

No. 9, Sept 25, 1890

Public Road

~~Forous~~

Sandy Township

Contents:

In Re. the Petition to
Jacob Peter Powell
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

*McRae
Mary R.W.*

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 faint where a point leads to the Luthersburg Road about a mile North of Liberty to a faint on another road which intersects the same road from the Luthersburg Road to near the Bass line of DuBois at a point East of the run 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 8th 1896 whereupon the Court, upon due consideration had of the premises, do order and appoint George C. Spink, 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 ~~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. Gingery
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 ensealing 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 Nov , A. D. 1896.

Geo. C. Kirk

John Lyons
Barney 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. $16\frac{1}{4}$ ° E., through wood land belonging to C. H. Prescott, 176 feet, to a post; thence N. $8\frac{3}{4}$ ° W., through sage, 1532 feet, to a post, thence N. $13\frac{1}{4}$ ° E., through same, 300 feet, to a post. Thence N. $29\frac{3}{4}$ ° 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. $39\frac{1}{2}$ ° 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. $74^{\circ} 10' E.$, through improved lands of said Wilson Bros., 1150 feet, to post in the public road, south of the Heberling farm 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-five 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 notice 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

Witness

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

Also.—Viewers with carefully note the number of days employed, and set the amount out of the cost of their property. Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed.

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.

No. 9 Sept. Sessions, 1896

ORDER

To view and lay out a road for
public use in the township of
Stony Creek
Vt. County
Sessions, 1896

read and confirmed Ni. 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 Order
Cyrus Bond
of the

Filed Nov 1, 1896
Fees \$1. Paid by County

Glennon

To the Honorable Lyman 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.

<u>Names</u>	<u>Names</u>
J. H. Heberling	J. C. Kiel
Andrew. Wall	W. H. Gilach
H. M. Heberling	John Mitchell
H. H. Knecht	Geo. Jeffery
H. H. Knecht	James Jeffery
Geo. W. Kress	Daniel Shaffer
J. R. Shaffer	Isaac Shaffer
J. M. Dill	J. A. Lyons
A. F. Knecht	H. H. Lyons
W. G. Kress	A. L. Koller
	David Lyons

J. P. McSherry
John Hoover
Simon Sloane
A. M. Roseve
F. B. Morris or
Alex Beekley

Retition of the citizens
of Sandy Township for a
Public Road.

From the citizens and others
Road to
a point near the Du Bois
Church line.

FILED MAY 27 1896

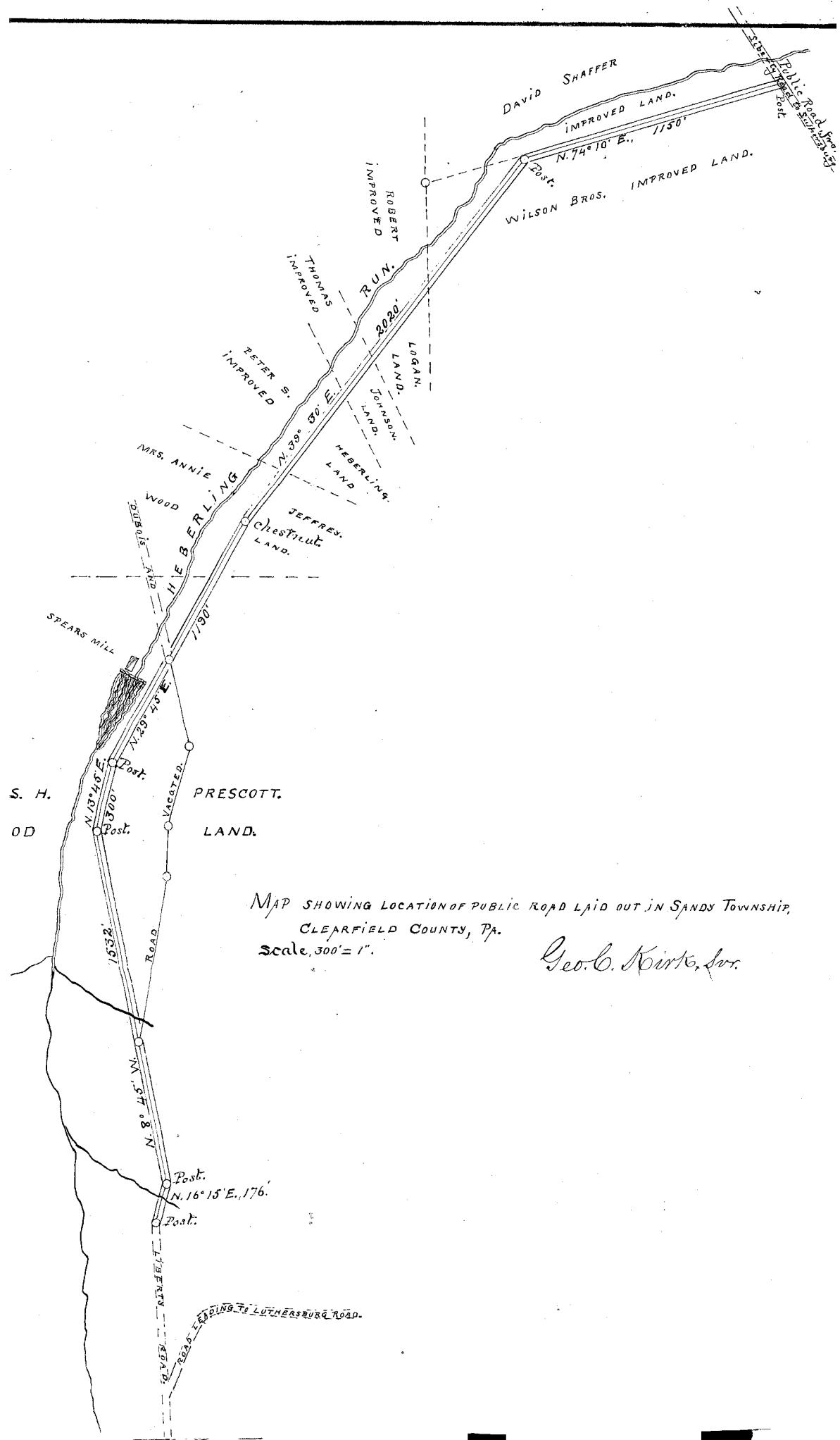
That is now May 27, 1896.
The petition of many
has been presented, an open
Court, and duly con-
sidered. The following
resumes are of course
to answer and have and
said roads, one to Henry
Hannay, Wood, and others
for only, and regular as
here, been.

By the Clerk
James Gandy

Attest,
Henry Hall, Attorney
for the People.

HENRY HALL, LAW STATIONER, INDIANAPOLIS, IND.

Attest,
John H. Johnson,



MAP SHOWING LOCATION OF PUBLIC ROAD LAID OUT IN SANDY TOWNSHIP,
CLEARFIELD COUNTY, PA.

Geo. C. Kirk, Jr.