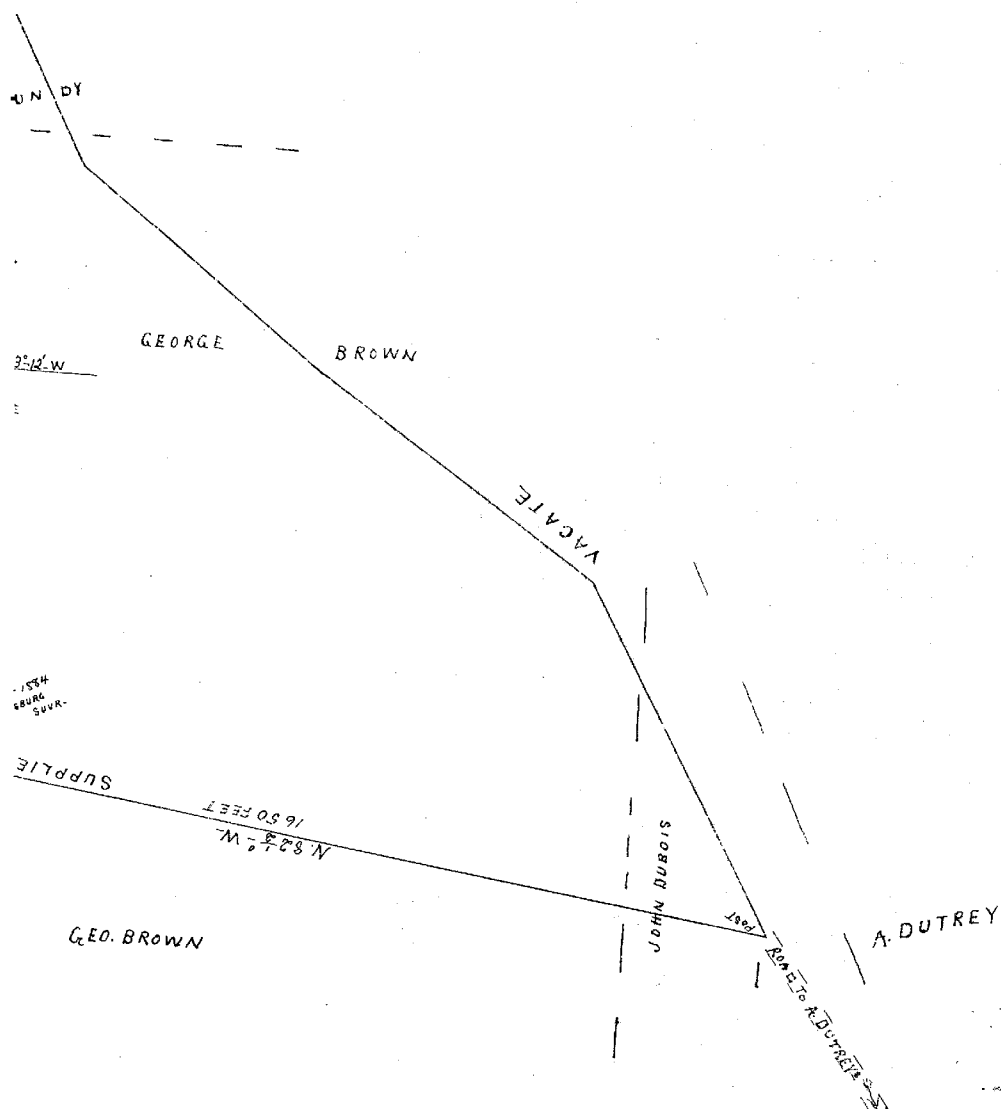
Dr. McArthur

13 March 1884 This petition enlarged until May 1884 by the Court

To the Honorable the Judges within named—
We the undersigned, persons appointed by the
within order of Court, to view the road therein
mentioned, respectfully report: that having been
present at the view of the said road, and having
all been first severally sworn or affirmed, in
pursuance of the said order, we have viewed
the said road, and that we are of opinion that
the same has become useless, inconvenient, and
burthensome, and ought therefore to be vacated, as
follows. Beginning at a post in public road
near Andrew Dutreys, thence North Thirty one degree
~~West~~ Six hundred and twenty feet to a post. Thence
North fifty seven degrees ~~West~~ five hundred and
forty feet to a stump. Thence ~~South~~ North fifty four degrees
~~West~~ five hundred feet to a Stump. Thence North
twenty eight and three fourth degrees West four hundred
and seventy feet to a post. Thence North Seventeen
degrees West five hundred and fifty feet to a post
in public road leading to Sabula near Mrs. E. Berkey
And have supplied the following road to Mt.
Beginning at a post the same starting point
for the above vacated road. (a post in public road
near A. Dutreys) Thence North Eighty two and one
half degrees West Sixteen hundred and fifty feet
to public road leading to Sabula.
a plot or draft whereof is herunto annexed, which
said road, so as aforesaid laid out, we are of opinion
is necessary for a public road. Witness our hands
this Nineteenth day of April A.D. 1884

J. L. Vosburg } (newers)
Samuel Brooks }
George Fowler of





CLEARFIELD COUNTY, SS.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 14th day of January, A. D. 1884, before Judges of said Court, upon a petition of sundry inhabitants of the township of Sandy, in said county, setting forth that the Public Road

leading from Andrew Buttry's, to intersect Public Road from Mrs. E. Berkeys to Sabula has become useless inconvenient & burdensome by running almost parallel with Sabula Road and intersecting at Mrs. E. Berkeys that the said Road may be vacated and supplied from A. Buttry's to intersect said Sabula road at any point between Eastern and Western line of Geo. Whew and Geo. Brown and Eastern & Western line of J. G. Bundy and Geo. Brown, said route being more direct, shortening the Road and being more convenient —

and therefore praying the Court to appoint proper persons to view and lay out the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint J. P. Voshung, Paul Brown & Geo. Brown 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 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 ensembling 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 .

[L. S.]

[L. S.]

[L. S.]

[L. S.]

ASSESSMENT OF DAMAGES.

The following 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 .

You and each of you do severally
swear that you will faithfully
perform the duties assigned (as per
within order) to your best judgment

sworn and subscribed
before me this 17th day
of April A.D. 1884.

J. L. Vossberg sworn }
Samuel Breun }
George Bowler }
by me

J. A. Perry J.P.

NOTE—In case of a Physical Injury, 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 of the proposed return.

Viewers cannot interfere so far as the location may be changed by the taxpayers.

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 him effect.

J. & W. Andrews } Days 2 ⁶⁷/₁₀₀ Amount.
Miles 16 ³⁶/₁₀₀ 1192
9, 60

Days / Miles 12.44
Days / Miles 12.44
Days / Miles 12.44

David Anthony Miles 12 #347 3.20

A. Gutrey (at hand) { Days 1
Miles 150

Days	
Miles	# 20.30

No. 16 June Session, 1887

17448-170

To view and Lay out a Road,

For Julie use in the township

of Savary Clearfield county.

26th May 1884. Confirmed as a
road to be placed 23 feet wide
except where digging and exposed
and then to be 16 feet wide
to be 16 feet wide

18th December 1884

Confirms Liberty
By the Court
of Appeals
1898

Filed 26 May, 1884

Fees \$1, paid by ²⁵ Groedelbank