

No. 1 May Sessions, 1905

COMMONWEALTH

versus

Public Road

in

Sandy Lake

Rd. #4 - Page 405

Charge

Pentz

Part Twp. Rd. 17394

WILLIAM L. SWOOPE,
District Attorney.

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

The petition of the undersigned inhabitants of the Township of Sandy, in said County, respectfully represents:

That your petitioners labor under great inconvenience for want of a public road or highway in the Township of Sandy, to begin at the end of Locust Street at the line of the Borough of DuBois, which said street is a public street in said Borough, and extending thence to a point at the dwelling house of Mike Peltz on a public road leading from Pifer, Hess & Co.'s Planing Mill to Dixon Avenue.

Your Petitioners therefore pray the Court to appoint proper persons to view and lay out the same according to law. And they will ever pray, etc.

W. E. Book	Joe D. Lutzick
J. J. Ellis	James F. Lutzick
Michael Peltz	John G. Liedl
P. K. Knigge	W. L. Walk
G. W. Whitmore	Dan Powers
H. H. Spencer	Will Powers
Elliot Whitman	Dan Powers Jr.
Michael Stroll	Leonard Powers
A. Turner	J. H. Donahew
E. J. Clark	
W. H. Brown	J. H. Bailey
R. L. Weaver	Amos Truitt
H. C. Smead	James A. Schuerm
Fred Landman	
Samuel Lutzick	
Albert A. Minkster	

J. T. Bailey
H. M. Wise
David Lyons
G. W. Pifer
C. E. Pifer
J. H. Pifer
A. C. Loperman

No 1 May 1903

Notice for your
of County Down

Book

4th Feb 1903 late
from relief and
Warrington Geo B
Campbell, A. M. M. M.
Lap & John L. M. M.
are offered to be
and to be in
of the

W. C. PENTZ,
Attorney at Law.

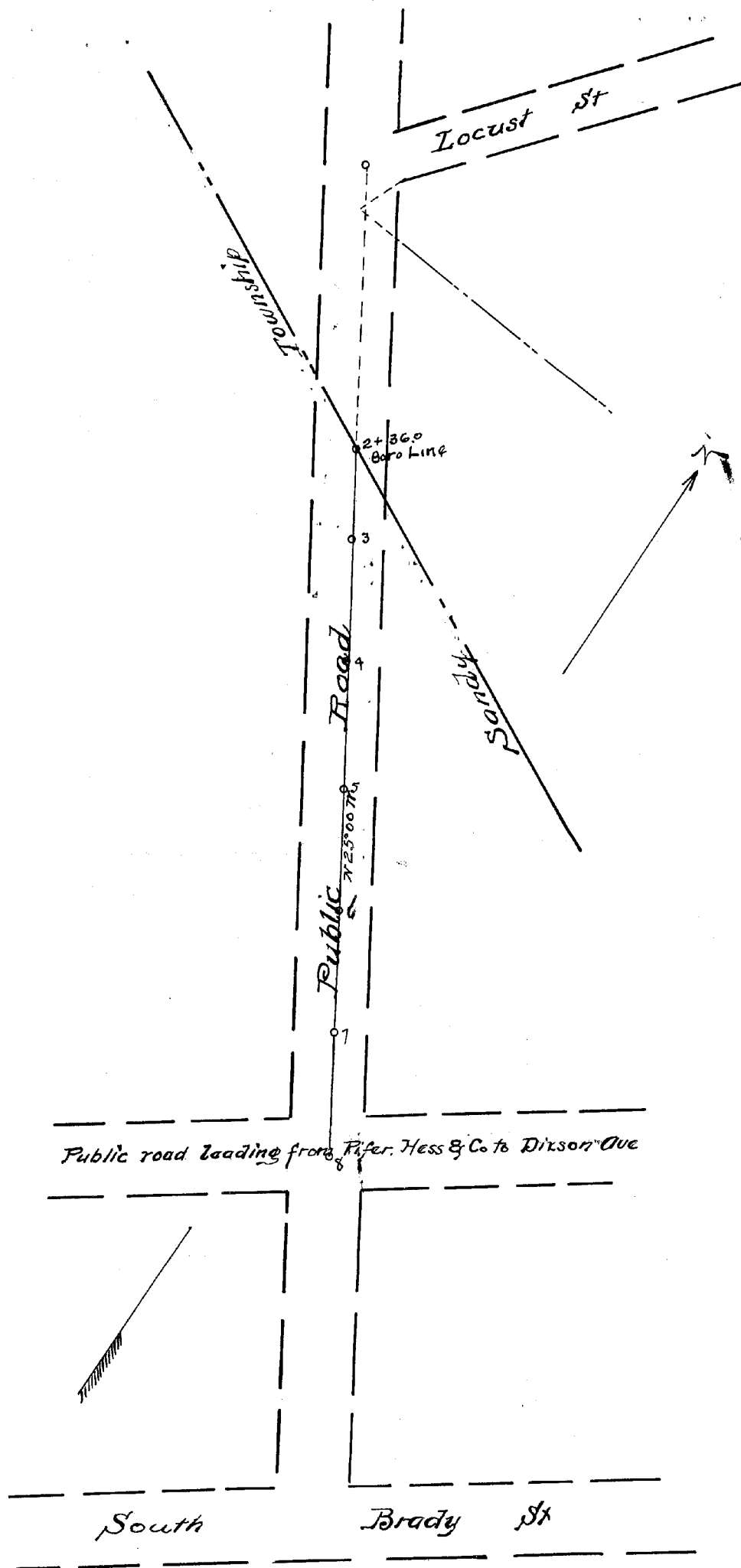
By the Court
Cyprus L. M. M.
Dated 12th May 1903
125th

To the Honorable the Judges of the Court of Quartersessions of
Clearfield County Pa.

We the undersigned, appointed by the annexed order, do report, that in pursuance thereof after having been severally duly sworn or affirmed, all the viewers appointed by said order viewed the ground proposed for the within mentioned road. And we the undersigned, do agree, that there is occasion for a road, as described by the petition, and that the same is necessary for a public road. And having had respect for the shortest distance and the best ground for such road, we have laid out in such manner as shall do the least injury to private property, and as far as practicable agreeable to the desire of the petitioners, and do return for public use the following described road to wit. Beginning at a point in the Borough line of DuBois at station, No 2-36 the same being two hundred and thirty six feet (236) from the centre of Locust Street in DuBois. Pa. Thence south twenty five degrees east (S 25- E) five hundred and sixty four feet (564) to a point in the Public Road leading from Pifer-Hess and Cos. Planing Mill to Dixon Ave. a total distance being five hundred and sixty four feet (564) We further report that before said view, public notice was put up at the beginning and terminous of view, We hereto annex a plot or draft of said road as laid out stating course and distance, There are improvements on this line.

Witness our Hands this 2 day of May 1903.

Charles D. Campbell
John Lankard
W. H. Dunlap } *W. H. Dunlap*



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 4th day of February, A. D. 1903, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Sandy, in said county, setting forth that

your petitioners labor under great inconvenience for want of a public highway in the Twp of Sandy to begin at the end of Locust St. at the line of the Borough of DuBois, which said street is a public street in said Borough, and extending thence to a point at the dwelling house of Mike Peltz on public road leading from Pifer & Sons' Claiming Mill to Dixon Avenue.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint Geo. B. Campbell, A. H. Dunlap & Jno. Loukard 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 View and lay out 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.

Grant A. Thompson

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 enrolling 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. 190.....

.....
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. 190 ..

.....
.....
.....

No. 1 May Sessions, 1903

ORDER

To view and lay out a
road for public use in the
township of Sandy,
Clearfield County

May Sessions, 1903,
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.

Ben Lee Dunt
Cyrus Gowdy
23 Sept. 1903 completed
Abundantly.
Approved by John H. Thompson,
Opening Order made 27
Sept. 1903
Filed 190
Fees \$1.25 paid by Penty

John H. Thompson
County Surveyor

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 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.			
<u>Carl Caughen</u>	Days	2	2.00
	Miles	4	2.4
<u>A. N. Dunlap</u>	Days	1	2.00
	Miles	4	2.4
<u>John Sutton</u>	Days	1	2.00
	Miles	4	2.4
<u>Harry Coffey</u>	Days	1	2.00
	Miles		
<u>Deven Dy-</u>	Days	1	2.00
	Miles		16.48