

ROAD

No. 4. *Sept* <sup>14</sup> Term 1913 A. D.

*In Re Public*

*Road in Sandy Sp.*

VS.

MEMORANDA

Prothonotary Office

Clearfield County, Pa.

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE COURT  
OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

The petition of John Droney and Elizabeth D. Droney  
of Sandy Township and John McBride of Brady Township would re-  
spectfully represent:

That on May 27th., 1913, a petition was presented  
in your Honorable Court, signed by a number of citizens of  
Sandy Township, praying for a public road in Sandy Township,  
to begin at a point where Marshall Avenue intersects with the  
public road formerly known as Pacific Avenue and ending at a  
point in a public road near the American-French-Belgian Glass  
Factory, where an alley intersects with the public road.

That on May 27th., 1913, your Honorable Court ap-  
pointed A. G. Kramer, H. C. MacMinn and J. W. Gill to view and  
make report to the September Sessions, 1913.

That the said viewers filed their said report on  
August 25th., 1913, and said report was confirmed to No. 4 Sept-  
ember Sessions, 1913, nisi and at the December Sessions, 1913,  
of your Honorable Court it was absolutely confirmed.

That later an opening order was issued and the  
supervisors opened said public road along the lines of the report  
of the said viewers and that the said road is now used as one  
of the public roads in Sandy Township.

That your petitioners, John Droney and Elizabeth  
D. Droney on the 30th. day of June, 1913, by deed recorded on  
June 23rd, 1913, in Clearfield County in Deed Book No. 196, page

35, purchased from James Delaney four lots of ground in the Loeb Addition for the sum of twelve hundred dollars; said lots being known in the Loeb Addition, No. 2 to DuBois as Nos. 16, 17., 18, & 19, in section "C"; that the said James Delaney purchased these four lots from Loeb Brothers on November 23rd., 1912, the deed being recorded at Clearfield in Deed Book 197, page 893.

That your said petitioner, John McBride, in 1903, purchased from Loeb Brothers in Loeb Addition to DuBois Borough two lots, known as Nos. 20 & 21 by article of agreement, paying therefor the sum of three hundred and fifty dollars.

That your petitioners John Droney and Elizabeth D. Droney have lived at Eriton for the past ten years, a distance of about four miles from the Loeb Addition, whilst your petitioner, John McBride, has lived for the past twenty years at Helvetia, about six miles from the said Loeb Addition; that neither of your petitioners have made any improvements upon their said lots.

That the said public road as laid out and exhibited on the map, filed with the viewers report, runs through and over lots No. 18 & 19 of your petitioner's, John Droney and Elizabeth D. Droney, taking forty feet and more out of lot 19 and through its entire distance, completely destroying said lot all but a very small, narrow strip; leaving it of no value to your petitioner or any one else and taking nearly one-third of lot No. 18, rendering it practically useless and of no value.

That the said road as laid out runs over and across lots No. 20 & 21 belonging to your petitioner, John McBride destroying all of lot No. 20 but a small corner and absolutely rendering it valueless and that it runs over and across lot No. 21 of your petitioner, John McBride, cutting off the entire end of said lot, consuming and destroying about one-third of it and completely destroying its sale value.

That your petitioners John Droney and Elizabeth D. Droney received no notice of any kind, whatever of this view or of any action of any kind upon the part of the viewers to view and lay out a public road; that they had no knowledge that such a view was advertised, proceedings had thereon or a road laid out. About the middle of May, having had occasion to visit their lots for the purpose of trying to make a sale of the same, they discovered that a public road had been laid out and ran through their lots and this was the first notice that they had of the same.

That they immediately consulted an attorney and filed a petition for a rule to show cause why the absolute confirmation of the viewer's report should not be stricken off; that a hearing and argument was had upon this rule in Your Honorable Court on Monday, October 19th., 1914.

That the value of the property so taken for public purposes is not less than three hundred dollars and the value of the remaining property is materially decreased

by the irregular shape in which it is left by reason of the road running through it; that this is a great loss to your petitioners and unless an appeal is allowed they will suffer great loss and irreparable injury.

Your petitioners, therefore, averring no notices of the appropriation of their ground for public use, having had no opportunity to appear and present testimony at the time of the assessment of damages, and there having been no one approached them for the purpose of obtaining releases on damages, and the report of the viewers itself showing that while damages were allowed to others, not so materially effected, no damages were allowed to your petitioners, and having had no notice of any kind of the filing of the viewers report, its confirmation, nisi or absolutely or the opening of the said road or its use after having been opened until May of this year, when they promptly took action, pray your Honorable Court for a rule to show cause why an appeal nunc pro tunc to the Court of Common Pleas of Clearfield County from the decree of the Court of Quarter Sessions absolutely confirming the aforesaid award of the viewers in order that the question of damages may be determined by a jury according to law.

AND THEY WILL EVER PRAY.

*William J. Leaden*  
*Atty.*

*Elizabeth E. Droney*  
*John Droney*  
*John McBride*

State of Pennsylvania

S. S.

County of Clearfield

Personally appeared before me, a Justice of the Peace in and for said County, John Droney, Elizabeth Droney and John McBride, the within named petitioners, being duly sworn according to law doth depose and say that the facts as set forth in the foregoing petition are true and correct according to the best of their knowledge and belief.

Sworn and subscribed before me  
this *Twenty Fourth* day of October, 1914.

*Elizabeth E Droney*

*John Droney*

*John McBride*

*J. M. Bryan, J. P.*

COMMISSION EXPIRES FIRST MONDAY IN JANUARY, 1915.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

TO HON. ALLISON O. SMITH? JUDGE OF SAID COURT.

Your undersigned petitioners, citizens of Sandy Township, Clearfield County, Pennsylvania, respectfully represent;

That they labor under great inconveniences for the want of a public road in Sandy Township, to begin at a point where Marshall Avenue intersects with the public road formerly known as Pacific Avenue, and ending at a point in the public road near the American-French-Belgian Glass Factory, where an Alley intersects with the said public road,

Wherefore your petitioners pray that your Honorable Court may appoint proper persons to view and lay out a public road according to law. And they will ever pray etc.

CERTIFICATE.

I hereby certify that I have examined the foregoing petition and that it conforms to law and to the purposes of the petitioners

E. S. Boose  
Atty for Petitioners.

Name.	Occupation.
Gallus L. Overster.	Brewer.
Jos. W. Grube	Laborer
L. W. Spieker	Mine Pumpers
E. F. Korb	Laborer
A. S. Korb	Laborer.
George Doels	Carpenter
W. J. Browne	Mine Pumpers.
Geo W Higgins	mine Worker
F. J. Willison	Boiler maker
Jack Johnson	Miner
A. R. Ritchie	Superintendent

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN THE MATTER OF THE PETITION OF GALLUS SCHROEDER AND OTHERS FOR  
THE APPOINTMENT OF VIEWERS TO VIEW AND LAY OUT A PUBLIC ROAD IN  
SANDY TOWNSHIP.

BOND.

KNOW ALL MEN BY THESE PRESENTS, that we Gallus Schroeder, Jos.

W. Grube, George Proels and George W. Higgins

all of the Township of Sandy, County of Clearfield, and State of  
Pennsylvania, are held and firmly by these presents bound unto the  
Commonwealth of Pennsylvania in the sum of one hundred dollars, to  
the payment of which we do bind ourselves, our heirs, assigns, ad-  
ministrators and executors. Sealed with our seals and dated the  
fifth day of May, 1913.

Now the condition of this obligation is such that if the  
costs incident to the view of a certain proposed public road in  
Sandy Township for which we are petitioners, and known to the Re-  
cord as No. Sept. Term, 1913, Quarter Sessions of Clearfield  
County, should be assessed to us by the Judge of the said Court,  
then in such case we or either of us, or our heirs, assigns, admin-  
istrators or executors, will immediately pay into the office of  
the Prothonotary of Clearfield County, the amount of such costs  
without any fraud or delay, this obligation then to be void and  
of none effect, otherwise to be of full virtue and effect.

Gallus Schroeder (seal)  
Jos. W. Grube (seal)  
George Proels (seal)  
Geo. W. Higgins (seal)



IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN THE MATTER OF THE PETITION OF GALLUS SCHROEDER AND OTHERS FOR  
THE APPOINTMENT OF VIEWERS TO VIEW AND LAY OUT PUBLIC ROAD IN  
SANDY TOWNSHIP.

NOTICE TO SUPERVISORS.

To H. A. Troutman, George Beers and George Brown, Supervisors of  
Sandy Township;

You will hereby take notice that a petition on the part  
of Gallus Schroeder and other citizens of Sandy Township, for the  
appointment of viewers to view and lay out a public road in Sandy  
Township, will be presented to the Court on Monday, May 26th 1913,  
at ten o'clock A. M. The said proposed road to begin at a point  
where Marshall Avenue intersects with the public road formerly  
known as Pacific Ave. and ending at a point in the public road  
near to the American-French-Belgian Glass Factory where an Alley  
intersects with the said public road.

*E. S. Boose*

Atty for Petitioners.

And now, May 3d. 1913, notice received and service of the same is  
accepted.

*H. A. Troutman*

*George Beers*

And now, May 26th 1913, a copy of the above notice to us directed  
as Commissioners of Clearfield County, received, and service of  
said notice is accepted.

*L. C. Morris*

*Clerk to - Clearfield*

*County Commissioners*

No 4 Sept. 1913.

Petition for Appointment  
of Circuit to  
be and lay out  
Public Road in  
Lundy Township.

Read and May 27  
1913. The within  
Petition read and con-  
sidered and the  
Court does appoint  
A. S. Kramer, H. S. Mahan  
and J. W. Gill  
to view and make  
report to Sept.  
Session, 1913.

By the Court C. S. Mather  
F. G. BOOSE  
ATTORNEY AT LAW AND  
NOTARY PUBLIC  
MAY 27 1913 DUBOIS, PA.  
JOHN H. MCORE  
CLERK

In the Court of Quarter Sessions of Clearfield County  
To the Honorable the Judge of said Court

We the undersigned citizens of Graham and Morris Township  
respectfully represent that they labor under great inconvenience  
for want of a public road in said Townships of Graham and Morris  
to begin at a point on the public road leading from Morrisdale  
Mines to Deer Creek <sup>upon near the residence of Frank H. Linn in Graham</sup> and to end at a point on the Snow Shoe  
and Packerville and Turnpike Road at or near what is known as  
the Anton Neuber farm now known as the Jacob Smutinger place in Morris  
We therefore pray your Honorable Court to appoint viewers  
to view the same and make report the eof to the next Term of  
of said Court. And we will ever pray &c

Henry J. George

R. Vernon Holtz

John S. Barber

Levin Bigner

Ascor McDonald

Mr J. F. K.

Geo. T. K.

E. D. K.

N. W. Mencer

James B. K.

Harry C. K.

Geo. K.

Chas. K.

Wm. K.

Al. Lumberger

E. L.

J. A. Comer

Bert A. Hubert

Isaac K.

O. J. Frazier

J. L. K.

Clearfield Penna August 29th 1913

To the Supervisors of Graham and Morris Townships

You are hereby notified that an application will be presented to the Court of Quarter Sessions of Clearfield County on next Tuesday September 2nd for the appointment of viewers to view and lay out a public road to commence at a point on the Deer Creek road at or near the residence of Frank Hummell and to end at a point on the Snow Shoe road at or near the what is known as the Anton Neuber farm now owned by Jacob Smutzinger so that if you have any objections you can present the same to the Court at that time

*E. J. ...*  
*L. H. ...*  
*D. M. Mannes*  
Supervisors

*We except - Service on presentation  
of this petition to Commissioners*

*J. L. Bowman*

#8 Sept 1913  
#2 Decatur Mills

Ordered for a vote  
in Graham Moore  
Jury list -

FILED  
SEP 16 1913  
JIN H. NICOLLE  
CLERK

Mon Sept 16 1913  
within petition read  
and considered and  
thompson A. S. Krauer  
H. S. Thas Minn and  
J. M. Bell are appointed  
agents to view said  
road and premises  
and report at next  
term

By the Court  
Alfred A. Smith  
Clerk

No 4 Sept 1888 1912 In the Court of Appeals Session of 1912	In re Public Road in Sandy Township	C. L. Litchman	Now October 26 <sup>th</sup> 1914 the within petition has been considered and a rule is made on petitioners, Johnson & Sandy High Commissioners of Allegheny County to show cause why an appeal from the within order should be set aside according to prayer of petitioners. Returnable to 1 <sup>st</sup> argument Court in the Court of Appeals Patterson & Gleason, Attorneys at Law, Du Bois and Clearfield, Pa. Baltimore Office Supply Company, Baltimore, Md.
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Now October 30<sup>th</sup> 1914 issue of rule waived, service accepted for  
 Sandy Township and personal service waived.

H. C. Miller,  
 of Counsel for Sandy Township.

A. M. Liveright  
 County Solicitor.

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

The petition of John Droney and Elizabeth D,  
Droney of Sandy Township and John McBride of Brady  
Township would respectfully represent:

That on May 27th., 1913, a petition was  
presented in your Honorable Court, signed by a number of  
citizens of Sandy Township, praying for a public road in  
Sandy Township, to begin at a point where Marshall Avenue  
intersects with the public road formerly known as Pacific  
Avenue and ending at a point in a public road near the  
American-French-Belgian Glass Factory, where an alley  
intersected with the public road.

That on May 27th., 1913, your Honorable  
Court appointed A. G. Kramer, H. S. MacMinn and J. W.  
Gill to view and make report to the September Sessions, 1913.

That the said viewers filed their said re-  
port on August 25th., 1913, and said report was confirmed  
to No. 4 September Sessions, 1913, nisi and at the December  
Sessions, 1913, of your Honorable Court it was absolutely  
confirmed.

That later an opening order was issued and  
the supervisors opened said public road along the lines of  
the report of the said viewers and that the said road is  
now used as one of the public roads in Sandy Township.

That your petitioners, John Droney and

Elizabeth D. Droney on the 20th. day of June, 1913, by deed recorded on June 23rd, 1913, in Clearfield County in Deed Book No. 196, page 35, purchased from James Delaney four lots of ground in the Loeb Addition for the sum of Twelve Hundred Dollars; said lots being known in the Loeb Addition, No. 2 to DuBois as Nos. 16, 17, 18 & 19 in section "02; that the said James Delaney purchased these four lots from Loeb Brothers on Nov. 23rd. 1913, the deed being recorded at Clearfield in Deed Book 197, page 593.

That your said petitioner, John McBride, in 1903, purchased from Loeb Brothers in Loeb Addition to DuBois Borough two lots, known as Nos. 20 & 21 by article of agreement, paying therefor the sum of Three Hundred and Fifty Dollars.

That your petitioners, John Droney and Elizabeth D. Droney have lived at Eriton for the past ten years, a distance of about four miles from the Loeb Addition; whilst your petitioner, John McBride has lived for the past twenty years at Helvetia, about six miles from the said Loeb Addition; that neither of your petitioners have made any improvements upon their said lots.

That the said public road, as laid out and exhibited on the map, filed with the viewers report, runs through and over lots No. 18 & 19 of your petitioners, John Droney and Elizabeth D. Droney, taking forty feet and more out of lot 19 and through its entire distance,



completely destroying said lot all but a very small, narrow strip; leaving it of no value to your petitioner or any one else and taking nearly one-third of lot No. 18, rendering it practically useless and of no value.

That the said road as laid out runs over and across lots No. 20 & 21 belonging to your petitioner, John McBride, destroying all of lot No. 20 but a small corner and absolutely rendering it valueless and that it runs over and across lot No. 21 of your petitioner, John McBride, cutting off the entire end of said lot, consuming and destroying about one-third of it and completely destroying its sale value.

That your petitioners John Droney and Elizabeth D. Droney received no notice of any kind whatever of this view or of any action of any kind upon the part of the viewers to view and lay out a public road; that about the middle of May, 1914, having had occasion to visit their lots for the purpose of selling the same, they went to the Loeb Addition and discovered that a public road had been laid out and ran through their lots and that this was the first notice that they had of the same.

That your petitioner, John McBride, received no notice of any kind of the said view from the viewers, supervisors, petitioners or any one else; that he was utterly unaware that his property had been seized and destroyed until he was notified by out-siders on the 5th. day of June, 1914.

That the report and the map as returned by the viewers to your Honorable Court shows the Loeb Addition

as plotted and shows these lots as numbered, notwithstanding this, the viewers, supervisors, petitioners or the Attorney for the petitioners or Sandy Township never served notice of any kind at the office of Loeb Brothers in the Borough of DuBois.

Your petitioner, therefore, representing that their private property has been siezed and appropriated as a public road, for the use of the public, without due process of law and without notice of any kind having been given them, and further representing that the report itself shows that no notice was given them or any damages assessed, and representing that the property as set forth herebefore has been destroyed and rendered valueless by the opening of said road, doing your petitioners irreparable injury and damage and causing them great loss, pray your Honorable Court to grant a rule upon George Byer, W. H. Nupp and H. A. Troutman, Supervisors of Sandy Township, and to whatever other parties appearing on record that are legally interested and should be served, to show cause why said report to No. 4 September Term, 1913, laying out a public road in Sandy Township should not be set aside and the confirmation vacated

And they will ever pray.

John Dronney  
Elizabeth D. Dronney  
John M. Beider

State of Pennsylvania

S. S.

County of Clearfield

Personally appeared before me, a  
Notary Public in and for said County and State, John  
Droney, Elizabeth D. Droney and John McBride, who being  
duly sworn according to law doth depose and say that  
the facts contained in the foregoing statement are true  
and correct according to the best of their knowledge and  
belief.

Sworn and subscribed before  
me this 6th. day of June,

1914.

John Droney

Elizabeth D. Droney

John McBride

Joseph G. Bogden  
NOTARY PUBLIC

My Commission Expires March 25, 1917.

4 Sept. 1914

In the Court of Quarter  
Sessions of Clearfield County

No. 4 September S.S. 1913.

In the matter of  
Public Road in Sandy Town-  
ship

Petition for rule to  
set aside report and vacate  
confirmation.

Now this 11<sup>th</sup> day of June, 1914,  
the within petition read and  
considered, and a rule is  
granted upon George Beers,  
W. H. Napp and H. A. Troutman,  
Supervisors of Sandy Township,  
and upon the petitioners for the  
road, that they show cause  
to show cause why the viewers  
report to No. 4 Sept S.S., 1914  
should not be set aside and  
the confirmation vacated,  
returnable next September term.

*By the Court  
E. H. Towner  
Sept 14/14*

PATTERSON & GLEASON,  
ATTORNEYS AT LAW,  
DU BOIS, AND CLEARFIELD, PA.

Baltimore Office Supply Company, Baltimore, Md.

In the Court of Quarter Sessions of Clearfield County, Pennsylvania  
In Re. Public Road in Sandy ) No. 4 September Sessions, 1914.  
Township. )

In this case a petition was presented on May 27th, 1913, for the appointment of Viewers to view and lay out a public road in Sandy Township. Whereupon Viewers were appointed as prayed for, who filed their report on August 25th, 1913, finding that there is occasion for the road desired and that the same is necessary for a public road, and proceeding to lay out the same. No release of damages was signed by any of the property owners affected and the only damages assessed were as follows: George Proels \$1.00, Galus Shrader \$1.00, Loeb Brothers \$1.00, American-French-Belgian Glass Company \$1.00. This road was confirmed Ni Si at September Sessions, 1913, and confirmed absolutely at December Sessions, 1913. On October 26th, 1914, John Droney and Elizabeth D. Droney and John McBride presented their petition, setting forth that the Droneys are residents of Sandy Township and McBride of Brady Township; that John and Elizabeth Droney owned four lots in the Loen Addition, known as 16, 17, 18 and 19 in Section "C", and that John McBride owned two lots, known as 20 and 21 in said Loen Addition; that the purchase price of the Droney lots was \$1200.00 and the purchase price of the McBride lots \$350.00; that this public road as laid out runs through and over lots 18 and 19 of the Droney lots, almost entirely destroying lot No. 19 and greatly affecting and damaging lot No. 18, and also runs over both the McBride lots, practically destroying lot 20 and greatly affecting and damaging lot 21; and averring that the petitioners had no notice of this road proceeding and no knowledge that any action was being taken relative thereto until about the middle of May, 1914, when having occasion to visit their lots they discover-

ed the existence of this road; that they immediately consulted an attorney and brought proceeding to have the absolute confirmation of the Viewers report stricken off, which was heard on October 19th 1914. Whereupon a rule was granted upon the Supervisors of Sandy Township and the Commissioners of Clearfield County to show cause why an appeal nunc pro tunc should not be allowed.

An examination of the record shows that the facts averred in the petition as to the effect of this road upon the property of the petitioners are true and that these properties are greatly affected and apparently greatly damaged by the location of this road. The road itself is a sort of winding way, apparently laid out as to the most of its length over dedicated streets, and the Court is unable to see from an inspection of the map how the existence of this road is of any benefit to the petitioners and has resulted in the loss of a very large amount of their property. The averment of the petitioners that they knew nothing of this road is not denied and the report of the Viewers indicates that all the notice given was to the Commissioners of the County and to the Board of Supervisors and the posting of three notices along the route of the proposed road. It would seem to the Court to be a gross injustice to these property owners that large and valuable parts of their property should be taken, as averred without denial, for the purpose of this road without any compensation, opportunity to be heard or knowledge that this was being done, and this case presents a fair instance of the exercise of the power to permit an appeal to be taken nunc pro tunc, and it will be so ordered.

Now, January 16th, 1915, it is ordered that the prayer of the petitioners be granted and that John Droney and Elizabeth D. Droney and John McBride be permitted to file appeal from the assessment of damages in this case within thirty days from the date of this order nunc pro tunc, with the same effect as if the

same had been filed on the first Monday of September, 1913.

By the Court,

*Singleton Bell*

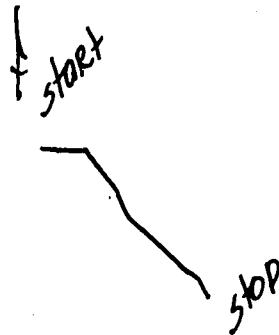
P. J.

No. 4 September Sessions, 1893.

In Re. Public Road in Sandy  
Township.

ORDER.





**Graham & Morris**

Begin at a point in Public Road  
leading from Morrisdale Mines to  
Dear Creek near what was formerly  
the residence of William Hummel  
lately destroyed by fire at the  
junction of private lane between  
the Land of Hummel and C.P. Hoover  
in Graham Township, to post in  
middle of public road leading  
from Clearfield to Allport and  
Morrisdale Mines in Morris Twp.  
formerly known as the Parkerville  
Snow shoe TurnPike near Jacob  
Smutzinger Farm

Confirmed Absolutely Feb. 1914

33-16

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( Vacated )

**Clearfield County, ss:**

*At a Court of Quarter Sessions of the Peace of the  
County of Clearfield, held at Clearfield, Pa., in and  
for said County, on the 37th day of  
May in the year of our Lord  
one thousand nine hundred 13*

Judge of the same Court: Upon the petition of  
sundry inhabitants of the Township of \_\_\_\_\_  
County \_\_\_\_\_

in said County, setting forth that

[illegible]

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers A. C. Trimmer, H. S. McInn and J. T. Gill

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgment, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioner as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements, through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; which report they shall in like manner transmit to the next Court or Quarter Sessions, with the draft or plot aforesaid. In which said reports they shall state that they have been sworn or affirmed according to law, and that due and legal notice was given of the time when, and place where, they should meet, to view and lay out said road, and the time and place of hearing \_\_\_\_\_.

*By order of the Court.*

John H. Moore, Clerk.

# RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of Sandy and that Three notices thereof were posted along the route of the proposed road, that the said view would be held on the 14th day of August, A. D. 1913, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 21st, day of August, 1913, at 10 o'clock A. M. That viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view W H Muff and George Baer Supervisors of Sandy Township who made no objection to the road and also A D Kenworthy, C W Spicker, F T Milliron, George Higgins, George Proles and Gallus Schrader all of whom were in favor of the road and parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 21st day of August A. D. 1913, when the following appearances were noted: L F Delune representing the American French and Belgium Glass Company and Patrick Costello opposed to the road who were represented by H B Hartswick Esq

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is not 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 do the least injury to private property, and as far as practicable agreeably to the desire of the petitioner, and do return for Public use the following described road, to-wit: Beginning at a point where Marshall Street intersects with the public road known as Pacific Avenue, in Loeb's Addition to DuBois Borough, in Sandy Township Clearfield County: Thence south seventy one degrees, fifteen minutes, east, three hundred and eighty two and two tenth feet along said Pacific Avenue, to a point in a line formerly the line of lands of Mrs Catharine Reissinger, (now the northwesterly line of an Alley dedicated by the said Mrs Reissinger as a public highway, and along the private lands of Loeb brothers) north, forty nine degrees, twenty six minutes, east, two hundred and twenty feet to a point in same. Thence from said line or alley, north, eighteen degrees forty five minutes, east, seventy feet, through lands of said Loeb Brothers to a point at the intersection of what is known as Madison Street, and Pacific Avenue.

Thence north seventy one degrees fifteen minutes, west, nine hundred and eighty feet along said Pacific Avenue to the westerly line of an Alley of said Loeb addition and in lands of the American, French and Belgium Glass Company. Thence along said alley and land of the said American French, and Belgium Glass Company north eighteen degrees forty five minutes east three hundred and twenty three feet to a point in the public road where said Alley intersects, what is known as Loeb Avenue, in said Loeb Addition in Sandy township in the county aforesaid

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees, ~~excepting~~

~~when it was not practicable to preserve it within that limit.~~

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from

the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows:

George Proels	\$1.00
Gallus Schraeder	1.00
Loeb Bros	1.00
American French Belgium Glass Company	1.00

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 25 day of August

A. D. 1913

*A. G. Kramer*  
*W. J. MacMinn*  
*J. J. J. J.*



No. Sessions, 1917

## ORDER

To view the use in the road for township of Clearfield County

Session, 1917, 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  
Alison O. Smith  
December Session 1917  
Confirmed absolutely  
By the Court  
Alison O. Smith

Filed 19

Fees \$1.25 paid by E. J. Anne

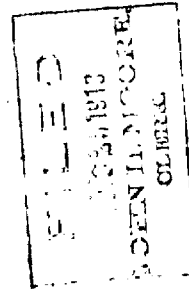
Note.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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 the 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.

	DAYS	MILES AM'T.
A. L. Brainerd	3	56 1/2
A. J. MacMillan	4	72 1/2
J. W. Gill	2	136 1/2



## 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

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. 1917



To W C Langsford, J S Richards, and H L Bowman County  
Commissioners of Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa; to view and lay out a public road in Sandy Township Clearfield County Pa to begin at a point where Marshall Avenue intersects with the public road formerly known as Pacific Avenue and ending at a point in the Public road near the American Belguan Glass Factory, where an Alley intersects with the said public road.

And that the view will be made on the said road on the 14th day of August 1913 and that the said viewers will hold the public hearing as required by the Act of Assembly in the Arbitration room in the Court House in Clearfield Pa on Thursday the 21st day of August 1913 at 10 oclock A M, when and where all persons interested for or against the ~~XXXX~~ said road may attend and be heard.

A. G. Kramer  
H. S. Mac Minn  
J. W. Gill  
Viewers.

Now this the 15<sup>th</sup> day of August 1913 service of the above notice  
accepted for the County Commissions.

H. C. Norris  
Clerk.

TO W, C, Langsford J, S, Richards and H, L, Bowman County  
Commissioners of Clearfield County Pa.

Sirs.

You are hereby notified that the undersigned Viewers appointed  
by the Court of Quarter Sessions of Clearfield County Pa to view  
and lay out a public road in Sandy Township in said county, from  
a point where Marshall Avenue intersects with the public road  
formerly known as Pacific Avenue; to a point in the public road  
near the American Belguan Glas factory, where an alley intersects  
with the said public road.

Will meet for the discharge of their duties at or near  
where Marshall Avenue intersects with the Public road formerly  
known as Pacific Avenue being the starting point of said propos-  
ed new road, on Thursday August 14th 1913 at 1.30 oclock P M  
when and where you may attend if you see proper.

Clearfield Pa July 24th 1913.

A. G. Kramer

H. S. McMiner

J. W. Gill  
VIEWERS

Now July 24 1913 service of the above notice accepted.

COUNTY COMMISSIONERS OF CLEARFIELD COUNTY

L. C. Morris

Clerk.

TO H. A. Troutman, Geo. Biers & W. V. Mupp  
Supervisors of the public roads of Sandy Township in Clearfield  
County Pa.

You are hereby notified, that the undersigned Viewers  
appointed by the Court of Quarter Sessions of Clearfield County  
Pa to view and lay out a public road in Sandy Township in said  
county, from a point, where Marshall Avenue intersects with the  
public road formerly known as Pacific Avenue; to a point in the  
public road near the American Belguan Glass factory, where an a  
Alley intersects with the said public road.

Will meet for the discharge of their duties at or near  
where Marshall Avenue intersects with the public road formerly  
known as Pacific Avenue being the starting point of said propos  
ed new road, on Thursday August 14th 1913 at 1.30 P M  
when and where you may attend if you see proper.

A. G. Kramer  
H. S. McMiner  
J. W. Gill  
Viewers

Now Aug. 2, 1913 served the above on H. A. Troutman, Geo.  
Biers and W. V. Mupp the Supervisors of Sandy Township  
personally by handing each of them a copy of same.

Edt Booz  
now, Aug 4th 1913, served the  
above notice on H. A. Troutman, Super-  
visor of Sandy Twp. by mailing him  
a copy of the same.

Edt Booz



20 WHOM IT MAY CONCERN.

Notice is hereby given, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view and lay out a public road in Sandy Township in said county, from a point, where Marshall Avenue intersects with the public road formerly known as Pacific Avenue and ending at a point in the public road near the American Belguan Glass Factory where an Alley intersects with the said public road. And having met as per notices previously given on Thursday the 14th of August 1913 on the premises at 1.30 oclock P M and performed the duties of their appointment by making said view.

And that in persuance of the requirement's of the Act of Assembly in such cases made and provided, the said viewers will meet for the purpose of holding a public hearing in the Arbitration room in the Court House in Clearfield Pa on Thursday the 21st day of August at 10 oclock A M at which time and place all persons interested in said road may attend and be heard.

TO

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*A. G. Kramer*  
*H. S. MacMinn*  
*J. W. Gill*  
-----  
Viewers.

RETURN.

Now, Aug. 14th. 1913, I George Beer hereby certify that in conformity with the legal requirement in such case made and provided, I gave public notice of the public hearing as per the above notice by giving a copy of the said notice to George DuBois, one of the petitioners, and by posting at the terminus of the proposed public road a copy of the said notice, on the date above written.

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*George Beer*  
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*Now Aug 15<sup>th</sup> 1913 Mailed Copy of above  
notice to the American Belguan Glass Factory  
DuBois Pa*

*A. G. Kramer*

B. R. & P. R. R.

