

No. 3, Sept Term, 1882

Supply & Vacate  
Public Road  
~~COMMONWEALTH~~

versus in

Sandy Township

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Clearfield County, ss.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 3<sup>rd</sup> day of September, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Sandy, in said county, setting forth that

They labor under great inconvenience for want of a public road to begin in a public road leading from DuBois to Sabula at a point about three hundred feet north of N. Railroad Crossing on land of H. A. Bernard in the Township of Sandy and to end in said public road leading from DuBois to Sabula at a point on West line between John E. DuBois & said H. A. Bernard opposite road leading from Shaffer siding to New Salem in said Sandy Township. & pray the Court to appoint Viewers to view the ground proposed and if they should see occasion to lay out the same to inquire and locate the public road now opened from the intersection of road leading from New Salem to Shaffer siding with the road from DuBois to Sabula at the end of proposed new road 300 feet north of the A. & P. R. Crossing on land of H. A. Bernard and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Make report at next Term

whereupon the Court, upon due consideration had of the premises, do order and appoint Geo. C. Kirk Jas. J. Daly & J. P. Saylor 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 the 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 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.

A. M. Blum,  
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, or and in consideration of the sum of ONE DOLLAR to us respectively paid by the ..... at and before the en sealing 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. 189 .

Seal

Seal

Seal

Seal

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. 189 .

To the Honorable, the Judge within named: We the undersigned, appointed by the annexed order do report; That in pursuance thereof, after having been severally duly sworn according to law, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and we do agree that there is occasion for a road as desired by the petitioners, 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, in our opinion, do the least damage, or injury to private property, and as far as practicable agreeably to the desire of the petitioners, and do return for public use the following described road, to wit:—Beginning at a post in the public road leading from Dubois to Sabula, on the line between lands of J. E. Dubois on the west, and H. A. Berwin, Trustee, on the east, Thence N.  $21\frac{1}{2}^{\circ}$  E. on said line, one hundred and ninety-seven (197) feet to a post; thence N.  $78^{\circ}$  E. on lands of said Berwin, one hundred and ten and a half ( $110\frac{1}{2}$ ) feet to a post;—thence still on lands of said Berwin, S.  $86\frac{3}{4}^{\circ}$  E., one thousand and fifty-seven (1057) feet to a post;—thence N.  $52^{\circ}$  E., still on lands of said Berwin, one hundred and sixty-one (161) feet, to a post in said road leading from Dubois to Sabula. We further report that we have inquired and do vacate the following described public road, to wit:—Beginning at a post in the public road leading from Dubois to Sabula, in the line of lands of J. E. Dubois and H. A. Berwin, aforesaid;—Thence N.  $72^{\circ}$  E., in said old road, and on lands of said H. A. Berwin, two hundred and seventy-five (275) feet to a post;—thence S.  $85^{\circ}$  E., still on lands of said H. A. Berwin, six hundred (600) feet to a post;—thence N.  $78\frac{1}{2}^{\circ}$  E., still on lands of said H. A. Berwin, two hundred and eighty-seven (287) feet, to a post;—thence N.  $33^{\circ}$  E. still on lands of said H. A. Berwin, three hundred and ninety-eight (398) feet to a post in the public road leading from Dubois to Sabula. The undersigned further report that there are no damages resulting to the respective owners of the land through which said road passes, by reason of the opening of the same. Also, that before said view, public notice of the time and place of the meeting of the viewers was given by advertisements put up at three of the most public places in the vicinity, ten days before said meeting. And we annex a plot or draft of said road laid out, stating the courses and distances, and noticing briefly the improvements through which the same passes, and also a description and draft of the road vacated. Witness our hands, this 26th. day of Sept. 1892.

Geo. C. Kirk. } viewers  
J. P. Taylor }  
J. J. Daly }

Recd

NO 5 SEPTSESSIONS, 1892

ORDER

Supply & Vacate

To view ~~and vacate~~ a road for

Public use in the township of

Gandy, Clearfield Co.

Dec - Sessions 1892,

read and confirmed Ni. Si.

Road to be opened 33 feet wide,

except where there is side hill,

cutting or embankment and

bridging, there to be 16 feet

wide.

By the Court

Feb'y Sur 1893, Confirmed absolute

By the Court

Filed 5 December, 1892

Fees \$1, paid by M. B. B. B.

PUBLIC SHERIFF PRINT.

NOTE.—In case of a private road, the release must be counted 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.

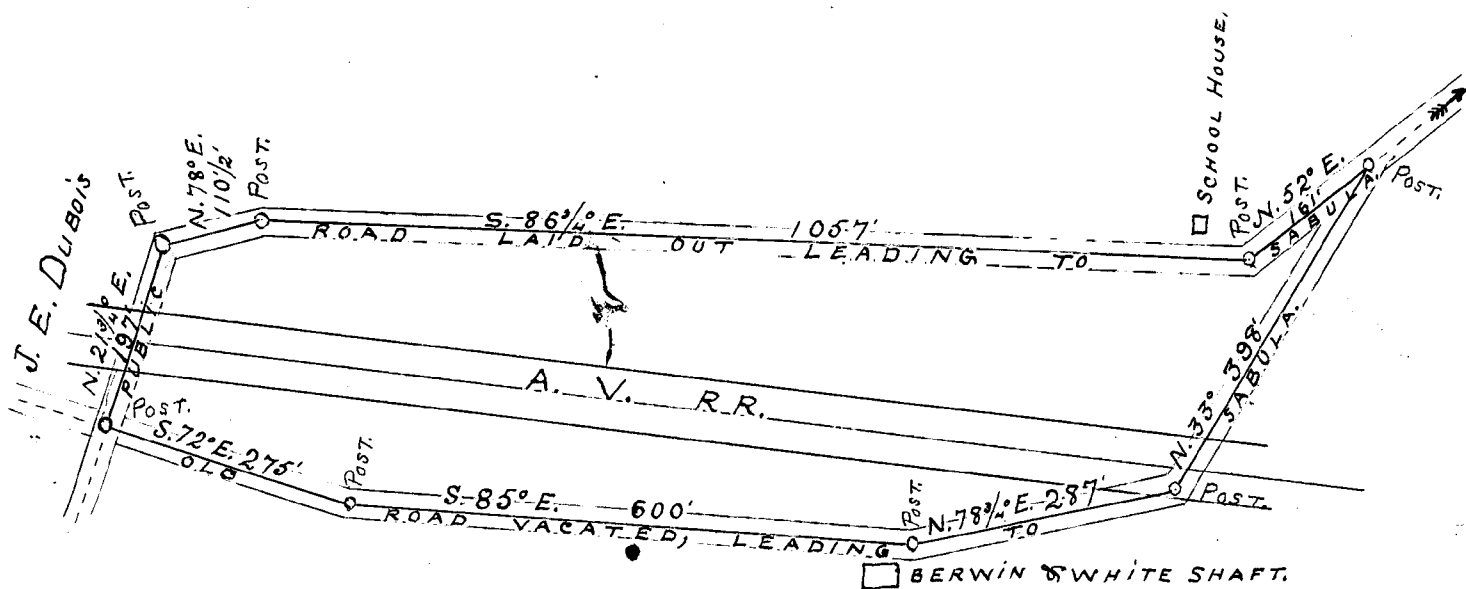
AMOUNT.  
Geo. C. Hinkle } Days 2 8.00  
Miles 7 .70

Prof. Daley } Days 1 2.00  
(Cut #1246) Miles 2 .20

J. P. Taylor (Cut #1246) } Days 1 2.00  
Miles 1 .20

} Days  
Miles

} Days  
Miles



To the Honorable, the Judge of the Court of Quarter Sessions of  
Clearfield County.

The petition of the undersigned respectfully represents:

That they labor under great inconvenience, for want of a public road, to begin in a public road leading from DuBois to Sabula, at a point about three hundred feet North of ~~R.R. crossing~~ A.V. Railroad crossing on land of H.A. Berwind, in the Township of Sandy, and to end in said public road leading from DuBois to Sabula at a point on ~~South~~ West line between John E. DuBois and said H.A. Berwind, opposite road leading from Shaffer siding to New Salem, in said Sandy Township: The petitioners therefore pray the Court to appoint the requisite number of persons qualified according to law, to view the ground proposed for such road and, if they should see occasion to lay out the same, to inquire of and vacate the public road now opened from the intersection of road leading from New Salem to Shaffer siding with the road from DuBois to Sabula, at the end of the proposed new road, to a point three hundred feet North of the A.V. Railway Crossing on land of H.A. Berwind, in the township of Sandy, which last mentioned road will, by reason of the laying out of the proposed road, become useless; and make report of their proceedings to the next Court.

And they will ever pray &c.

Aug. 25<sup>th</sup> 1892

*R. E. Smiley Supervisor*

*J. L. Shaffer*

*J. A. Bowersox*

*D. H. Trude*

*Henry Delada*

*G. E. Johnston*

*Benjamin Black*

C. E. Goodwin  
G. S. Ogden  
Peter Reisinger  
Geo. Hafford  
Johnathan Reisinger  
J. P. Reisinger  
J. W. Weaver  
John Dudgeon  
W. M. R. Reisinger  
Isaac L. Hess

Mo 5 Sept 1892

Petition to Supply  
and ~~state~~ a ~~new~~  
beginning at Perim 2 on  
No. 7 Creek. A.C. R.R. 4  
now at line between H.C.  
Committee of J.E. Bussard  
at Sandy Township

known as Sept 1892 Geo  
P. H. G. J. D. D. D. D.  
J. H. Taylor, Appointed  
Worship & Report and  
Wm. W. W. W.

Mo 5 Sept 1892

W. C. PENTZ,  
Attorney at Law,  
DU BOIS, PA.

John C. Clark & Sons, 230 Dock Street, Philadelphia.

Order to Alvin G. W. W. W.