

No. 3, Feby Sessions, 1906

COMMONWEALTH

versus

Public Road in  
Sandy and Union  
Twp

Charge

Herron

X

WILLIAM I. SWOOP,  
DISTRICT ATTORNEY.

Petition for laying out a Public Road

To the Honorable Allison O. Smith, Judge of the Court of Quarter

Sessions of Clearfield County:

The petition of the undersigned inhabitants of Sandy and Union Townships in the said County of Clearfield, respectfully represents:

That they labor under great inconvenience for want of a Public Road or Highway beginning at a point near the barn of Andrew E Bogle in Sandy Township on the public road leading from Rockton in Union Township to the farm of Samuel Liddle, in said Township of Sandy and ending at a point, near the residence of Thomas Keen, in Sandy Township, and about fifty (50) feet west from the West end of the Iron Bridge on the Laborde Branch of Sandy Lick Creek, on the public road leading from Du Bois Borough to Rockton in Union Township. The petitioners therefore pray the Court to appoint three persons qualified according to law, to view the ground proposed for such road, and, if they see occasion, lay out the same and make a report of their proceedings to the next term of this Court. The said proposed public road being wholly within Sandy Township.

1	<u>John Liddle</u>	15	<u>Samuel Liddle</u>
2	<u>Samuel McBailey</u>	16	<u>H. J. Troutman</u>
3	<u>John Conrad</u>	17	<u>Deacon Dree</u>
4	<u>G. W. Dressler</u>	18	<u>Peter C. May</u>
5	<u>S. B. Maltz</u>	19	<u>W. H. King</u>
6	<u>John McElroy</u>	20	<u>C. H. L. L. Jr.</u>
7	<u>John McElroy</u>	21	<u>C. H. L. L. Jr.</u>
8	<u>A. H. Johnson</u>	22	<u>John Shembler</u>
9	<u>John Dressler</u>	23	<u>J. A. Liddle</u>
10	<u>John Holloman</u>	24	<u>J. C. McBarry</u>
11	<u>J. S. Holloman</u>	25	<u>H. R. Kile</u>
12	<u>Alfred McElroy</u>	26	<u>W. C. Emerick</u>
13	<u>H. H. Shembler</u>	27	<u>W. C. Fines</u>
14	<u>Jacob Fines</u>	28	<u>Samuel Dally</u>
			<u>Hiram Garrison</u>

Notice to the Supervisors of Sandy Township of the time and place of presenting a petition for the appointment of viewers to view and lay-out a public road in said Township.

To J'M.Raesinger and Henry Walburn, the Supervisors of Sandy Township, Clearfield County, Pennsylvania:

You are hereby notified that an application will be made to the Court of Quarter Sessions of the Peace in and for the said County of Clearfield by sundry inhabitants of Sandy Township and Union Township in said County of Clearfield on Monday December 18th 1905 at 10 o'clock A.M. for the appointment of viewers to view and layout a public road to begin at a point near the barn of Andrew E Bogle, in Sandy Township, and on the public road leading from Rockton to the Farm of Samuel Liddle, in said Township of Sandy, and extending thence to a point near the residence of Thomas Keen, of same Township, and about fifty feet west from the West end of the Iron Bridge on the Laborde branch of the Sandy Lick Creek, on the public highway leading from Du Bois Borough to Rockton, at which time and place you may be present if you so desire.

D B Kerron

Attorney for petitioners

Clearfield County, SS:

D B Kerron being duly sworn according to law doth depose and say that he served the above notice on J.M. Reasinger, and Henry Walburn, the Supervisors of Sandy Township, by making the contents thereof known to them and by giving each of them a true and attested copy of the same.

D B Kerron

Sworn to and subscribed to  
before me this 16<sup>th</sup> day of  
December A.D. 1905

J. M. J. Barclay  
\_\_\_\_\_  
Justice of the Peace  
*103 L. B.*  
*Dec 16 1905*

*No. 3*  
*1905*  
*Sessions Book*

Petition of inhabitants of  
Sandy & Union Townships for  
the appointment of viewers  
to view and lay out a pub-  
lic road in Sandy Township.

And now Dec. 11, 1905  
the within petition having  
been duly presented in open

Court on ~~Monday~~ December 18  
at 10 o'clock A.M. and hav-  
ing been considered by the  
Court

*George C. Birks*

*C. H. Cockburn*

*J. H. Shantz*

are appointed viewers to  
view and if they see occa-  
sion lay out a public road  
as prayed in the within petti-  
tion and report their proceed-  
ings to the next term of this  
Court.

*W. H. Thompson*

*Dec. 11, 1905.*

*ROLL B. THOMPSON*

*Jewell & Co. Attorneys*

*Attest*  
*W. H. Thompson*

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 Dec., A. D. 1905, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Sandy & Union, in said county, setting forth that

they labor under great inconvenience for want of a public road or highway. Beginning at a point near the barn of Andrew E. Bode in Sandy Twp. on the public road leading from Rockton in Union Twp. to the farm of Samuel Liddle in Sandy Twp. and ending at a point near the residence of Thomas Keen in Sandy Twp. and about 50 feet West end of the Iron Bridge on the Laboyde Branch of Sandy Lick Creek on the public road leading from D'Bois Borough to Rockton in Union Twp.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Report to next term whereupon the Court upon due consideration had of the premises, do order and appoint Geo. C. Kirk, C. H. Goodlamb & J. H. Edinger 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 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.

Roll B 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 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. 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 .....

# Road Viewers' Notice.

**NOTICE IS HEREBY GIVEN** that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view a Public Road leading from a point in the public road leading from Rockton to Samuel Siddle's, near the barn of Andrew E. Bogle,

in Sandy Township, to a point in the public road leading from DuBois, to Rockton, near the residence of Thomas Keene, and about ~~so~~ <sup>so</sup> ft west of the iron Bridge across Sandy Sick Creek,

in Sandy Township, in the county aforesaid, will meet at the house of Andrew E. Bogle, in Sandy Township, on Tuesday, the 29<sup>th</sup> day of April, A. D. 1906, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Geo. C. Kirk

C. H. Goodlander

J. H. Edinger

Viewers.

April 9<sup>th</sup>, 1906.

Now April 11th. 1906. Service of the within  
notice is hereby accepted.

County Commissioners  
By A. G. Steamer Clerk

# Road Viewers' Notice!

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a Public Road leading from a point in the public road leading from Rockton to Samuel Siddle, near the barn of Andrew E. Bogle,

in Sandy Township, to a point in the public road leading from DuBois to Rockton, near the residence of Thomas Keene, and about 500 feet west of the Iron Bridge Across Sandy Lick Creek.

in Sandy Township, in the county aforesaid, will meet at the house of Andrew E. Bogle in Sandy Township, on Tuesday, the 29th day of April, A.D. 1906, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Geo. C. Kirk

C. H. Goodlander

J. H. Edinger

Viewers.

April 6th, 1906.

City of

John E. Wilson  
Post Office

Now April 10, 1906, served the within  
notice on Thomas Keene, by giving to  
him a true Copy and informing him  
of the contents thereof. H. E. Wilson

Now April 10, 1906, served the within  
notice on Andrew S. Boggs, by giving to  
him a true Copy and informing him of  
the contents thereof. H. E. Wilson

Personally served upon me a notice of the  
suit of H. E. Wilson, et al. upon Remigio M. Me  
and James A. Morris, his wife, deceased  
day of the return, as above set forth  
and true copy served upon me and subscriber  
before me this 14th day of  
April 1906 — ) H. E. Wilson

J. W. Wilson, L.

COMMISSION EXPIRES 3-1908

To C.E.Washburn  
W.C.Dunlap &  
J M.Postlethwait, Supervisors of Sandy Township:

You are hereby notified that the viewers appointed by the Court of Quarter Sessions of the Peace in and for the County of Clearfield to view and lay out a public road in the Township of Sandy, in said county, leading from a point in the public road leading from Rockton to Samuel Liddells, near the barn of Andrew E Bogle, in Sandy Township to a point in the public road from Du Bois to Rockton, near the Residence of Thomas Keen and about fifty feet West of the Iron Bridge across Sandy Lick Creek in Sandy Township, in the county aforesaid, will meet at the house of Andrew E Bogle, in Sandy Township, on Tuesday, the 24th day of April A.D.1906, at 9 o'clock a.m. to attend to the duty assigned them, at which place you may attend if you so desire.

W.G.Kerrison

Attorney for Petitioners

And now April 14th 1906 we the said Supervisors hereby accept service of the above notice.

W.C.Dunlap  
C.E.Washburn  
J M.Postlethwait

Supervisors of Sandy Township

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 the undersigned, a majority of said viewers, do agree that there is no occasion for a road as desired ~~by the petitioners~~, and that the same is ~~not~~ necessary for a public road. Witness our hands this 24th day of April, A.D. 1906.

L. H. Goultaner

J. H. Edinger

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 viewers.

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.

No. 3 *Wethersby Sessions, 1906*

**ORDER**

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

	Amount
G. C. Knirk	Days $2\frac{1}{2}$ \$ 10.00
	Miles 5 .50
C. H. Goodlander	Days 1 2.00
	Miles .50
J. H. Edinger	Days 1 2.00
	Miles .50
	Days 7
	Miles 15.00

May Sessions, 1906,  
read and confirmed Ni. Si.  
Build 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 Comt.  
*Alfred J. Smith*

Filed 190  
Fees \$1.25 paid by *S. S. Heron*  
APR 28 1906  
CLERK

*CC*  
I have been to the place and found the road to be in good condition and the same off 1906. The road is now good.