

17 Dec 1906

Roads

Nov. 22, 1906 Peti-
tion presented, and
Notice Monday Dec
3, 1906 at 10 o'clock
in the forenoon is
fixed for hearing
of notice of this order
to begin to Sup.
of timber and the
property covered
appears by the for-
warded sketch.

By the Comr
W. C. PENN & Smith
Attorney at Law,
DU BOIS, PA.

P.

He 1-10-06

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

The petition of the Borough of DuBois by its Town Council, respectfully represents:

That under and by virtue of the corporate authority conferred upon the said Borough of DuBois by the laws of this Commonwealth, it has erected and constructed a system of water works for the supplying of water to its inhabitants and citizens, as well as other parties to which it can sell water; that in constructing and operating said water system it became necessary to appropriate the waters of what is known as the stream of Anderson's Creek in Union Township, Clearfield County, Pennsylvania, and for that purpose it built a large storage reservoir on said Anderson Creek, on what was formerly known as the "Bailey Dam", which said storage reservoir covers a large territory of land.

That prior to or about the time of the construction of said reservoir, a public road was laid out across and through said reservoir and opened for public use, being the road to No. ,

Sessions, 189 ; that by reason of the constructing of said Reservoir a portion of said public road has become occupied and covered by the water of said Reservoir; that your petitioner has laid out and proposes to construct a public road around said Reservoir, viz., beginning below the property of Rich Laborde, below the fence line at the point shown in the road; thence to extend north 77° 30' west 350 ft. to a post; thence north 35° west 250 ft. to a post; thence north 44° west 500 ft. to a post; thence north 11°35' east 350 ft. to a post; thence north 38° 30' east 850 ft. to a post in the public road leading past what is known as the "Chandler Dam" and being the Chandler Dam road. A map or plan of which road is hereto attached as well as a map showing the location of the present road, the location of the reservoir, as vacated by the said road and the proposed road around; that the road proposed to be constructed by the Borough of DuBois will be built in a good and substantial manner and in accordance with the recommendations of their engineer which is as follows:

The right of way to be obtained is 33 ft. wide and the graded road bed, exclusive of the necessary side slopes should be fourteen feet throughout; the roadway to be stumped and the sides so brushed so as to leave no branches hanging over the roadway. The road to be graded to a fairly even grade and crowned in the center so as to shed water freely. Wherever necessary drains shall be put across the road so as to carry the water off the upper side. Wherever runs are crossed, proper bridges will be constructed and the entire outlay for the constructing of said road is estimated at about Eight Hundred Dollars as against One Hundred and Fifty Dollars as spent by the Township of Union constructing the entire length of the original road; that said road as laid out will put it above the flow line of the present reservoirs now existing or as hereafter may exist; that the distance will be only 2500 feet more to Home Camp than the distance over the present road.

The road that is desired to be vacated is 3100 feet long and the road which it is proposed to replace it is 3737 1/2 ft long; that along said road there are but two pieces of property owned jointly by Richard Laborde and Mr. Parrish. No other citizens are located along the line of said road; that the said Borough of DuBois will provide the right of way and pay all expenses necessary for the construction of said road;

Your petitioners therefore pray the Court to approve the proposed change of road and the mode of construction so that the said Borough of DuBois can go on and build said road as provided by law, and they will ever pray, etc.

H. J. Boyer
Arthur Ward
W. C. Bacon
J. J. Kirkpatrick
James O'Gillen
George Biasson Jr.
Alfred Nelson
M. W. Osborne
M. B. Off
James W. Ditch

2011-09-07, 10:00:00-2011-09-07, 10:00:00

www.english-test.net

10. The following table shows the results of the 1991 Census of Population and Housing.

complaints of the people, and the public opinion of the country.

ANSWER: **1944** (1944) **1944** (1944) **1944** (1944) **1944** (1944)

John Danner - PDR to the South of the River, Section 60000

also to the right of the 1940 census of the population of the family home.

For a full list of the 100 best books of all time, visit www.barnesandnoble.com.

1. *Chlorophytum comosum* (L.) Willd. (Asparagaceae)

17. 10. 1989. 1000 m. S. of the village of Kharabat, 10 km. S. of Urumchi.

• 37. *mittwoch* 1970

Clearfield County, SS:

H.J. Boyer being duly sworn according to law deposes and says that he is a member of the Town Council of the Borough of DuBois,; and that the facts contained in the foregoing petition are correct and true to the best of his knowledge and belief.

Sworn and subscribed before me this day of , A.D., 1906.

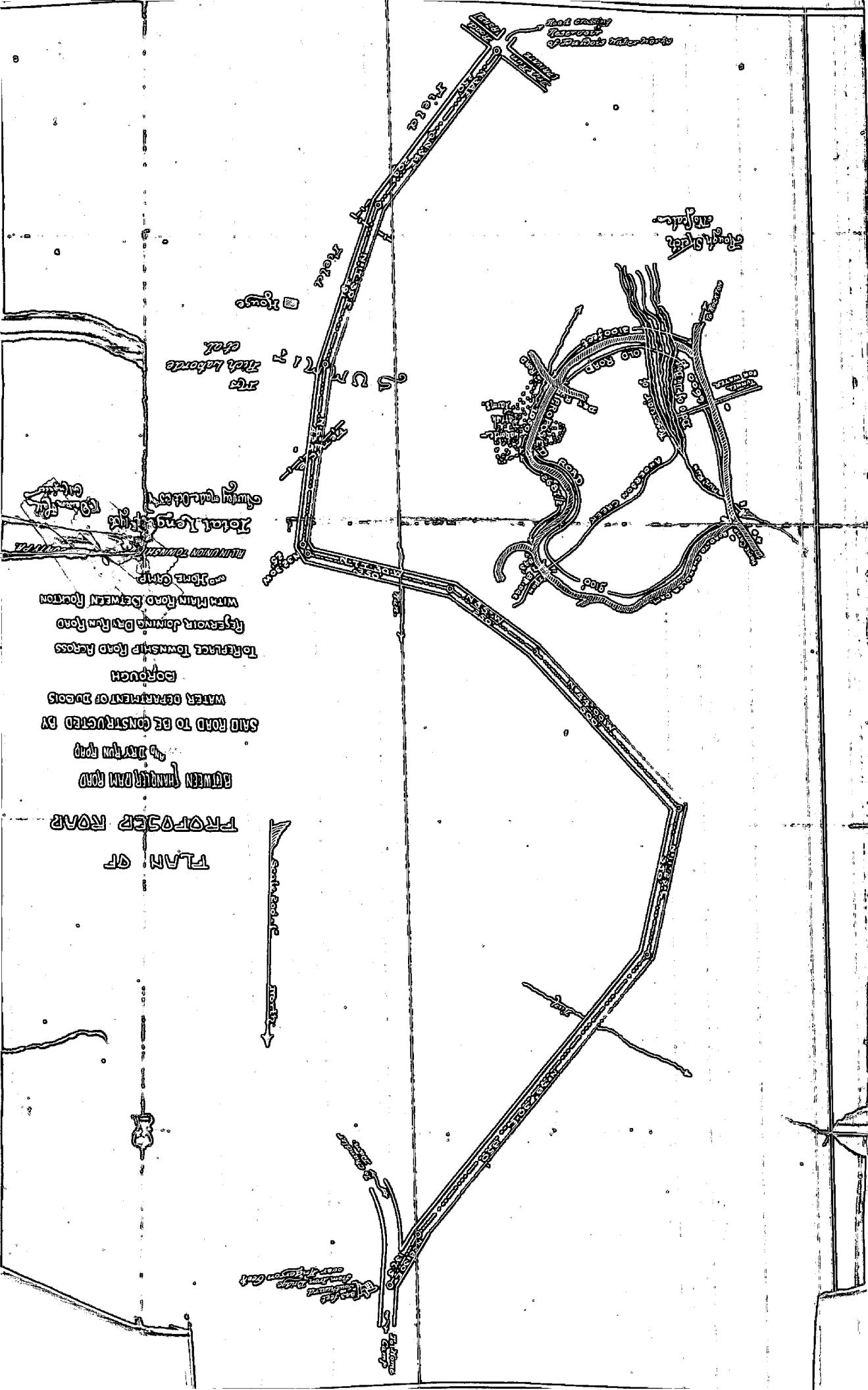
Notary Public.

THE YOUNG DESIGNERS

3. "I am not a man of God, but I am a man who has a God".
4. "I am not a saint, but I am a man who has a saint".
5. "I am not a teacher, but I am a man who has a teacher".
6. "I am not a philosopher, but I am a man who has a philosopher".
7. "I am not a poet, but I am a man who has a poet".

• 1977-1978 • 80-81 • 1978-1979 • 1979-1980 •

PLAN OF
PROPOSED ROAD
BETWEEN HANUMANDHAM ROAD
WATER DEPARTMENT ROAD
DOPOUCHA
DREPHAC TOWNSHIP ROAD ACROSS
REGGIOIR JOINING DRY ROAD
WITH MAIN ROAD BETWEEN PONTOON
WATER DEPARTMENT ROAD
TO TOWN



May 25/01
1520 18105
232 3rd St.
N.Y. 1, N.Y.
We are very
desirous to
have you
come.

After the following
order of business must
be done as soon as possible
as far as possible.

8/1 Dec 1906

Records

Mo. 122, 1906 Date
am presented and
noted Monday eve
3/1906 at 10 o'clock
in the forenoon in
view of having
notices of this order
to appear to the
Union and the
perfectly unrec-
ognized and
illegal and
unlawful.

As the Union
W. C. D. & P. A.
Attorney at Law,
DU BOIS, PA.

Feb 11, 1906

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In the matter of the petition
of the Borough of DuBois to
vacate and supply public road in Union Township. No. 6, Dec. Sessions, 1906.

Answer by the Supervisors of Union Township and property owners.

The undersigned hereby made answer to the petition filed in the above case, setting forth the following facts which appear either by the proceeding or by other proceedings of record, to which reference is herein made.

1. The road to be vacated and supplied does not appear to be set out in the proceeding with such definiteness as to identify the road.

2. The road to which it appears to refer is No. 4, Sept. Sessions, 1899, which road was confirmed absolute on the 11th of May, 1900 and opening order issued on the 11th of Oct., 1900, and thereafter the road constructed and used for years, and a large amount of money expended by the township, being a public road beginning on the old supply road near a mine operated by Henry Wertz and to intersect the road from Home Camp to Rockton about one mile below Home Camp. That a proceeding to vacate said road was instituted in the year 1902, to No. 7 *Feb'y Sess. 1902*. That the meeting of viewers on said petition was then attended by the then counsel of said borough seeking to obtain a vacation of the road; that the report on that proceeding was against such vacation, which proceeding is hereby referred to and made part of this answer.

3. That on the 14th of December, 1903, three years and seven months after confirmation absolute of the road in question, the Borough of DuBois filed a petition to strike off the confirmation absolute and obtained a rule therefor; and on the 14th of March, 1904, three years and ten months, after confirmation absolute, filed exceptions thereto; that an answer was filed by Union Township; depositions were taken. On the 30th of November, 1904, an opinion and decree was filed setting aside the report of viewers and quashing the proceedings and ordering the respondent, Union Township, to pay the costs; to which decree an appeal was taken to the Superior Court on the 25th of May, 1905, and on the 19th

of December, 1905 a remittitur from the Superior Court with opinion and decree attached was filed showing that the decree of court below had been reversed and that the road proceeding had been reinstated and that the costs had been imposed upon the appellee, the Borough of DuBois; that the Borough of DuBois thereupon filed a petition asking the Supreme Court to allow an appeal from the Superior Court, which application on the 31st of January, 1906 was refused, all of which proceedings in No. 4, Sept. Sessions, 1899 are hereby referred to and made part of this answer.

4. Pending the appeal in the Supreme Court the Borough of DuBois with full knowledge of such appeal had placed obstructions across the road and thereby preventing the use thereof, which obstructions remain to this time; and on August 1, 1906 a petition for a mandamus was filed to ~~No 257 September 1, 1906~~ by Union Township Supervisors and a writ of mandamus issued to compel the Borough of DuBois to remove the obstructions and reconstruct and restore the road for public use, which proceeding is still pending and undetermined, to which proceeding reference is hereby made and same is made a part of this answer. *This proceeding was delayed by the untrustworthy assurance on the part of the Borough that the order of court would be complied with. See letter August 2, 1906 attached and made part hereof.*

5. That the averments in the petition and the draft attached thereto in this case are misleading in that they fail to show that the distance by the proposed road to be used as a substitute for the old road from the one termini thereof to the other is more than four times the length of the original road, besides being upon less favorable ground.

And for the reasons stated, the respondents aver that the petition cannot be sustained and should be dismissed by the Court.

*Belle Hartserth
Atts for Union Twp.*

Property owners

Jos H. Murray about 1600 Acre	
Jos B. Walker his	" 900 "
John A. Parrish	" 50 "
Eliza Laforce	" 50 "
Henry Shafersen	" 900 "

*by these above
Murray & Daugler*

Pentz & Calkins,

ATTORNEYS AT LAW.

EnBois, Pa.

W. C. PENTZ
W. L. CALKINS

August 2, 1906

Messrs. Bell & Hartwick,
Clearfield, Pa.

Dear Sirs:-

We have your favor in relation to Mandamus awarded agairst the Borough. Kindly hold this matter as the Council are gettin; ready to put a bridge in across the Creek, and fill the road. We have a Council meeting Monday night, and it will be taken up and disposed of definitely then.

yours respectfully,

Dict. MCP/JK

W. C. Pentz

110. *f*, Dec. Sessions, 1906.

In the matter of the petition of the Borough of Dunwoody to vacate and supply public road in Union Township.

Answer by Supervisors of Union Township, and property owners.

RECEIVED
F.O. 6. 1. 06
ROTH, H. THOMAS & CO.
BE
CLEARFIELD, PA.

JEWELL & COMPANY, PHILADELPHIA

Petition of Dubois Boro.
to vacate and supply part of
public road in Union Township.

versus

In the Court of Quarter Sessions.
of Clearfield County, Pa.

No. 6 Dec. S.S. Term, 1906

Ex. Ex., No. Roads - 190

And now, A. D. 1906, petition read and considered,
and a rule is granted on

Nov. 22nd 1906, petition of Dubois Boro. filed

Nov. 22nd 1906, petition presented and Monday Dec. 3rd 1906 at 10
o'clock A.M. is fixed for the hearing of above petition. Notice
of this order to be given to Union Twp. and the property owners
affected by the proposed change. By the Court.

Returnable

By the Court,

HON. ALLISON O. SMITH, P. J.

Certified from the record this 22 day
of Nov., 1906.

Roll B. Thompson, Pro.

No. 6 Dec. 55 Term, 1906

Petition to change public

road in Union Twp.

RULE ON

Notice to Union Typ. and

Property owners
Decr. 26 1896. They notice a general
one over the place when nothing
that I have never heard anyone ever
Sheriff the County on Decr. 3 but
not the following day
Reason of going
John H. Stearns for
business of his & partner

Attorney for Claimant.

Zentz for Pora

Attorney for Defendant.

Petition of DuBois Boro.
to vacate and supply part of
public road in Union Township.

versus

In the Court of Quarter Sessions
of Clearfield County, Pa.

No. 6 Dec. 5 Term, 1906

File. Fa., No. 190

And now, A. D. 1906, petition read and considered,

and a rule is granted on

Nov. 22nd 1906, petition of DuBois Boro. filed.

Nov. 22nd 1906, petition presented and Monday Dec. 3rd 1906 at 10

o'clock A.M. is fixed for the hearing of above petition. Notice
of this order to be given to Union Twp. and the property owners
affected by the proposed change. By the Court.

Returnable

By the Court,

HON. ALLISON O. SMITH, P. J.

Certified from the record this 22 day
of Nov. 1906.

Roll B. Thompson, Pr.

No. 6 Dec. 55 Term, 1906

Petition to change public road
in Union Twp.

REVERSE

RULEON

Notice to Union Twp. and

property owners.

Sheriff

Attorney for Claimant.

Pentz for Boro.

Attorney for Plaintiff.

Attorney for Defendant.

SINGLETON BELL.

HOWARD B. HARTSWICK.

BELL & HARTSWICK,
ATTORNEYS-AT-LAW.

Clearfield, Pa., Nov. 24, 1906.

Thos. H. Murray, Esq.,

Clearfield, Pa.

Dear Sir:-

In your absence Mr. Rentz presented a petition to the court asking the court to provide a location of a road in Union Township to take the place of the Parish and Laborde road. I said to the court that I did not want this matter disposed of until you could be here as you represent the parties interested, and it was agreed that the day for the hearing should be fixed as December 3rd, but as it was possible that you might be absent on that date that it would be taken up later in the week at a time that would be convenient for you. The petition and blue-print are on file in the Prothonotary's office. I send you a rough sketch of the situation.

I do not know what will be the view taken by the supervisors as this location is entirely different from the one previously proposed which climbed the hills and came in below the reservoir.

Yours very truly,

Bell & Hartswick

D. S. HERRON.
ATTORNEY-AT-LAW.
DEPOSIT NATIONAL BANK BUILDING.

ATTORNEY FOR
FIRST NATIONAL BANK,
FALLS CREEK, PA.

DU BOIS, PA., March 19th 1907

Hon W. Rush Gillan,

Chambersburg, Pa'

Dear Sir:-

In the matter of the petition of the Town Council of Du Bois Borough, Clearfield County, Pa. which was argued before your honor, at Clearfield Pa., on March 13th 1907, I have looked for some authorities but have not found much on the question at issue.

I herewith submit about all that I could get. My time has been so taken up with other matters that did not do justice to this case.

With my regards I remain yours

Respectfully
D. S. Herron

Petition of Dubois Boro
to vacate and supply
part of public roads
versus
in Union Township

In the Court of Quarter Sessions
of Clearfield County, Pa.

No. 6 Dec 11 Term, 1906

Fix. Fd., No. Roads 190

And now, A. D. 1906, petition read and considered,
and a rule is granted on

Nov. 22 1906, Petition of Dubois Boro filed.
Nov. 27 1906, Petition presented and Monday
Dec 3rd 1906, at 10 o'clock AM is fixed
for the hearing of above petition
Notice of this order to be given to Union Twp.
and the property owners affected by the
proposed change. By the Court.

Returnable

By the Court,

HON. ALLISON O. SMITH, P. J.

Certified from the record this 22 day
of Nov 1906.

John Thompson Pro.

No. 91, Oct Term, 1906

Johns, to charge

Public road set

Union Luf

versus

RULE ON
Name to Union Luf.
of property concerned

Sheriff

Attorney for Claimant.

Legal for Luf.

Attorney for Plaintiff.

Attorney for Defendant.

Costs and expenses of this cause or trial
demanded with respect to expenses and legal
expenses of the parties.