

No. 1. Sept SESSIONS, 1914

COMMONWEALTH

VERSUS

Petition for Public  
Road in Sandy Twp.  
Intersection Haredix  
& Nelson Ave

R. 4. 75 - Page 204

**Charge.**

**WALTER WELCH**

DISTRICT ATTORNEY.

*Part Twp. Rd. 17389*

KNOW ALL MEN BY THESE PRESENTS, That we,-----

are held and firmly bound unto the County of Clearfield in the sum of fifty dollars, lawful money of the United States to payment of which we do bind ourselves, our heirs firmly by these presents. Sealed with our seals and dated the            day of May 1914

The Condition of this Obligation is such that whereas a petition has been presented to the Court of Quarter Sessions of Clearfield County, asking that viewers shall be appointed to view and lay out a public road *to lead from Smith Pond Sh in Sandy Sh at intersection of Hard Street, to intersect with public road now being opened at Wilson Ave*

NOW if the above bounden shall at all times save and keep harmless the County of Clearfield from any and all costs and expenses relative to said view, provided that the petition for said road shall be granted, then this obligation shall be void, or else to be and remain in full force and virtue.

*W. F. Hand.* (Seal)

*J. M. Wilson.* (Seal)

*E. L. Howard.* (Seal)

*J. M. And* (Seal)

To the Honorable Singleton Tell. President -  
 Judge of the Quarter Sessions of Clearfield Co.  
 The petition of the subscribers respectfully  
 sheweth: That they labor under great in-  
 convenience for the want of a Public Road  
 or Highway to lead from South Brady Street  
 in Sandy Township at an intersection of  
 Hand Street thence running westerly along  
 said Hand Street about three hundred  
 feet to intersect with a public road now  
 being opened at Wilson Ave.

They therefore pray the Court to appoint  
 persons duly qualified to view the ground pro-  
 posed for said road, and lay out the same  
 according to law, and they will ever pray &c.

|                   |                |
|-------------------|----------------|
| L. W. Whitmore    | Sandy Twp      |
| G. M. Gimplin     | Sandy Twp.     |
| C. C. Pifer       | Sandy Twp      |
| J. L. Howard      | Sandy Twp.     |
| W. R. Rickett     | Sandy Twp      |
| J. H. Rife        | Sandy Twp      |
| John A. Alexander | Sandy Twp.     |
| E. W. Kelly       | Sandy Township |
| W. V. Gillies     | Sandy Twp      |
| Geo W. Dickson    | Sandy Twp      |
| Merrill B. Wilson | Sandy Twp      |
| James Hall        | Sandy Twp      |

#1 Dep't. of 1914

Petition for appointment of  
Deacons to run a public road  
from a point in Smith Brady St in  
Sandy Ok at intersection of Third  
Street to railroad at public  
road at a point near Wilson  
Avenue

Nov 15<sup>th</sup> May 1914, J. L. L. L.  
Circuit and G. E. Rogers Sup.  
N. S. McMan and G. H. H.  
man on opposite side of  
highway for 1/2 mile road  
at my request.

By the Court  
Signed J. L. L.

FILED  
MAY 15 1914  
JOHN H. MOORE  
CLERK  
CH

# 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 23<sup>rd</sup> day of June, A. D. 1914, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 17<sup>th</sup> day of August, 1914, at 10 o'clock A. M. That all viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view M. S. Hand

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 17<sup>th</sup> day of August A. D. 1914, when the following appearances were noted: None

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 the intersection of Hand or Second Street as now laid out and plotted on the ground, with the center line of South Brady Street, thence N. 89° 45' W. to a point in the center line of Wilson Avenue, recently opened as a Public highway, being 363.75 feet in length.

Your Viewers further report that said location as above set forth has been opened on the ground, plotted and dedicated for many years and lots sold to a plan;

That there are no damages sustained by any parties in interest;

## 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 15 day of  
May in the year of our Lord  
one thousand nine hundred ~~xxxx~~ fourteen.

Judge of the same Court: Upon the petition of  
sundry inhabitants of the Township of Sandy

in said County, setting forth that asking that  
viewers be appointed to view and lay out a public road to lead  
from South Brady St. in Sandy Twp. at intersection of Hand Street to  
intersect in the public road now being opened at Wilson Avenue.  
Now if the above bounded shall at all times save and keep harmless  
the County of Clearfield from any all costs and expenses relative  
to said view, provided that the petition for said road shall be  
granted, then this obligation shall be void, or else to be and  
remain in full force and virtue.

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 L.E. Boyer, Esq.,  
H.S. MacMinn and E.H. Harman

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 impartial-  
ity 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 dis-  
tance, 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 of 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.

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 17<sup>th</sup> day of August  
A. D. 1914.

*R. B. Boyer*  
*J. B. Macpherson*  
*E. H. Hamman*



Viewers -

No. 1 Sept Sessions, 1914

## ORDER

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

Sept Session, 1914,  
read and confirmed Ni. Si.  
Road to be opened 33 feet  
wide, except where there is  
side hill cutting or embank-  
ment and bridging, there to  
be 16 feet wide.

By the Court  
Singmaster Beeg  
9<sup>th</sup> Sept 1914 Confirmed  
absolutely By the Court  
Singmaster Beeg

Filed \_\_\_\_\_ 19  
Fees \$1.25 paid by C and H.

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.        |
|-----------------------|----------|-----------|--------------|
| <u>E. W. Harmon</u>   | <u>2</u> | <u>68</u> | <u>13.40</u> |
| <u>H. S. Mac Minn</u> | <u>3</u> | <u>60</u> | <u>18.00</u> |
| <u>L. E. Boyer</u>    | <u>3</u> | <u>58</u> | <u>17.90</u> |

## 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. 191\_\_\_\_\_.





# 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 South Brady Street

in Landy Township ~~to~~ at intersection of Hand Street to intersect in the public road now being opened at Wilson Avenue

in Landy Township, in the county aforesaid, will meet at the ~~house~~ of paid location, in Landy Township, on Tuesday, the 23<sup>rd</sup> day of June A. D. 1914, at 3 o'clock P M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

E. H. Harmon,

H. S. Macmillan,

R. B. Boyer,

VIEWS

Attest, By June 11<sup>th</sup>, 1914.

And now June 12, 1914,  
Notice to Superintendents  
is given that Albany  
and said service is  
must accept

E. H. Boone

Secretary for Superintendents

To the County Commissioners of Clearfield County, Pennsylvania:

The undersigned, viewers appointed to view and lay out a public road to begin in the Township of Sandy, leading from South Brady Street in said Township at intersection of Hand Street to intersect in the public road now being opened at Wilson Avenue, immediately south of the Borough of Du Bois, hereby give notice to all persons interested, that they will meet for the purpose of their appointment at the place proposed for the beginning of said road between the hours of 1;00 p. m. and 5;00 p. m. on Tuesday, June 23rd, 1914, when and where all persons interested may attend.

E. J. Starnon  
.....  
H. S. Macminn  
.....  
B. B. B. B.  
.....

Viewers.

Now, June 10th, 1914, service of the foregoing notice accepted for and on behalf of the Commissioners of Clearfield County, Pa.

County Commissioners  
Per L. C. Norris, Clerk

No. 1 September Sessions, 1914.

You hereby have notice that in pursuance of a view had on the 23 day of June, 1914, for a road in Sandy Township, Clearfield County, a hearing will be held by the Viewers of the same at the Arbitration Room in the Court House at Clearfield, Pa., on the 10th day of August, 1914, at 10:00 a. m., when and where any party at interest may appear and be heard;

Beginning at a point on South Brady Street Extension from the Borough of Du Bois, along Hand Street, as plotted and laid out on the ground, to intersect with Wilson Avenue, a Public Road.

*E. B. Byr.*  
*H. M. L. M. L.*  
*E. H. H.*

Now, August 3rd, 1914, acceptance of said notice is hereby made.

L. C. Norris Clerk  
to the County Commissioners.

|     |   |    |    |    |   |    |
|-----|---|----|----|----|---|----|
| 50' |   |    |    |    |   |    |
| "   | " | 50 | 32 | 50 | " | 50 |

|    |   |   |   |   |
|----|---|---|---|---|
| 50 | " | " | " | " |
|----|---|---|---|---|

WILSON

AVE.

|    |    |    |    |    |   |    |
|----|----|----|----|----|---|----|
| 50 | 50 | 50 | 32 | 50 | " | 50 |
| 1  | 2  | 3  | 4  | 5  | 6 | 7  |

|    |   |    |   |   |   |
|----|---|----|---|---|---|
| 50 | " | "  | " | " | " |
| 8  | 9 | 10 |   |   |   |

VIEW FOR THE OPENING OF  
SECOND STREET.

VIEWERS.  
LOUIS E. BOYER, Attorney.  
H. SIMAC MINN, Surveyor.  
J. S. MICHAELS, Citizen.  
June 23<sup>rd</sup> 1914.

|      |  |
|------|--|
| 150' |  |
|------|--|

BRADY

ST.

HAND

5.8945E 363.75 2ND ST 0B