

No. 9, Sept 33 ~~Term~~, 1896

Public Road

~~Versus~~

Sandy Township

Contents:

In Re. the Petition to
Repeal Robert Bond
 in Sandy Township Clear-
 field County, Pa.

In the Court of Quarter Sessions of
 Clearfield County
 No. 7 September Session 189

-6

Exceptions to Report of viewers

New, 4th Jan. 1897, David Shaffer representing citizens of Sandy Township, files exceptions to the confirming of the report of Viewers in the above case as follows

FIRST. John Lyons one of the viewers circulated the petition to get the signers thereon and is interested in the matter

Second . The petition filed in this case is signed by J.A. Lyons, W.H. Lyons who are sons of John Lyons one of the viewers, and by David Lyons who is a relative of the said John Lyons/

David Shaffer

Clearfield County ss.

David Shaffer being sworn says the above exceptions are correct and true to the best of his knowledge and belief Sworn and subscribed before
David Shaffer
 me this 7th day of Jan.

A.D. 1897

W. H. Lyons
W. H. Lyons

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 27th day of May, A. D. 1896, before Judge of said Court, upon a petition of sundry inhabitants of the township of Sandy Township, in said County, setting forth that

they labor under great inconvenience for want of a public road in said Township, commencing at a point on the DuBois and Liberty Road at a point where a point leads to the Luthersburg Road about a mile North of Liberty to a point on another road which intersects the same road from the Luthersburg Road to near the Boro. line of DuBois at a point East of the rim that runs past Speers saw. mill near a division fence between the Wilson Brothers and David Shaffer

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and make report to Sept ss 1896 whereupon the Court, upon due consideration had of the premises, do order and appoint George C. Fink, Harvey Walls & John Lyons 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 land 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 land 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.

D. J. Geringer

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 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

ASSESTMENT 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 Mrs. Annie Jeffrey the sum of Twenty dollars.
To Thomas Johnson the sum of Twenty-five dollars.
To the sum of

Witness our hands this 28th day of Novr, A D. 1896.

Geo. C. Keirke.

John Lyons

Harvey Walls

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 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 point in the public road leading from Dubois to Liberty, near where a public road leads from said road about a mile north of Liberty to the Luthersburg road; thence N. 16 1/4° E., through wood land belonging to C. H. Prescott, 176 feet to a post; thence N. 8 1/4° W., through same, 153 1/2 feet to a post; thence N. 13 1/2° E., through same, 300 feet to a post; thence N. 29 1/4° E., partly by lands of said C. H. Prescott and partly through wood land of Mrs. Annie Jeffrey, 1190 feet to a chestnut; thence N. 39 1/2° E. through wood land of said Mrs. Jeffrey, and also through improved lands of P. S. Heberling, Thomas Johnson, Robert Logan and Wilson Bros., 2020 ft. to a post. Thence N. 74° 10' E. through improved lands of said Wilson Bros., 1150 feet, to post in the public road, south of the Heberling run and near the division fence between lands of Wilson Bros and David Shaffer. We further report that there are no damages accruing to any of the owners of the land through which said road passes, by reason of the opening of the same, except Mrs. Annie Jeffrey and Thomas Johnson, and therefore, having taken into consideration the advantages as well as the disadvantages, to be derived to the said Mrs. Annie Jeffrey and Thomas Johnson, from the road passing through their lands, we have assessed the damages sustained by the said Mrs. Annie Jeffrey, at twenty dollars, and the damages sustained by the said Thomas Johnson at twenty-four dollars. 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, personal notices was given to the owners of the land through which said road passes, and also notices to the county commissioners ten days before said view, 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.

Witness our hands this 28th. day of November A.D. 1896.

Geo. C. Keirle.

John Lyons

Harvey Walls

} viewers

That more Sept-28 1896. On motion of J. S. McLean
 Attorney for petitioner. He wishes now to move
 and lay out a Public Road in Dancy
 Township is Continued to December Term 1896
 By the Court
 Order for 49' and
 Henry J. J. J. J.

No. 9 Sept Sessions, 1896

ORDER

To view and lay out a road for
 Purview in the township of
 Agency: Cleunfield Co.
 N. B. Sessions, 1896

Read and confirmed N. B. Si.
 Road to be opened 33 feet
 wide, except where there is
 side hill cutting or embank-
 ment and bridging, there to
 be 16 feet wide.

By the Court
 Cyrus Gordon

Filed 9 Nov, 1896
 Fees \$1.25, paid by Atty

NOTE.—In case of a private road, the release must be ex-
 ecuted in favor of the petitioner for said road.
 Also.—Viewers will carefully note the number of days en-
 played, and set the amount out at the foot of their report.
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Geo. C. Hovis	Days 2	12.00
John Lyons	Days 2	14.00
Harry Wall	Days 2	4.00
	Days 2	.20
	Days	
	Miles	
	Days	
	Miles	

"Henson"

To the Honorable *Byrnes* Gordon President Judge
of the Court of Quarter Sessions of Clearfield County, Penna.

The petition of the undersigned inhabitants of the
Township of Sandy in the county aforesaid respectfully represents:
That they labor under great inconvenience for want of a public
road in said township and county. Commencing at a point on the
Du Bois and Liberty road at a point where a road leads to the
Luthersburgh road about a mile north of Liberty To
a point *on* ^{which} another road intersects the same road from the
Luthersburgh road, near the borough line of Du Bois at a point
east of the run, that runs past Speers' Saw Mill near a division
fence between *The Wilson brothers and David Shaffer*

The petitioners therefore pray the Court to appoint
proper persons qualified according to law to view the ground
proposed for such road and if they see occasion to lay out the
same to make report of their proceedings to the next term of this
Court and they will ever pray.

<i>Names</i>	<i>Names</i>
<i>J. F. Heberling</i>	<i>J. C. Kiel</i>
<i>Andrew. Wall</i>	<i>W. H. Litch</i>
<i>G. W. Heberling</i>	<i>Lea Mitchell</i>
<i>H. H. Kneff</i>	<i>P. J. Kneff</i>
<i>H. H. Kneff</i>	<i>Geo. Jeffery</i>
<i>Isaac M. Kneff</i>	<i>James Jeffery</i>
<i>J. L. Shaffer</i>	<i>Daniel Shaffer</i>
<i>J. M. Shaffer</i>	<i>Isaac Shaffer</i>
<i>A. L. Kneff</i>	<i>J. A. Lyons</i>
<i>M. G. Heberling</i>	<i>W. G. Lyons</i>
	<i>A. L. Kneff</i>
	<i>David Lyons</i>

J. M. Schiller

John Hoover

Simon Hoover

A. M. Rascoe

J. B. Brownson

Alex Berkey

Petition of the citizens
of Sandy Township for a
new road.

From the Du Bois and Illinois
Road
To
a point near the Du Bois
circuit line,

FILED MAY 27 1896

That now May 27, 1896.
The within petition having
been presented, in open
Court, and duly con-
sidered, the following
resolves are adopted:
To view and lay out
said road, and to kind
survey, and report at
next term.

By the Court
Cyrus Garbutt

APPOINTED
REMOVED
188 Nevada
HENRY HALL, LAW STATIONER, MOHAWK, PA.

Wm. H. H. H. H. H.
H. H. H. H. H. H.

