

No. 3, Feby Sessions, 1906

COMMONWEALTH

VERSUS

Public Road in
Sandy 2nd Union
Twp

Charge

Herron

X

WILLIAM I. SWOOPPE,
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>Samuel Liddle</u>	15 <u>Samuel Liddle</u>
2 <u>Samuel Bailey</u>	16 <u>Thos. Keen</u>
3 <u>Andrew E Bogle</u>	17 <u>Thos. Keen</u>
4 <u>G. W. Dressler</u>	18 <u>Peter S. May</u>
5 <u>S. B. Kelly</u>	19 <u>W. H. King</u>
6 <u>John W. Kelly</u>	20 <u>Chas. L. Kelly</u>
7 <u>Samuel Liddle</u>	21 <u>Samuel Liddle</u>
8 <u>Thos. Keen</u>	22 <u>Chas. L. Kelly</u>
9 <u>John W. Kelly</u>	23 <u>Thos. Keen</u>
10 <u>Samuel Liddle</u>	24 <u>Chas. L. Kelly</u>
11 <u>Thos. Keen</u>	25 <u>Thos. Keen</u>
12 <u>Alfred Kelly</u>	26 <u>W. C. Emerick</u>
13 <u>H. H. Kelly</u>	27 <u>W. C. Emerick</u>
14 <u>Joseph Kelly</u>	28 <u>Samuel Liddle</u>
	<u>Lincoln Herrick</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. Herron

Attorney for petitioners

Clearfield County, SS:

D. B. Herron

being duly sworn according to law doth depose and say that he served the above notice on J.M. Raesinger, 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. Herron

Sworn ~~at~~ and subscribed to
before me this 16th day of
December A.D. 1905

S. M. J. Barclay

Justice of the Peace
NOT EMPLOYED
1908

Feb 24
No ~~3~~ Sessions 1906

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. *21*, 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. Smith

E. H. Goodlander

J. N. Schuyler

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

By the Court
William C. Smith

ATTEST:
J. S. HERRICK
DEPT. 1905
ROBT. B. THOMPSON
Jewell (Recorder, Phila., Pa.)

As Viewers to
the 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 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. Boyle 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 Labonde Branch of Sandy Lick Creek on the public road leading from DeBois 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. Goodland & 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 Liddle'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 50 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 *24th* 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 9th, 1906.

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

County Commissioners
By A. A. Moore
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 Siddles, 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 50 ft. 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.

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 E. Bogie, by giving to
him a true Copy and informing him of
the Contents thereof. H. E. Wilson

Now many of your name a further of the
place H. E. Wilson who upon receiving by me
any other a ~~copy~~ ^{copy} to be used as a
copy to the returns as above set forth
are true ~~copy~~ ^{copy} to and subscribed
before me at his place this 14th day of
April 1906 — H. E. Wilson

John W. Wilson

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 Quarters 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.

D. B. Kerron

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. Gouldman

J. H. Edinger

And now July 5th 1906. The within order is
 changed to next term of Court
 By the Court
 William C. Smith

No. 37th Sessions, 1906

ORDER

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

May Sessions, 1906.

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.
William C. Smith
C.J.

Filed _____ 1906
 Fees \$1.25 paid by O.S. Heron

FILED
APR 28 1906
 CLERK

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 review.
 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.

<i>Geo. C. Kunk</i>		AMOUNT
Days	2 1/2	\$ 10.00
Miles	5	.50
<i>C. H. Goodlander</i>		
Days	1	2.00
Miles	5	.50
<i>J. H. Edinger</i>		
Days	1	2.00
Miles	5	.50
Days	7	
Miles		
Days		
Miles		
		\$ 15.00