

No. 40, Sept. 5, 1896.

Vacate part of
Public Road

Versus

Sandy Township

Contents:

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

The petition of the undersigned inhabitants of the Township of Sandy in said county showeth: That a road has long since been laid out from Du Pois to Liberty a part of which road, the Beginning at a point on said road where a road leads to Luthersburgh road about a mile north of Liberty To a point on the same road east of the run at the Speers Saw Mill, which part of said road your petitioners conceive is now become useless, inconvenient and burdensome. Your petitioners therefore pray the court to inquire of and vacate said road and for that purpose to appoint proper persons qualified according to law to view the said road and inquire of the said premises and make return of their proceedings at the next term of this court and they will ever pray.

Names	Names
J. J. Heberling	J. C. Kiel
Andrew Wall	C. A. Mitchell
J. W. Heberling	John Jeffery
J. H. Kness	James Jeffery
J. H. Kness	Daniel Shaffer
J. H. Kness	Isaac Shaffer
J. R. Shaffer	J. A. Lyons
J. H. Kness	W. H. Lyons
A. H. Kramer	A. B. Shaffer
W. O. Heberling	David Lyons
W. H. Kness	

Petition of the Citizens of
Saw Mill Township to vacate
part of a public road.

From the Tu Fois and Liberty
Road To
a point on the same road
east of the run at the Spears
Saw Mill.

FILED MAY 27 1896

and now pray May 27 1896
the within petition
having been presented
and concurred
as to kind, however
leaves and other forms
are approved and
in accordance with the
written petition, the report
as now follows:

Wm. G. Carrick
John Gandy

ATLANTIC
GENERAL ATTORNEY
HENRY HALL, LAW STANDING, INDIANA, PA.

Given to him, Hanover, Pa.,
June 1, 1896.

In Re. the Petition to * In the Court of Quarter Sessions of
* Clearfield County
Say one or Both Roads * No. 10 September Session 189
in Sandy Township Clear- * -6
field County, Pa. *
*
*

Exceptions to Report of viewers

Now, 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 4th day of Jan.

A.D. 1897

*McBryde
Molly Deen*

3 The petitioner does not designate the
slender favor of the preferred road

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 a road has long since been laid out from DuBois to Liberty a part of which road beginning at a point on said road where a road leads to Luthersburg road about a mile North of Liberty to a point on some road East of the Run at Speers Saw Mill which part of said road your petitioners is now become useless, inconvenient and hindrance

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report at Dec. sess 1896 whereupon the Court, upon due consideration had of the premises, do order and appoint George C Spert 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. Gingrey
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 :

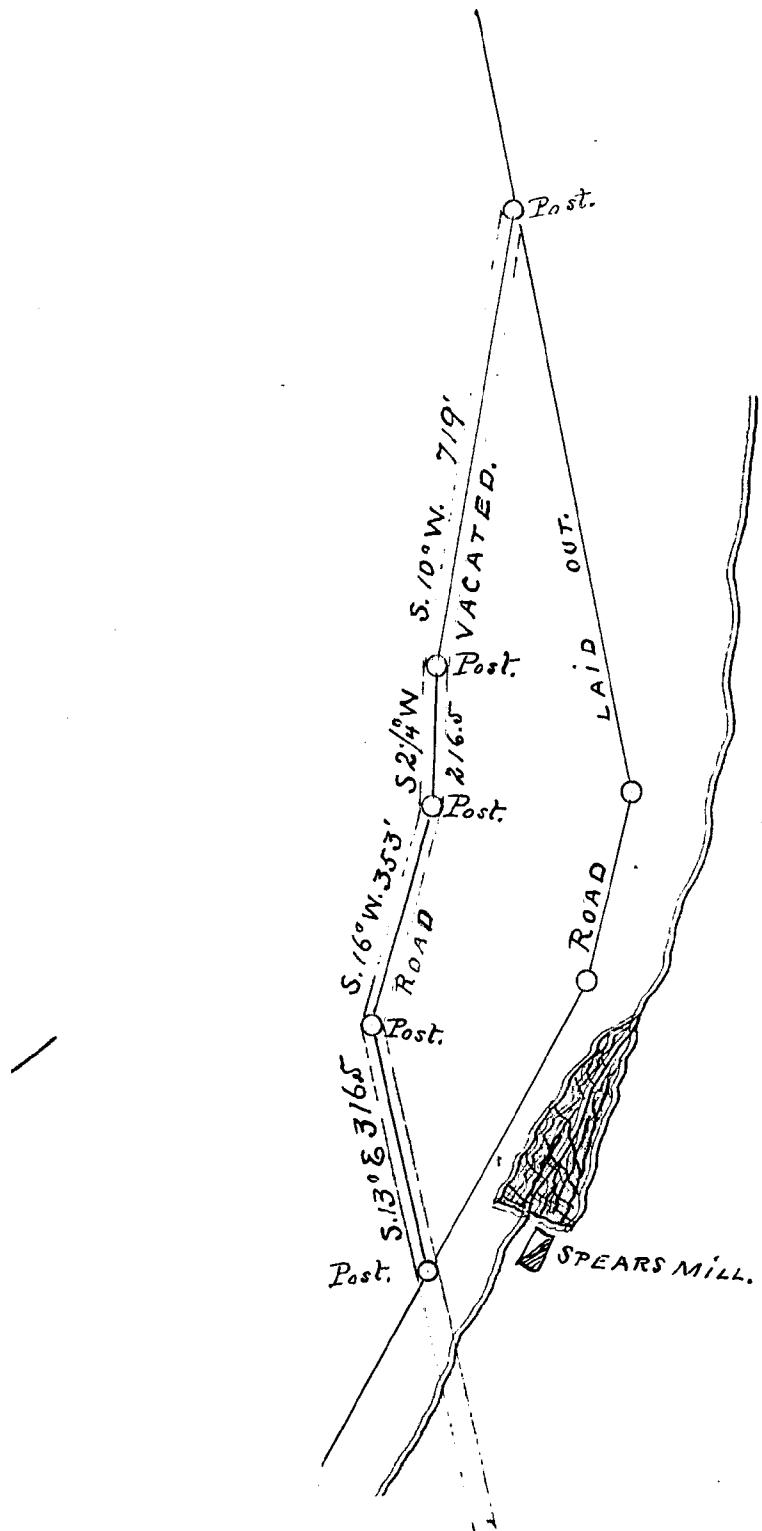
To the sum of

To the sum of

To the sum of

Witness our hands this day of , A. D. 189 .

South.



To the Honorable, the Judge within named: We the undersigned,
appointed by the annexed order do report; That in pursuance there-
of after having been severally duly sworn according to law, all the
viewers appointed by said order, viewed the road proposed
within to be vacated, and we do agree that there is occasion
to vacate the same as desired by the petitioners, and we have
enquired and do vacate the following described public road,
to wit:—Beginning at a point in the public road leading from
DuBois to Liberty, thence N. $10^{\circ} 8'$ E., 719 ft. to a post. thence N. $2^{\circ} 4' E.$, 216.5 ft. to
a post. thence N. $46^{\circ} E.$, 353 ft. to a post. thence N. $13^{\circ} W.$ 316.5 ft. to a post in
public road laid out by No 9 Sept Sessions 1896, which by reason
of the opening of said road laid out by No. 9 Sept. Sessions, 1896, will
become useless and burdensome. And we also annex a plot or draft
of said road vacated.

Witness our hands this 28th day of November AD. 1896

Geo. C. Kirk. }
John Lyons }
Harry Hall } *viewers*

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 due review.

N. B.—If the viewers believe the properties are not entitled to damages, or if the petitioners believe the damages are not the responsibility of the road, they will report to that effect.

No. 10 Sept Sessions, 1896

ORDER

To ~~assess~~ lay out a road ~~for~~
in the township of
Juniata, Clearfield Co.
Lee Sessions 1896
Court and confirmed by
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.

Geob. Smith	Days	1/2	6.00
	Miles		
John Lyons	Days	1	2.00
	Miles		
Harvey Wood	Days	1	2.00
	Miles		
	Days		
	Miles		

By the Court
Cyrus Gordon

Filed of Court, 1896
Fees \$1 paid by Act

Johnson

Lamond County
me, by my hand
and by the

1881 - (See notes from 1881)
and does these premises in said
township of Junata, in the county of Clearfield,
and state of Pennsylvania, in the year of one thousand
and eight hundred and eighty one, at a rate per acre