

No. 5, Dec Sessions, 1905

COMMONWEALTH

versus

Vacate, Public
Road in
Sandy Twp.

Charge

X
WILLIAM I. SWOOP,
DISTRICT ATTORNEY.

To the Honorable, the Judge of the Court of Quarter Sessions of Clearfield County:

The petition of the undersigned respectfully represent:

That a public road beginning at a point in a public road leading from DuBois to Rockton near the dwelling house of Andy Bogle in the Township of Sandy and ending in a public road leading from Andrew Liddle's to Brook's School House near the dwelling house of Thomas Keene in said Township, was confirmed by the Court on the 10th of December, 1900; that the said road has become useless and inconvenient; that the original petition for said road was signed almost entirely by the citizens and residents of Union and Brady Townships. That said road is not of any convenience to said Township of Sandy.

Your petitioners therefore pray the Court to inquire of and vacate said road and for that purpose to appoint three persons qualified according to law to view said road and to make report of their proceedings to the next term of said Court, and they will ever pray.

Jacob D. Perry
W. C. Murrah
James A. Liddle
John E. Miller
John F. Liddle
Thos. E. Keene
Wm. E. Stees
John Brooks
H. A. ...

Michael Lany
Fred Riddell

Les Spiegel
L. L. Liddle

J. A. Gallagher

P. L. May

E. Middle

J. T. Bailey

C. E. Gordon

Fred Keen

E. ...

J. ...

V. G. Knobell

M. H. Hefflinger

W. H. Ressinger

G. F. Ashurst

J. M. Ressinger, Supervisor

W. H. Walburn Supervisor

Landing Lewis

J. Maskey

J. Dunlap

Kessler

Walburn

Kessler

John Lyons

Mark Faust-

John marsh

G Heberling

We had notice of the filing of this petition.

J. M. Kessler
W. H. Walburn

Supervisors of Sandy Township.

Dec

No 5 DECEMBER 1905

Relation is made
Publio Rose
in Sanely Tonies

5 Sept 1905' he said

read and understood
one George C. Knobell
J. H. Edinger
W. H. Goodlander

affidavits were
also prepared for the
report to him, to be
read and understood

W. H. GOODLANDER
Sept 11 1905
W. H. GOODLANDER
Attorney at Law.

ROLL, R. TWIN CEDAR,
DU BOIS, PA.

125798

Road Viewers' Notice!

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a public Road leading from a point in a public road leading from ~~On Bois~~ to Rockton, near the dwelling house of Andy Bogle,

in Sandy Township, to a point in a public road leading from Andrew Liddle's to Brook's School House, near the dwelling house of Thomas Keene,

in said Township, in the county aforesaid, will meet at the ~~house~~ or point of beginning of said proposed road to be, ~~in~~ vacated, in Sandy Township, on Wednesday, the First day of November, A. D. 1905, at 100'clock

. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Geo. C. Kirk
J. H. Edinger
C. H. Goodlander

Viewers.

October 16th, 1905.

11-8-01. 500-H.

Service accepted 16 Oct. 1905.

W. T. Walborg
Geo. H. Rauver
Supervisor, Clearfield
P.M. Reg. 1905.

Notice to County
Commissioners of Clear-
field Co. Pa.

Now Oct. 17th 1905
Service on the within
notice accepted.
County Commissioners
By Attest
Clerk

To the Honorable, the Judge within named: We the undersigned, appointed by the aforesaid order do report: That in pursuance thereof, after having been severally sworn, all the viewers appointed by said order viewed the ground over which said proposed road to be vacated, passes, and we do agree that there is occasion to vacate said public road as desired by the petitioners and that the same is unnecessary for a public road, and therefore we have inquired of and do vacate the following described public road to wit: Beginning at a point in a public road leading from New Bells to Rockton, near a dwelling house of Andrew E. Boyle, in Sandy Twp., Clearfield County, Pa. Thence through lands of said Andrew E. Boyle, North $2^{\circ} 15'$ West, 400 ft. Thence through lands of same North $4^{\circ} 30'$ ^{340 ft.} East. Thence through lands of same North $1^{\circ} 35'$ West, 400 ft. Thence through lands of same, North $11^{\circ} 45'$ West, 172 ft. to a point on lands of Thomas Keene, Thence through lands of same, North $18^{\circ} 55'$ East, 653 ft. Thence through lands of same, North $18^{\circ} 40'$ East, 1075 ft. Thence through lands of same, crossing Sandy Slick Creek, North 3° East, 200 ft to a point on lands of James A. Liddle, thence through lands of same North 17° West, 490 ft. to a point on lands of said Thomas Keene, thence through lands of same, North $61^{\circ} 30'$ West, 310 ft. to a point in the public road leading from Andrew Liddle's to the Brick School House, near the dwelling of said Thomas Keene, in said Township of Sandy, and having a total distance of 3700 ft. which by reason of the cost of building a bridge across Sandy Slick Creek, as well as the marshy condition of the ground over which said road passes is useless, inconvenient and burdensome to the tax payers of said Sandy Township. That before said view, public notice of the time and place of the meeting of said view was given by advertisements put up in the vicinity, ten days before said meeting, that notice of said view was also served on the County Commissioners, and on the supervisors of Sandy Township, and also a plot or draft of said public road vacated, and a copy of said notices. Witness our hands this first day of November, A. D. 1905.

Geo. C. Kirk
J. H. Eddinger
R. W. Gordanour

vacate

No 5 Dee Sessions: 1902

ORDER

To view all Heights a
road for use in the
township of Clearfield,
Clearfield County

McC Sessions, 1905,
read and confirmed Ni. Si.
Road to be opened 22 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide. ✓

Mr. J. Smith
Wilson & Thompson
Rotary Club
1905

Hilled 190
Fees \$1.25 paid by Ally

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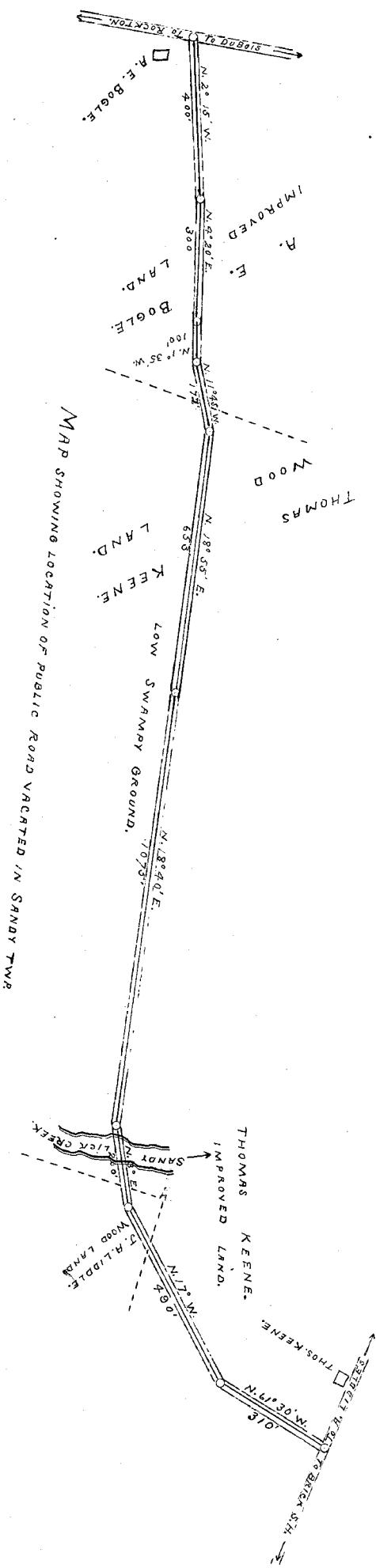
NOTE—In case of a private road, the release must be executed in favor of the petitioner for said road.

Also—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.

Reviewers can not 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 parties, they will so state in their return, and will be entitled to a fee.

July 10, 1966, surface and subsurface



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

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 14 day of Sept., A. D. 1905, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Sandy

, in said county, setting forth that

a public road beginning at a point in a public road leading from Dubois to Rockton near the dwelling house of Andy Bogle in the Township of Sandy and ending in a public road leading from Andrew Liddle's to Brooks School House near the dwelling house of Thomas Keene in said Township, was confirmed by the Court on the 10th of December, 1900, that the said road has become useless and inconvenient; that the original petition for said road was signed almost entirely by the citizens & residents of Union and Brady Townships. That said road is not of any convenience to said Township of Sandy.

and therefore praying the Court to appoint proper persons to view and Vacate the same according to law, and Report to next Term whereupon the Court, upon due consideration had of the premises, do order and appoint George C. Kirk, J. H. Edinger, C. H. Goodlander 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 view and Vacate 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.

John B. Thompson

Clerk.