

No. 9 May 88 Term, 1913
Public Road
in Sandy Dwp.
VERSUS

P. S. #5 - Page 211

Twp. Rd. 173 91

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.
TO THE HON. ALLISON O. SMOOTH, PRESIDENT JUDGE OF SAID COURT:
The petition of the undersigned citizens of the Township of Sandy in the said County respectfully sheweth;—
That your petitioners labor under great inconveniences for the want of a Public Road or highway to lead from the store building of A. J. Beal, on the public road leading from South Brady Street to Main Street, to the Mt. Zion M. E. Church, all of the proposed Public Road being within Sandy Township.

Your petitioners therefore pray the Court to appoint proper persons to view and lay out the same, according to law and they will ever pray etc.

CERTIFICATE.

I certify that the foregoing petition for the appointment of Road Viewers, is lawful and conforms to the purpose of the petitioners, and that the same is regular and in due form.

Atty. for Petitioners.

PETITIONERS.

NAME.	OCCUPATION.	RESIDENCE.
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G. H. Whitmore	JP	Dakota R ⁶⁸ Box
A. J. Beal		"
W. C. Emrich	Blacksmith	"
J. M. Garrison	Merchant	"
W. C. Kelly	Clerk	"
Lee Horn	Clerk	"
A. E. Bass	Laborer	"
W. W. Gillies		"
Geo. L. Howard		"
H. J. T. H.		"

David Lyons	Labor
Frank Skinner	Labor
L. J. Grody	Salvman
J. C. Petiss	
S. J. Hammer	Laborer
J. H. Tapp	Mfge Dyer & A
E. W. Kelly	Merchant DaBois &
Robert Brookins	
Amos Draper	Merchant Skinner
Charles T. Grody	Minister
M. B. Plyler	Merchant
Silas Bundy	Teamster

BOND.

KNOW ALL MEN BY THESE PRESENTS, THAT A. J. Beal
W. A. Enwick F. M. Tinsley, Jr.
Papineau & E. W. Kelly

all of the Township of Sandy, County of Clearfield, and State of 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 unto the said Commonwealth or its certain Attorney, we do bind ourselves, our heirs, administrators, and executors, firmly by these presents. Sealed with our seals and dated the first day of April, 1913.

Now the condition of this obligation is such that if the expenses of Record attending the view of a certain proposed Public Road in Sandy Township, for which we are petitioners, and known to the Record as No. ¹⁹¹³ May Sessions, in the Court of Quarter Sessions for Clearfield County, should be imposed upon the petitioners by the Judge of the said Court, then in such case we or any of us shall at once pay into to office of the Prothonotary of the said County the amount of such costs, this obligation to become void, otherwise to be and remain in full force and virtue.

Signed, Sealed, and Delivered
in presence of

A. J. Beal ----- (SEAL)

W. A. Enwick ----- (SEAL)

F. M. Tinsley ----- (SEAL)

J. H. Papineau ----- (SEAL)

E. W. Kelly ----- (SEAL)

----- (SEAL)

----- (SEAL)

----- (SEAL)

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

IN RE PETITION OF CITIZENS OF SANDY TOWNSHIP FOR THE APPOINTMENT OF ROAD VIEWERS.

NOTICE TO COMMISSIONERS.

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

You will please take notice that a petition on the part of certain citizens of Sandy Township, for the appointment of Road Viewers to view and lay out a Public Road in Sandy Township, will be made to the Court on Monday April 1913, at ten o'clock A. M., the said proposed Road to lead from the store building of A. J. Beal, on the Public Road leading from South Brady Street, to the Mt. Zion M. E. Church. All of the proposed Public Road being within Sandy Township. The proceeding being known to the Record as No. May Term, ^{1/4} Quarter Sessions of Clearfield County.

E. N. Boose
Atty for Petitioners.

And now, April 7, 1913, notice received and service is accepted for the Commissioners of Clearfield County.

L. G. Morris
Clerk.

NOTICE TO SUPERVISORS.

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

You will please take notice that a petition on the part of certain citizens of Sandy Township, for the appointment of Road Viewers to view and lay out a Public Road in Sandy Township, will be made to the Court on Monday April 1913 at ten o'clock A. M. the said proposed Public Road to lead from the store building of A. J. Beal, on the Public Road leading from South Brady Street to Main Street, to the Mt. Zion M. E. Church, all of the proposed Public Road being within Sandy Township, and the proceeding being known to the Record as No. May Term, 1913, Quarter Sessions of Clearfield County.

E. N. Boose
Atty for Petitioners.

And now, April 7, 1913 notice received and service is accepted.

H. A. Troutman

George Beers

Supervisors.

No 9. May 1st 1913.

LETTER FOR JAMES J.
WILLIS GO WIT. AND LAW OFFICE
PUBLIC ROAD TO SAN FRANCISCO.

TO. 9. LAW SESSION, 1913.

And now April 7,
1913. The eighth
Believe now and con-
sider and ~~be it~~ ^{is}
Resolved, that MacMunn
and C. H. Hartman
are appointed trustees
to value and manage
the trust. to Prof. Dr.
John H. Smith.

~~John H. Smith~~
APR 11 1913
JOHN H. MCCORMACK
CLERK OF COURT
PHILADELPHIA, PA.

9 May 55, 1913

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
Road leading from the store building of A. J. Beal on the public
road leading from South Brady Street

in Sandy Township to the Mt. Zion M. E. Church

in Sandy Township, in the county aforesaid, will
meet at the ^{Store} house of A. J. Beal,
in Sandy Township, on Friday,
the 25th day of April A. D. 1913, at 11:30
o'clock A. M., to attend to the duty assigned them, of
which time and place aforesaid all parties interested
will take notice.

H. B. Woodward

H. S. McMinn

E. H. Harmon

VIEWERS

April 15, 1913.

Now, this 16th day of April A. D. 1913, service of
within notice is hereby accepted for the Commissioners of
Clearfield County.

...L. C. Morris Clark.

Now, this 16th day of April, A. D. 1913, service of
within notice is hereby accepted for the supervisors of Sandy
Township.

Swage Deer
George Brown

Now, this 16th day of April, A. D. 1913, service of
within notice is hereby accepted for petitioners.

E. W. Kelly
Oct 1888

Now, this day of April, A. D. 1913, service of
within notice is hereby accepted by the following property owners.

not affected

9 May 55 1963

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 7th day of April 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 Sandy

in said County, setting forth that your petitioners labor under great inconveniences for the want of a Public Road or highway to lead from the store building of A.J. Real, on the public road leading from South Crady Street, to the Mt. Zion M.E. Church, all of the Proposed Public road being within Sandy Township.

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 H.B. Woodward, H.S. Mac Vinn, E.H. Harmon.

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 Y. 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 five notices thereof were posted along the route of the proposed road, that the said view would be held on the 25th day of April, A. D. 1913, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the day of , 191 , at o'clock M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view the supervisors of Sandy Township and various of the petitioners,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the day of A. D. 191 , when the following appearances were noted: That several witnesses were examined at the time of said view as to the necessity for said road

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is occasion for a road as desired by the petitioner, and that the same is necessary for a 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 use the following described road, to-wit: Beginning at a point in the centre of Dixon Avenue, a Public Road forty feet in width, leading from South Brady Street to Main Street, Du Bois Borough, at the store building of A. H. Real, Thence South fifty three degrees fifteen minutes West, (S. 53° 15' W.) along First Street, (fifty feet in width,) of Wilson Terrace Plan of Town Lots, one hundred sixty four feet, (164'), Thence North eighty nine degrees forty five minutes West, (N. 89° 45' W.) along said Second Street, two hundred eighty seven feet, (287') to the centre line of Wilson Avenue of said plan of lots, at Mt. Zion M. E. Church, a total distance of four hundred fifty one feet, (451'). The said road has already been dedicated as a public thoroughfare of street by the owners of the adjoining land at the time when the plot known as Wilson Terrace was laid out in building lots. We recommend to the Court that a public road be opened of a uniform width of fifty (50) feet in accordance with the plot or plan of Wilson Terrace as shown by the draft hereunto attached

ORDER

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.

Viewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the viewers.

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.

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

	Days.	Miles A.M.T.
H. B. Boardman	2	10.00
John Morris	2	10.00
John Donith	1	5.00

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. 1911.

Session 1913
Conformed absolutely
By the Court
Person O'Neill
Og

19
Filled
Fees \$1.25 PAID
MAY 22 1913
JOHN H. MOORE,
CLERK

Filled
19



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:

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

WITNESS our hands and seals this 20th day of May
A. D. 1913.


Hugh B. Woodward 
C. H. May 
E. T. Harman 

