

No. 5 December Term, 1897

Julius Road

Versus

Dandy Township

Contents:

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Part R 17031

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

The petition of the undersigned respectfully represents  
that they labor under inconvenience for want of a public  
road to begin in public road leading from Sabruca  
to Isaac Bundy's at a point near the  
division line of land of Wesley Fyock and Chas. Fyock in the  
Township of Sandy and to end in a public road leading from  
Wesley Fyock's to John Bundy's at a point on lands of Chas.  
Fyock about one chain west to where the run crosses said  
road in said Township of Sandy; the petitioners therefore  
pray the court to <sup>ap</sup>point three persons qualified according  
to law to view the ground proposed for such road and if they  
should see occasion to lay out the same, <sup>and</sup> to inquire of and  
vacate the public road part of which is opened and the part  
proposed to be vacated is not opened, leading from the  
public road at Absalom Bundy's line of land to Wesley Fyock's  
in the said Township of Sandy to the point designated on  
the road leading from Chas. Fyock's to Isaac Bundy's 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.

1 J. A. Brindley  
 2 C. E. Strait  
 3 L. S. Dodd  
 4 Wesley Lyvick  
 5 Gran Swack  
 6 G. W. Lyvick  
 7 Isaac Bundy  
 8 David E. Reines  
 9 J. A. Brindley  
 10 O. R. Bundy  
 11 J. W. Fossler  
 12 W. M. Barthelmeigh  
 13 J. A. Liddle  
 14 Wm. H. Muller  
 15 Michael Reiller  
 16 Joseph Wren  
 17 Clarence Dixon  
 18 Michael Turner  
 19 E. J. Detry  
 20 George Grant  
 21 Absalom Bundy

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By the Court

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

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, 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 Sabula, to Isaac W. Bondy, Thence N. 2° 08' E, on wood lands of Wesley Fyock, 250 ft. Thence N. 62° 10' W, through partly wood and partly improved lands of said Fyock, 301 ft. Thence N. 47° 30' W, (20' to line between lands of Wesley and Charles Fyock) 87.5 ft. to post on lands of said Chas Fyock. Thence N. 24° 40' W, 461 ft. to a post Thence N. 47° 40' W, 82.5 ft. Thence N. 74° 25' W, 175 ft. Thence N. 42° 50' E, 145 ft. Thence N. 35° 45' E, 363 ft. Thence N. 18° 30' E, 297 ft. to a point in the public road leading to John Bundy, in Sandy Popl. We further report that there are no damages arising to any one of the owners of the land over which said road passes, except to Wesley Fyock, and having taken into consideration the advantages as well as the disadvantages to be derived to the said Wesley Fyock, from the road passing through his lands, we have assessed the damages of the said Wesley Fyock, at five (\$5.00) dollars. That we have inquired and do vacate the following described Public road, to wit:—Beginning at a point in the road above described, on lands of Wesley Fyock, Thence N. 2° 08' E, 80 ft. Thence N. 23° 25' E, 99 ft. Thence N. 43° E, 99 ft. Thence N. 50° 10' E, 264 ft. Thence N. 19° 15' E, 132 ft. Thence N. 37° 20' W, 99 ft. Thence N. 76° 54' W, 132 ft. Thence S. 85° 55' W, 99 ft. Thence N. 63° 21' W, 132 ft. Thence N. 50° 33' W, 198 ft. to post on lands of Chas. Fyock. Thence N. 31° W, 99 ft. Thence N. 19° W, 132 ft. Thence 2° 33' W, 330 ft. Thence N. 3° E, 99 ft. Thence N. 13° 51' E, 33 ft. Thence N. 65½° W, 80 ft. to a point in the public road where the above described road ends in the public road leading to John Bundy, which by reason of the laying out of the first mentioned road has become useless and burthensome to the inhabitants of said Popl. of Sandy. That before said view, public notice of the time and place of the meeting of said viewers was given to all parties interested ten days before said view, and also notice to the County Commissioners, and we also annex a plot or draft of the road laid out, stating briefly the courses and distances and improvements through which the same passes, and also a description and draft of the road vacated.

Witness our Hands this 21st day of Oct. A.D. 1897.

Geo. C. Keirke  
J. M. Patterson  
Viewers.

Receipt

No 5 Dec Sessions, 1897

ORDER

To view and lay out a road for

Public use in the township of

Lawson, Clearfield Co.

Dec Sessions, 1897,  
not to recede  
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 Court  
Cyrus Gordon

21 Dec 1898 confirmed  
absolutely - legal as to  
be paid by Court  
By the Court  
Cyrus Gordon

Filed 20<sup>th</sup> Nov, 1897

Fees \$1.25 paid by  
Paid to Clerk by W.C. Penning

Oct 21 1897

NOTE: - Use of a private road, the release must be executed  
in favor of the owner for said road.  
Also Viewers will fully note the number of days employed,  
and set the amount out at the end of their return.  
Reviewers cannot interfere with 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.

|                 |          | Days | Miles | Amount |
|-----------------|----------|------|-------|--------|
| Geo. C. Kirk    | Days 2   |      |       |        |
| (1768)          | Miles 17 |      |       | \$97.0 |
| J. M. Partridge | Days 1   |      |       |        |
|                 | Miles 10 |      |       | 3.00   |
| E. Ashenfelter  | Days 1   |      |       |        |
|                 | Miles 12 |      |       | 3.20   |
|                 | Days     |      |       |        |
|                 | Miles    |      |       |        |
|                 | Days     |      |       |        |
|                 | Miles    |      |       |        |



164) 2.85  
1 28

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

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 Wesley Fryock the sum of Five Dollars  
To \_\_\_\_\_ the sum of \_\_\_\_\_  
To \_\_\_\_\_ the sum of \_\_\_\_\_

Witness our hands this 21st day of October, A. D. 1897.

Geob. Keirke  
J. M. Postlethwait  
Elijah Athensolter

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 13

day of Sept, A. D. 1897, 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 public road leading from Nabula to Isaac Bundy, at a point near the division line of land of Wesley Tyon & Chas Tyon in the Twp of Sandy, and to end in public road leading from Wesley Tyon to John Bundy at a point on land of Chas Tyon about one chain west to where the run crosses said road in said Twp of Sandy.

and to vacate that public road part of which is opened and the part proposed to be vacated is not opened leading from public road at Absolom Bundys line of land to Wesley Tyons in the said Twp of Sandy to the point designated on the road leading from Chas Tyons to Isaac Bundy which has mentioned road will by reason of the laying out of proposed road become useless and therefore praying the Court to appoint proper persons to view and lay out & vacate the same according to law, and to report to next session

whereupon the Court, upon due consideration had of the premises, do order and appoint Geo Chas J. P. Stille & Elijah Asherfelt 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.

[Signature]

CLERK.