

No. 3 Sept. 2d, Term, 1914.

Vacate
Public Road
in
versus
Sandy Township
(Brookfield, Walnut Ave
et al.)

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

To the Hon. Allison O. Smith, Judge of said Court;

The petition of the undersigned respectfully represent:

or certain of them

That they⁴ presented to your Honorable Court a petition for a public road, in the township of Sandy, Clearfield County, Pennsylvania (No. 2, Sept. Sessions 1909), the said road to begin in a public road leading from the Brooks place, to Cal Shaffer's at a point at the saw mill of the late M. Reasinger, and one-half mile from Eastern terminus of said road at the Brooks place, to terminate on Walnut Avenue, at the line of the Borough of DuBois, in said Township of Sandy;

That in pursuance of said petition and subsequent procedure thereon, the proposed public road was viewed, layed out, confirmed, and an opening order therefor directed to the Supervisors of Sandy Township;

That the road described in the opening order directed to the aforesaid supervisors is described as follows, to wit; BEGINNING at a public road leading from the Brooks place to Cal Shaffers, at a point near the saw mill of the late Michael Reasinger thence N. 33° 30' W. partly on improved and partly on unimproved lands of the said Michael Reasinger estate, 1989 ft. to a post on improved lands of A. R. VanTassel; thence N. 10° 15' E. still on improved lands of said A. R. VanTassel, 1372 ft. to a post at the intersection of Walnut Avenue and Eighth Street; thence N. 79° 45' W. on the central line of said Walnut Avenue, 985 ft. to a post in the line of DuBois Borough.

That the above described public road has not yet been opened or any part thereof;

That your petitioners are a majority of the petitioners on the petition to No. 2, Sept. Session, 1909.

Your petitioners conceive that the proposed public road would be useless, inconvenient and burdensome to the inhabitants of Sandy Township, and they therefore pray your Honorable Court that the said proposed public road may be vacated, agreeably to the acts of general assembly in such case made and provided.

And they will ever pray etc.,

Name.

resident of

Cark Bailey J S Shaffer

George Morris George Beer

R M Boan

Henry Morris

Harold Library

William Russell

Philip Snoots

David Young

Hiram Gerrie

W H Wessinger

E G Punt

Asf. Smith

J H Doyle

K E Shirley

J W Clark

P. L. May

J Wayne

W. King

Wm Chick

Frank Kern

NOTICE TO COMMISSIONERS.

TO J. S. RICHARDS, W. C. LANGSFORD and D. J. GINGERY, COMMISSIONERS OF CLEARFIELD COUNTY:

Gentlemen:-

You will hereby take notice that a petition on the part of citizens of Sandy and other townships, for the appointment of viewers to view and vacate a certain proposed public road, lately viewed and layed out in the township of Sandy in pursuance to a petition filed to No. 2, Sept. Sessions, 1909, will be presented to the Judge of the Court of Quarter Sessions at ten o'clock A. M. May 1, 1911.

Now, May 1, 1911, notice received and service of same is accepted.

L. C. Morris

Commissioners Clerk.

KNOW ALL MEN BY THESE PRESENTS, that we, George Beers
-----and J. L. Shaffer-----

all of Sandy Township, Clearfield County, Pennsylvania, are held
and firmly bound unto the Commonwealth of Pennsylvania, in the
sum of one hundred dollars, lawful money of the United States,
to be paid to the Commonwealth of Pennsylvania, or its certain
Attorney to which payment to be well and truly made and done. we
do bind ourselves and each of us by himself, for and in the whole
our heirs, executors, and administrators, and every one of them
firmly by these presents: sealed with our seals, and dated the
first day of May, 1911.

WHEREAS, the said George Beers-----
-----and other citizens of Clearfield County
and J. L. Shaffer-----have filed in the Court of Quarter
Sessions of Clearfield County, Pennsylvania, of even date here-
with, a petition praying for the appointment of viewers to view
and vacate a certain proposed public road, lately laid out and as
yet unopened, in the Township of Sandy, and being the same propo-
sed public road as was laid out in pursuance of a petition filed
to No. 2, Sept. Sessions, 1909, in the said Court of Quarter Ses-
sions of Clearfield County, Pennsylvania;

Now the condition of the above recited obligation is such
that if the above bounden George Beers
-----and J. L. Shaffer
-----or any of them, their heirs, administrators, or executors shall
well and truly pay in the office of the Prothonotary of Clearfield
County, if required by the Court so to do, all of the costs atten-
dant upon the proceedings in the view prayed for, without default
or delay, then the said obligation to be void, or otherwise to be
and remain in full force and effect.

Sealed and delivered in
presence of

El. Boose

George Beers ----- (SEAL)
J. L. Shaffer ----- (SEAL)
----- (SEAL)

3 SEP 12 1967
(Recd)

Letter for vacation
of proposed public
Road in Shady
Branch

REC'D

Just now, May 5th
1911 Julian was and
considered much
George C. Clark, H.
J. W. Taylor and
Henry S. Banks
are members
and officers
to report next day
to the Board
of the Board
of the Board

John W. Marshall

E. G. BOOSE
ATTORNEY AT LAW
DU BOIS, PA.

Baltimore Office Supply Co., Baltimore, Md.

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 5 day of May, A. D. 1901, 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 has been laid out to No. 2 Sept. 22, 1901, as follows - Beginning at a public road leading from the Brookfield place to Cal Shaffer's, at a point near the saw mill of the late Michael Reisinger thence N. $33^{\circ}30'W$, partly on improved and partly unimproved lands of the said Michael Reisinger estate 1287 ft. to a post on improved lands of A. R. VanDassell, thence N. $10^{\circ}15'E$, still on improved lands of said A. R. VanDassell, 1372 ft. to a post at the intersection of Walnut Ave, ⁴ 1/2 Eng St, thence N. $79^{\circ}45'W$, on the Central line of and Walnut Ave, 985 ft. to a post in the line of the Bala Borough W.

and therefore praying the Court to appoint proper persons to view and locate the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint George C. Kile, J. K. Seyler, & Henry 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 no occasion for such road, they shall proceed to rate 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

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN THE MATTER OF PETITION TO VIEW
AND VACATE PUBLIC ROAD VIEWED AND
LAYED OUT IN SANDY TOWNSHIP.)
NO. 3, SEPT. TERM 1911.

NOTICE TO SUPERVISORS.

To William Beers, Lewis Shaffer and H. A. Troutman, Road Supervisors of Sandy Township:

You will hereby take notice that in pursuance of a petition filed in the Court of Quarter Sessions in and for Clearfield County to No. 3, Sept, Sessions, 1911, by certain citizens of the said County, praying for the appointment of viewers to view and vacate a certain proposed public road in the said township of Sandy, recently viewed and layed out, and beginning at a point near the saw mill of the late Michael Reasinger and ending at a post at the intersection of Walnut Ave with the line of DuBois Boro, George C. Kirk, Henry Ginter and J. K. Seyler were appointed viewers by the Court for the purpose prayed for and that they have fixed upon the 18th day of Aug. 1911 at the hour of 1.00 P.M and the first named termini, to wit; the saw mill of the late Michael Reasinger, as the place of meeting to attend to the duties of their appointment, at which time and place you may attend if you think proper.

E. G. Boose

Attorney for petitioners.

And now, Aug 5, 1911, service of above notice made by E. G. Boose, by reading a copy of same to us, and said service is accepted.

Signed in the presence of
each other and of

witness.

George Beers

H. A. Troutman

L. Shaffer

AFFIDAVIT OF SERVICE.

COUNTY OF CLEARFIELD ss.
STATE OF PENNSYLVANIA)

Before me, a Notary Public in and for said county personally appeared E. G. Boose, who being duly sworn doth depose and say that he served the above notice to the Supervisors of Sandy Township by reading to them the said notice at DuBois, Pa. Aug 5, 1911.

Sworn to and subscribed before me this 8th day of Augst, 1911.

E. G. Boose

B. Boose
Notary Public
Commission Expires - 10-1913.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN THE MATTER OF PETITION TO VIEW)
AND VACATE PUBLIC ROAD VIEWED AND) NO. 3, SEPT. TERM 1911.
LAYED OUT IN SANDY TOWNSHIP.)

NOTICE TO LAND OWNER.

To Mrs. Russell, Guardian of the minor children of Michael Reasinger, late of Sandy Township, deceased:

You will hereby take notice that in pursuance of a petition filed in the Court of Quarter Sessions of Clearfield County to No 3, Sept. Sessions, 1911, by certain citizens of the said county, praying for the appointment of viewers to view and vacate a certain proposed public road in the Township of Sandy, recently viewed and layed out, and beginning at a point near the saw mill of the late Michael Reasinger, of Sandy Twp. deceased; located partly on improved and partly on unimproved lands of the said Michael Reasinger, and ending on the central line of Walnut Ave. at a post in the line of DuBois Boro., the Court has appointed Geo. C. Kirk, Henry Ginter and J.K. Seyler viewers for the purpose prayed for and they have fixed upon the 18th day of ~~Aug~~^{Sept} and the hour of 2:00 P.M. and the first named termini, to wit; the said point near the saw mill of the late Michael Reasinger, as the place of meeting to attend to the duties of their appointment, at which time and place you may attend if you so desire.

E. L. Boose
Attorney for petitioners.

And now, 1911 said notice duly received by a copy of same being given me, and service of same accepted.

Guardian of minor children of M. Reasinger

AFFIDAVIT OF SERVICE.

COUNTY OF CLEARFIELD) ss.
STATE OF PENNSYLVANIA)

Before me, a Notary Public in and for the said County personally appeared *John Shaffer* who being duly sworn according to law, doth depose and say that he served the above notice to Mrs. Russell, Guardian for the minor children of the late Michael Reasinger, by giving to her a copy of the said notice at her home in Sandy Township, on the 17th day of ~~Aug~~^{Sept} 1911 at about 3rd o'clock P.M.

O. L. Shaffer

Sworn to and subscribed before
me this 19th day of ~~Aug~~^{Sept} 1911.

E. L. Boose
Notary Public
My Commission Expires May 2, 1915.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN THE MATTER OF PETITION TO VIEW)
AND VACATE PUBLIC ROAD VIEWED AND) NO. 3, SEPT. TERM 1911.
LAYED OUT IN SANDY TOWNSHIP.)

NOTICE TO LAND OWNER.

To A. R. Vantassell:

You will hereby take notice that in pursuance of a petition filed in the Court of Quarter Sessions of Clearfield Co. to No. 3, Sept. Sessions, 1911, by certain citizens of the said County, praying for the appointment of viewers to view and vacate a certain proposed public road in the Township of Sandy, recently viewed and layed out, and beginning at a point near the saw mill of the late Michael Reasinger, of Sandy Twp. deceased, and ending at a point on the central line of Walnut Ave. in the line of DuBois Boro, and located in part on improved lands belonging to you, the said A. R. Vantassell, the Court has appointed Geo. C. Kirk, Henry Ginter and J. K. Seyler viewers for the purpose prayed for and they have fixed upon the 18th day of Aug. 1911 and the hour of 1:00 P.M. as the time, and the first named termini, to wit; the said point near the saw mill of the late Michael Reasinger, as the place of meeting to attend to the duties of their appointment, at which time and place you may attend if you so desire.

Eli. Brode
Attorney for the petitioners.

And now, 1911, said notice duly received by a copy of same being given me, and service of the same accepted.

AFFIDAVIT OF SERVICE.

COUNTY OF CLEARFIELD ss.
STATE OF PENNSYLVANIA

Before me, a Notary Public in and for the said County personally appeared *D. L. Shaffer* who being duly sworn according to law, doth depose and say that he served the above notice on A. R. Vantassell, by giving to him a copy of the said notice at his residence in the Boro of DuBois on the 5th day of Aug. about 3:00 o'clock P.M.

D. L. Shaffer

Sworn to and subscribed before
me this 19th day of Aug. 1911.

Eli. Brode

Notary Public

My Commission Expires May 2, 1915.

TO THE HONORABLE, THE JUDGE OF THE COURT OF QUARTER SESSIONS.

We, the undersigned, all the viewers appointed by your Honorable Court to view and vacate a public road laid out to No. 2 September Sessions 1909, as set forth in the accompanying order respectfully report and return:

That in pursuance of said order, after having given due public notice of the time and place of meeting by posting of hand bills as required by law and serving personal notices on the property owners, through whose property said road passes, as well as on the Supervisors of Sandy Township and Commissioners of Clearfield County, (copies of which notices are hereto attached) as provided by law, all the viewers met on the 18th day of August 1911, at two o'clock in the afternoon on the public road leading from the Brooks Place to Cal Shaffer, near the saw mill of the late Michael Reasinger, one of the termini of said road, fixed in said notices as the time and place of meeting, and after first being duly sworn or affirmed, proceeded to view said road for the purposes as set forth in said order of Court.

A large number of citizens were present as well as the Supervisors of Sandy Township. The viewers after having heard all the citizens and taking into consideration all the facts connected with said road, are of the opinion that said road is necessary for public use and should be opened for public travel, and they, therefore, report that said road should not be vacated. All of which is respectfully submitted.

VIEWERS.

Geo. C. Kirke

H. E. Ginter

J. K. Saylor

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.

No. 3.—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. 3 Sept Sessions, 1900

ORDER

To view and locate a road ~~for~~ ^{for} in the township of Sandy, Clearfield County, Penna.

John Sessions, 1900,
read and confirmed Ni. Si.
Road to be opened ~~33~~ feet
wide, except where there is
side hill cutting or embank-
ment and bridging, where to
be 10 feet wide. By the County

Days 2 ~~1~~ 0.00

Miles 9 ~~2.0~~

Days 2 ~~1~~ 0.00

Miles 2 ~~2.0~~

Days 2 ~~1~~ 0.00

Geo. S. Kirk } Miles 9 ~~2.0~~

J. E. Grinter } Miles 2 ~~2.0~~

J. T. Seydel } Miles 2 ~~2.0~~

Alfred C. Smith } Miles 2 ~~2.0~~

Fees \$1.25 paid by ~~2.00~~

Filed 190 .

Fees \$1.25 paid by

E. G. Grove—acting for Petitioners