

No. 5, Dec Sessions, 1905

COMMONWEALTH

VERSUS

Vacate, Public
Road in
Sandy Twp.

Charge

X

WILLIAM I. SWOOPE,
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 J. Perry
W. B. Hunkeler
James A. Liddle
Geo. F. Liddle
Thos. E. Keene
Wm. E. Keene
H. A. Keene

Michael Lanny
Fred P. ...

Geo. S. ...
J. L. ...

J. A. Gallagher

P. S. May

E. M. Liddle

J. J. Bailey

C. E. Gordon

Fred Keen

E. ...

R. ...

W. L. ...

M. H. Hepburn

W. H. Reisinger

C. E. Ashcroft

J. M. Reisinger, Supervisor

W. H. Walburn Supervisor

Landry Lewis

J. Maskey

F. Dunlap

~~W~~ Kessler
W Walburn
W Kessler
John Lyons
Mark Faust-
W. J. Marsh
A. L. Heberling

We had notice of the filing of this petition.

J. M. Rearinger
W. H. Walburn

Supervisors of Sandy Township.

Dec

has ~~Dec~~ 1905

Return is enclosed
Public Room
in Sandy Springs

3 Sept-1905
read and being
one George C. Smith
D. N. Edgington
W. N. Brinkman

afforded me even
as being for the
refers to the 1st Sec

By the court
W. N. Brinkman
CIT 11 1905
ROLL R. TWINGENTZ
Attorney at Law
DUBOIS, PA.

125 by 114

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 *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 of~~ *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 10 o'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 11 Oct. 1905.

M. M. Albord
Geo. H. Reaney

Shannon Southworth

W. H. R. R. R. R. R.

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

Now Oct. 17th 1905
Service on the within
notice accepted.

County Commissioners

By *W. H. H. H.*
Clerk

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 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 Du Bois to Rockton, near a dwelling house of Andrew E. Bogle, in Sandy Twp., Clearfield County, Pa. Thence through lands of said Andrew E. Bogle, North $2^{\circ} 15'$ West 400 ft. Thence through lands of same North $4^{\circ} 30'$ East ^{340 ft.} 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 Sick 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 Sick 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. Edinger
R. H. Erdman

} viewers

Vacate

No 15 Dec Sessions, 1905

ORDER

To view *and vacate* a road for use in the township of *Sandy*, Clearfield County

A.C.C. Sessions, 1905, read and confirmed N. Si. Road to be opened *33* feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
William J. Smith
 CLERK

Filed 1905
 Fees \$1.25 paid by *Ally*

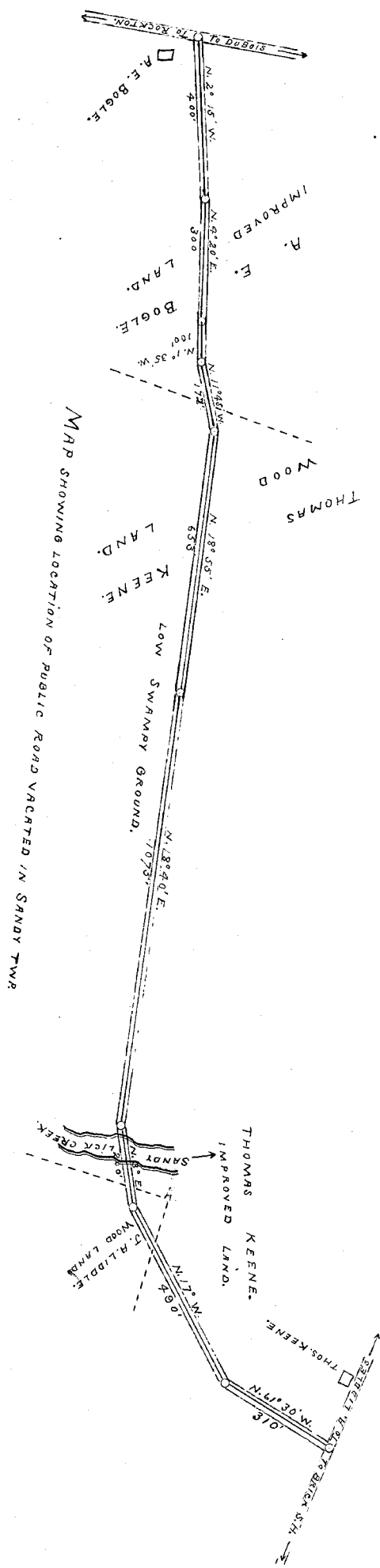
NOTE:—In case of a private road, the release must be executed in favor of the petitioner for said road.
 Also—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.
 Reviewers cannot interfere with damages assessed by the original viewers, except 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.

<i>Geo. C. Kirk</i>	Days <i>2 1/2</i>	Amount <i>10.00</i>
Miles <i>4</i>		
<i>J. H. Edinger</i>	Days <i>1</i>	Amount <i>2.00</i>
Miles <i>3</i>		
<i>C. H. Kendall</i>	Days <i>1</i>	Amount <i>2.00</i>
Miles <i>3</i>		
	Days	
	Miles	
	Days	
	Miles	Amount <i>15.00</i>

John M. D. 1906 confirmed stability
in the Court
William J. Smith

Copy

111' 3" 10 2.5.22



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 Fiddle's to Brook's School House near the dwelling house of Thomas Keane 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.

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.

Roll B. Thompson

Clerk.