

No. 1

May 7, 1907

Sessions, 1907

COMMONWEALTH

VERSUS

Public Road

in
Sandy Top

R. S. #5 - Page 1

Charge

Harrison

Smithfield St. JAMES H. KELLEY,
Near DuBois DISTRICT ATTORNEY
Part. Twp. lot 17391

To J.M.Postlethwait, Esq

One of the Supervisors of Sandy Township, Clearfield County, Pa.
You are hereby notified that an application will be made to the Court
Quarter Sessions of the Peace in and for the County of Clearfield, Pa.,
by sundry inhabitants of said Township of Sandy, at Clearfield, Pa.,
on Monday February 4th 1907, at 10 o'clock A.M., for the appointment of
viewers, to view and lay out a public road, beginning at a point on the
public road leading from Du Bois Borough to Erie Turnpike, and now known
as South Brady Street, opposite G.W.Pifer & Sons Planing Mill, in the
said Township of Sandy and from thence extending along what is known
as Smithfield Street and ending at a point on the public road now known
as Dixon Avenue, near the election house of Sandy precinct, in said Town-
ship of Sandy; at which time and place you may be present if you so
desire.

G.W.Pifer

Clearfield County SS:-

G.W.Pifer, being duly sworn according to law, doth depose and
say that served and left with J.M.Postlethwait, and _____

_____, Supervisors of Sandy Township, Clearfield
County Pa., true and attested copies of the within notice, informing them
of the contents thereof, 8th of January A.D. 1907

Sworn and Subscribed to before

me this 29th day of January A.D. 0

1907

J.M.J. Barclay

Justice of the Peace.

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 Township, in
said County, respectfully represents:- that they labor under great
inconvenience for want of a public road or highway beginning at a
point on the public road leading from Du Bois Borough to the Erie Turn
pike and now known as South Brady Street, opposite G.W. Pifer & Sons
Planning Mill, in the said Township of Sandy, and from thence extending
along what is known as Smithfield Street and ending at a point on the
public road now known as Dixon Avenue near the Election House of Sandy
precinct in said Township of Sandy. 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 report of their proceedings to the next term of
this Court.

G. W. Whitmore

W. J. Davis

Jas. Lydic

Joseph Lydic

R. F. Keitzer

J. H. Pifer

G. F. Cramer

John Brown

A. Turner

Mike Bly

G. Whitmore

b. stahlman

G. C. Pifer

David Lyons

John Lyons

Philip Cramer

G. W. Pifer

Lawrence Lewis

J. B. Whitmore

D. A. Kessler

R. K. Wriggle

Joseph McDaniel

W. H. Walburn

May 1905

Editor for
of Philadelphia
of Buccaneers to
Brooklyn and
a Spells House
for General
Secretary

have John Wright Julian
President & Thompson Europe
Trust, C. H. Gordhain and
H. E. Wright are appointed
visitors to river and
lakes water sports and
any game by the con-
stitution of the U.S.

William D. Wright
1905

Dr. Benjamin
D. Wright
City of Philadelphia

1905
J. B. & C. M. Makers, Phila., Pa.

12 + 13 May 1905

State Of Pennsylvania, : : SS
County of Clearfield :

In Pursuance of the opening order issued out of the Court of Quarter Sessions of Clearfield County To No. 1, May Sessions, 1907, directing a public road in Sandy Township, Clearfield County, Pa., beginning at a point in the public road known as Dixon Avenue near the Election House; thence extending to the public road known as South Brady Street opposite G.W. Pifer & Son's Planing Mill, be opened for public travel, said road was, in pursuance of said opening order issued on the 4th of September, 1907, opened for public travel.

In Witness Whereof, the Supervisors of Sandy Township have caused this certificate to be signed by its president, attested by its secretary and the Township seal to be thereunto attached.

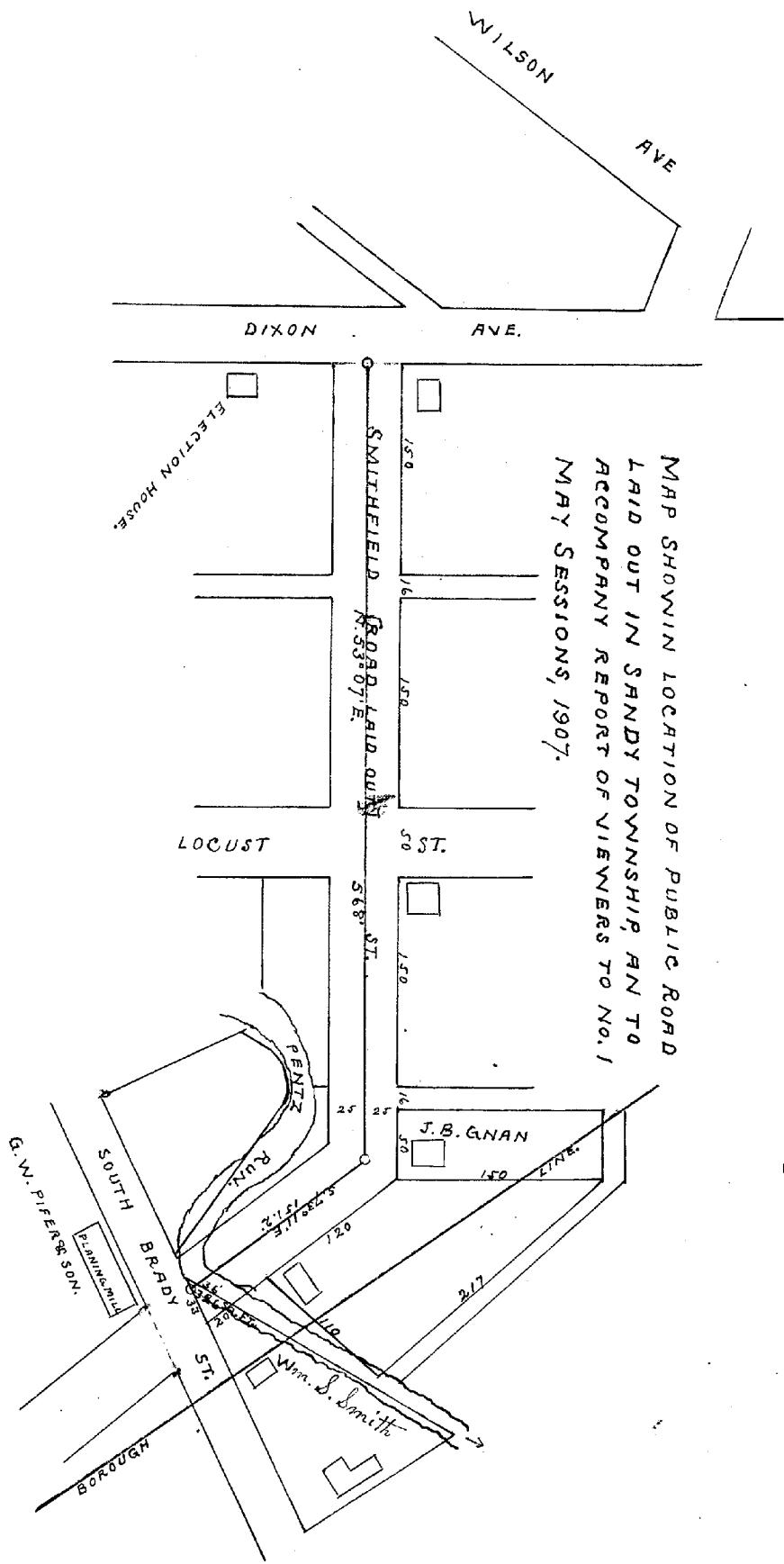
TOWNSHIP OF SANDY

By *John Heberling* -----
President

Attest

W. G. Kivela -----
Secretary

MAP SHOWING LOCATION OF PUBLIC ROAD
LAID OUT IN SANDY TOWNSHIP, AND TO
ACCOMPANY REPORT OF VIEWERS TO NO. 1
MAY SESSIONS, 1907.



January 12, 1907

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 on the public road leading from DuBois, to the Erie Turnpike, opposite B. W. Gifer and Son's Shaving Mill,

in Sandy Township, to a point in the public road, known as Nixon Avenue, near the Election House, and extending along what is known as Smithfield Street,

in said Township, in the county aforesaid, will meet at the house of B. W. Gifer & Son's Shaving Mill, in Sandy Township, on Monday, the 22nd day of April, A. D. 1907, at 1 o'clock P. 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

H. E. Ginter

Viewers.

Monday April 8th, 1907.

Deed notice on Supervisor C. Dunlaps Apr 10-07
" " " C. E. Washburn " 11-07
" " " John Herboling " 13-07
" " " Land owner Wm. S. Smith " 12-07

West of Pennsylvania }
County of Clearfield. } s.s.

Personally appeared George W. Piper, who, being
duly sworn according to law, made oath to the service
of this notice on the above persons, who are Supervi-
sors of Sandy Township, and land owner on said
road.

Sworn & subscribed to
before me this April 15th
1907. J. M. J. Barclay,

Justice of the Peace.
COMMISSION EXPIRES
MAY 3, 1908

G. W. Piper

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 14th day of February, A. D. 1907, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Sandy

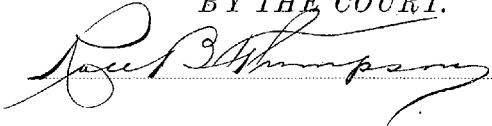
, in said county, setting forth that

they labor under great inconvenience for want of a public road or highway beginning at a point on the public road leading from Dobbs Ross to the line Turnpike and known as South Brady St. opposite G W Piper & sons Planing Mill in said town and from thence extending along what is known as Smithfield St. and ending at a point on the public road now known as Dixon Avenue near the old house of Sandy Town

and therefore praying the Court to appoint proper persons to view the same according to law, ~~and John Kirk John G. Gorder~~ whereupon the Court, upon due consideration had of the premises, do order and appoint John Kirk, John Gorder, H. E. Ginter 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

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.


Robert 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 Wm. S. Smith the sum of Ten Dollars

To the sum of

To the sum of

Witness our hands this 22nd day of April A. D. 1907.

Geo. Kirk.

C. H. Gullance

H. E. Ginter

To the Honorable, the Judge within named: We the undersigned, appointed by the aforesaid order do report: That in pursuance thereof, after having been duly sworn, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and we do agree that there is occasion for a road as desired by the petitioners, and that the same is necessary for a public road. And having had respect to the shortest distance and the best ground for such road, we have laid out in such manner as shall, in our opinion, do the least injury to private property, and as far practicable, agreeably to the desire of the petitioners, and do return for public use the following described road, to wit:—Beginning at a point in the public road, Kettown as Dixon Avenue, near the Election House, thence N. $53^{\circ} 07' E.$ along the center line of Smithfield Street, 568' to a post, thence $73^{\circ} 11' E$ on said Street, 151.2' to a post, at the public road, known as South Brady Street, opposite G. W. Pifer and sons Planing Mill. We further report, and recommend that said road be opened fifty (50) feet wide, by reason of it having been laid out as a street that width, on the Schwem addition, to Perry Run, and by reason thereof, there are no damages accruing to any one of the property owners along said street, except Wm. S. Smith, and therefore, having taken into consideration the advantages, as well as the disadvantages to be derived to the said Wm. S. Smith, from the road taking a small triangular strip off of his lot, containing 3265a ft, we have assessed the damages sustained by the said Wm. S. Smith, at ten (\$10.⁰⁰) dollars. We further report, that before said view, public notice of the time and place of the meeting of said viewers was given by advertisements put up at three of the most public places in the vicinity, ten days before said meeting, That notice was served on the County Commissioners by mailing to them a copy of said notice, and on C. Dunlap, C. E. Washburn and John Heberling, Supervisors of Sandy Township, and on Wm. S. Smith, owner of land over which said road passes, and we annex a plot or draft of said road laid out, stating the courses and distances, and noticing briefly the improvements through which the same passes, and herewith return a copy of said notices.

Witness our hands the 22nd day of April, A.D. 1907.

Geo. C. Kirk
C. H. Gollander
A. E. Ginder. }
Viewers.

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.

No/ May Sessions, 1907

ORDER

To view a road for public use in the township of Sandy, Clearfield County

	AMOUNT
Goals Kirk	Days 2 $\frac{1}{2}$ 10.00
	Miles 7 .70
C. H. Goodlander	Days 1 2.00
	Miles 3 .30
H. E. Ginter	Days 1 2.00
	Miles 1 1.00
	Days 1 1.50
	Miles 1 1.50
	Days 1 1.50
	Miles 1 1.50

Plat of Sessions, 1907, 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 Land of Plaintiff and the Defendants.

Plat of 1907 confirmed absolutely by 33 feet wide by Plaintiff and the Defendants.

Filed 1907
 Fees \$1.25 paid by Plaintiff.