

Term, 1915

Bridge over
Sandy River Creek

Versus

Sandy Pup

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

IN RE: : NO SESSIONS, 1915.
: :
ROAD IN DUBOIS BOROUGH :
AND :
TOWNSHIP OF SANDY :
:

And now, March, 27th, 1916, come the petitioners for the above stated road, by their Attorney and say -

That the Exceptions filed by the Supervisors of Sandy Township, are sustainable under their third(3) exception, to wit-

Because the viewers appointed failed to make report to September Sessions of the Court of Quarter Sessions as was required of them in the Order to View." under the authority of FRANKSTOWN TOWNSHIP ROAD 26 Pa. 472.

If the Court sustains the exceptions of any parties in interest, we respectfully request that they be sustained for said reason,

Attorney for petitioners

IN THE COURT OF QUARTER SESSIONS OF
CLEARFIELD COUNTY PENNSYLVANIA
No. ----- SESSIONS, 1915. -----

IN RE:

ROAD IN DIBOIS BOROUGH AND
TOWNSHIP OF SANDY

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

TO HON. SINGLETON BELL, JUDGE OF THE SAID COURT:

Your undersigned petitioners, the Supervisors of the Road District of Sandy Township, respectfully represent;

That a certain Bridge in the Public Road in Sandy Township, over and across Sandy Lick Creek in the Public Road leading from Shaffer Siding or B. & S. Shaft No. I, to the Village of New Salem in Brady Township, and southward from the Buffalo & Susquehanna Shaft aforesaid, about one-fourth of a mile, is in need of re-construction;

That while the abutments of the said Bridge are in good condition, the superstructure has become dangerous to public travel, and needs to be replaced by new superstructure;

That the expense of making the said improvement would be too heavy for the said Road District to bear alone;

WHEREFORE, your petitioners pray that the Court will appoint proper persons to view the premises, and if they think proper, to recommend that the Commissioners of Clearfield County be authorized to assist the Supervisors of the said Road District in the reconstruction of the Bridge, by the appropriation of such amount of money out of County funds, as may be recommended to, and approved by the Court. And they will ever pray etc.

David Lyons
President.

George Beer

Attest;

W.H.Nupp
Secretary.

AFFIDAVIT.

County of Clearfield
State of Pennsylvania

Before me, a Notary Public duly commissioned in and for said County and State, personally appeared George Beer, W.H.Nupp, and David Lyons, who by me being duly sworn doth depose and say that they are the above named petitioners and that the statements contained in the said petition, are true and correct to the best of their knowledge and belief.

Sworn and subscribed before me this
7th day of Aug., 1915.

*Earle L. Booze
Notary Public*

*David Lyons
George Beer
W.H.Nupp
My Commission Expires May 2, 1919*

NOTICE TO COMMISSIONERS.

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

Gentlemen:- you will hereby take notice that a petition on the part of the Supervisors of Sandy Township, Clearfield County, Pennsylvania, praying for the appointment of viewers to view a certain Bridge in Sandy Township aforesaid, and if they think proper to recommend that the Commissioners of the County of Clearfield be authorized to assist in the reconstruction of the said Bridge, by the appropriation of such amount of moneys out of the County funds, as may be authorized by the Court, will be presented to the Court on Tuesday, Aug. 10, 1915, at ten o'clock A. M.

The said Bridge is in the Public Road in Sandy Township leading from the Shaffer Siding or Buffalo & Susquehanna Shaft No. I, to the Village of New Salem in Brady Township, and is erected over and across Sandy Lick Creek and is Southward from the Buffalo & Susquehanna Shaft No. I, about one-fourth of a mile

David Lyons -----

George Beer -----

O.W. Napp -----

Supervisors of Sandy Twp.

Now, Aug. 9th, 1915, the above notice received and service of the same accepted.

Attest.

H.L. Bowman -----
Commissioner's ~~Clearfield~~.

And now left Session 1915 the Powers of the
Viewers enlarged and continued until
the Session 1915

By the Comt
Englewood Dec
1915

5 Sept. 1915

Letter to George Steppes
Chair of County Finance
Chairman Board of Finance
County of Monroe
County of Monroe

Now 10" Aug. 1915
Dr. S. Bryan Esq. - A. G.
transmitting with my Please
an appropriate viewer
to make report according
~~to law~~ to the Board of
Finance

By the Comt
Englewood Dec
1915

E. G. BOOSE
ATTORNEY AT LAW AND
NOTARY PUBLIC
DUBOIS, PA.

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 _____

10 day of August, A. D. 19 15

before Judge of said Court, upon a petition of sundry inhabitants of the township of Sandy in said County, setting forth that a certain bridge in the Public Road in

Sandy Township, over and across Sandy Lick Creek in the Public Road leading from Shaffer Siding or E. & S. Shaft aforesaid, about one-fourth of a mile, is in need of re-construction;

That while the abutments of the said Bridge are in good condition, the superstructure has become dangerous to public travel, and needs to be replaced by new superstructure; That the expense of making the said improvement would be too heavy for the said Road district to bear alone; Wherefore, your petitioners pray that the Court will appoint proper persons to view the premises and if they think proper, to recommend that the Commissioners of Clfd. Co., be authorized to assist the supervisors of said Road District in the reconstruction of the bridge, by the appropriation of such amount of money of County funds as may be recommended and approved by the Court. and therefore paying the Court to appoint proper persons to view and lay out the same according to law,

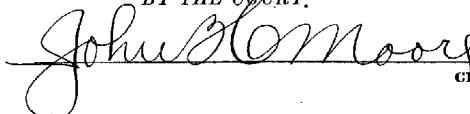
where upon the Court upon due consideration had of the premises, do order and appoint _____

L. E. Boyer, Esq., A. G. Kramer Esq., and Harry Reese

who after being respectively sworn or affirmed to perform their duties impartially and to the best of their judgment, are to view the place proposed for the said bridge, and if they or any two of them, view the same, and any two of the actual viewers agree that there is occasion for such a bridge, and that the erecting of the said bridge would require more expense than it would be reasonable the said townships should bear, they are to make report accordingly:

and a map or plot thereof to be made, which shall accompany said report; the report aforesaid to be made to the next term of the Court of Quarter Sessions to be held for the said county of Clearfield.

BY THE COURT.


John S. Moore
CLERK.

Return of Viewers.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace in and for the County of Clearfield, Pa.

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, Pa., beg leave to report as follows:

That notice of the time of the view was duly served according to law upon the Commissioners of Clearfield County and on each member of the Board of Supervisors of Dandy Township, and that 3 notices thereof were posted along the public road at and near the location of said bridge, giving notice that the view would be held on Thursday the 7 day of October A. D. 1915, at 2 o'clock P. M. And that the public hearing as required by the Act of Assembly and the Rules of Court would be held in the Arbitration Room, in the Court House in Clearfield, Pa., on Monday the 1 day of November A. D. 1915 at 11:00 o'clock A. M.

And that the said viewers met at _____ the site or proposed location of said bridge, where the public road leading from Shoppis Siding in Dandy Township to the Borough of Wilson in Dandy Township on Thursday the 7th day of October A. D. 1915 at 2 o'clock P. M. and that there were present at the view The undersigned viewers, C. H. Knapp, and George Burns, Superintend and

parties interested in said bridge.

And that the said viewers all having been present at the view and after having made said view do agree that there is or necessity for said bridge.

Your viewers are of the opinion that the present bridge should be replaced by another, for the location and traffic warranting the same; they respectfully recommend a bridge of reinforced concrete, a single span of ~~eleven feet in clear~~ fifteen feet, to cost in the neighborhood of Sixteen hundred, \$1600.00, dollars, the expense to be defrayed by the County of Cleburne, and Township of Sandys from equal proportion of the cost of the same being allocated thereto.

K. A. Reese
P. B. Boag
A. G. Kramer

Release of Damages.

Know All Men by These Presents, That we, the undersigned owners of lands upon which the bridge is 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 or building of said bridge, 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 or building of said bridge.

Witness our hands and seals this _____ day of _____ A. D. 101



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 building of said bridge 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. 101



No. 5 September 1915
Bridge over Sandy Lick
in
Sandy Township

NOTE.—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.
Viewers cannot interfere with 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 bridge, they will report to that effect.

	AMOUNT
<u>H. A. Rugg</u>	Days 3 Miles 108 20.40
<u>A. J. Knauer</u>	Days 1 Miles 56 1.80
<u>E. E. Royer</u>	Days 3 Miles 108 20.40

ORDER TO VIEW
BRIDGE.

Filed 19

Fees \$1.25, paid by _____

Ed. J. Book
Attorney.

Now & are aforesaid referred to the Grand Jury at
this session for their consideration

*By the Court
Englehardt*

We the Grand Jury do hereby approve
the bridge herein reported

*Geo W. Hatch
Foreman*

Bridge Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view a site for a bridge across Sandy

Lick Creek where the public road leading from Shaffer Siding
or B. & S. Shaft No. 1
in Sandy Township, to

Du Bois
in Sandy Township, in the county aforesaid, will meet at the intersection of said road

with Sandy Lick Creek in Sandy Township, on Thursday, the 7th day of October A. D. 1915, at 2 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

A. G. KRAMER.

H. A. REESE.

L. E. BOYER.

Viewers

September 20th, 1915.

And now September 1915 service of the within notice is hereby accepted for and in behalf of the Commissioners of Clearfield County, Pennsylvania.

L. C. Morris, Clerk.

And now September 24th 1915 service of the within notice is hereby accepted for and in behalf of the Supervisors of Sandy Township.

West Branch
Solicitor



TOWNSHIP

LOCATION OF BRIDGE
IN SANDY TOWNSHIP
CLEARFIELD COUNTY PA
VIEWED AND LAID OUT
OCT 7-1915 BY J.E. BOYER ESQ.
H.A. REESE
F.G. KRAMER ESQ.

In re. Road in Sandy Township
and the Borough of DuBois. : In the Court of Quarter Sessions
of Clearfield County.
: No. 9 September Sessions, 1915.

27th of December 1915. The DuBois Land Company, by its attorney, W. C. Pentz, being a party in interest, files the following exceptions to the proceedings in this case as follows:

FIRST: The petition in this case was presented on the 23rd of August 1915, between terms of court.

SECOND: The order to view in this case was not taken ~~out~~ until after the expiration of the term of court to which it was issued.

THIRD: The view was held on the 7th day of October 1915, after the expiration of the term to which the case was returnable.

FOURTH: The powers of the viewers were not enlarged and continued until the 11th of October 1915, after the expiration of the term to which the order was returnable.

FIFTH: No notice of the filing of the application for this road was given either to the Supervisors of the Township of Sandy, or to the Commissioners of the County of Clearfield,

SIXTH: The petition in this case is not accompanied by an affidavit, as required by the Act of 1915.

SEVENTH: The report of the viewers in their return does not state that that part of the road vacated has become burdensome

and useless.

EIGHTH: The report of the viewers is as follows:
"Your viewers further recommend the vacation of the road as
prayed for in said petition and as shown on this survey filed
in this view and made a part of the record," which return does
not show that the viewers find the said road vacated would
become burdensome and useless by the laying out of the new
road.

NONTH: No notice was served on any of the parties
interested along the line of the road proposed to be vacated,
as required by law.

*M. Day,
Atg. the Sub. Sec.*

Mo 9 Sept 88. 1913
in the River in

Sandy Bank River

Bone

Specimens to Repair

of specimens

29

Aug.

That they labor under great inconvenience for want of a public road to begin in the Borough of Dubois, said County and State, at a point where North Main Street and West Dubois Avenue intersect, and to end in the Public road leading from Dubois Borough, aforesaid, to Falls Creek Borough at the intersection of a public road therewith, near the dwelling house of Mrs. William Larkey situate thereon (a point eighteen hundred fifty five (1855) West of the tracts of Buffalo Rochester & Pittsburg Railway intersectin said highway) in the Township of Sandy said County.

Your petitioners, therefore, pray the Court to appoint three persons, qualified according to law, as viewers to view the ground proposed for such road, and if they should see occasion to lay out the same, to inquire of and vacate the public road, originally laid out by authority of law, now opened from the terminus of said proposed road near the dwelling of Larkey's aforesaid, to a point in a public highway leading from Quarry Avenue, a street of the Borough of Dubois to Johnson's mines, which last mentioned road will, by reason of the proposed road, as well as by reason of its being situate on hilly and broken ground, become useless and burdensome, and made report of their proceedings to the next Court.

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 23 day of August in the year of our Lord one thousand nine hundred fifteen,

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Sandy and Borough of Dubois in said County, setting forth that

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. F. Boyer Esq., J. S.

Michales and Harry Reese

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 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 Blomquist, 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 3 notices thereof were posted along the route of the proposed road, that the said view would be held on the 7 day of October, A. D. 1915, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 1 day of November, 1915, at 10:30 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 all the undersigned viewers, L.D. McColl, Esq., representing petitioners for said road; E. Boose, Esq., representing the supervisors of Sandy Township; Commissioners of the State Highway Department and other citizens of Clearfield County, parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 1 day of November, A. D. 1915, when the following appearances were noted: E. Boose, Esq., representing the supervisors of Sandy Township

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 a public use the following described road, to-wit: Beginning as per the survey filed herein and pursuing the various courses and distances herein in dictated:

Your viewers further recommend the location of the road so prayed for in said petition and as shown in the survey filed in this view and made a part of these records.

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:

A. P. Larson, Dr. Bois, Pa., \$500.00

we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 1st day of November

H. Boyer

W. A. Reese

J. Strohbaels



View of a public road in Sandy Township, Clearfield County, beginning at a point in the line of the North side of DuBois, Street at the intersection of Main Street and DuBois Street. On the line of property of N. P. Pearson, thence North 10° , $24'$ West 288 feet; thence North $14^{\circ} 19'$ West 133 feet; thence North $22^{\circ} 16'$ West 161 feet; thence North $31^{\circ} 32'$ West 208 feet; thence North $37^{\circ} 33'$ West 800 feet; thence North $62^{\circ} 43'$ West 129 feet; thence North $69^{\circ} 32'$ West 1900 feet; thence North $61^{\circ} 26'$ West 179 feet; thence North $43^{\circ} 18'$ West 255 feet; thence North $32^{\circ} 56'$ West 313 feet; thence North $42^{\circ} 49'$ West 600 feet; thence North $38^{\circ} 55'$ West 561 feet; thence North $35^{\circ} 58'$ West 248 feet; thence North $28^{\circ} 35'$ West 409 feet; thence North $46^{\circ} 20'$ West 492 feet; thence North $64^{\circ} 42'$ West 226 feet; thence North $79^{\circ} 10'$ West 227 feet to a point in the public road leading to Falls Creek.

View of a public road to vacate the same
situate in Sandy Township and beginning at the point of intersection
between the public road leading from DuBois to Falls Creek
and road leading to Johnston's Mines; thence North $39^{\circ} 25'$ West
982 feet; thence North $34^{\circ} 25'$ West 600 feet; thence North $39^{\circ} 47'$
West 148 feet; thence North $45^{\circ} 43'$ West 400 feet; thence North
 $39^{\circ} 4'$ West 600 feet; thence North $39^{\circ} 43'$ West 848 feet; thence
North $36^{\circ} 56'$ West 127 feet; thence North $35^{\circ} 12'$ West 235 feet;
thence North $38^{\circ} 51'$ West 228 feet; thence North $50^{\circ} 45'$ West 200
feet to point in the road leading from DuBois to Falls Creek, and
termination of this road and a proposed road beginning at a point
in the DuBois Borough on the North side of DuBois Street and
following certain courses and distances to the point above des-
ignated and which will supply the road vacated as above described.

In re : Q. S. Clearfield Co., Pa.
Road in Sandy Township. : #9 September SS, 1915.

Notice of Hearing.

The undersigned Viewers hereby give notice that a hearing will be had on said view at the Arbitration Room of the Court House, at Clearfield, Pa., on Monday the first day of November, 1915, at 10:30 a. m. when and where all parties at interest may appear and be heard.

H. A. Reese

P. Michael
Viewers:

Now, October 8th, 1915, service of the foregoing notice accepted for and on behalf of the Commissioners of Clearfield County.

L. A. Morris
bleek

Now, October 8th, 1915, service of the foregoing notice accepted for and on behalf of the Supervisors of Sandy Twp.

Est. Boose

Now October 8th, 1915, service of the foregoing notice accepted for and on behalf of the Borough of Du Bois.

John C. Arnold

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 where North Main Street and West DuBois Avenue intersect, in the Borough of DuBois

in Sandy Township to end in the public road leading from DuBois Borough to Falls Creek Borough at the intersection of a public road therewith, near the dwelling house of Mrs. Wm. Larkey situate thereon (a point 1855 ft. West of the tracks of the B.R. & P.Ry. Co.) and to vacate the public road from the terminus of said proposed road near the Larkey dwelling to a point in public road leading from Quarry Ave., DuBois, to Johnson's mines in Sandy Township, in the county aforesaid, will meet at the house of Nelson House, DuBois, in Sandy Township, on Thursday, the 7th day of October A. D. 1915, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

L. E. BOYER,

H. A. REESE,

J. S. MICHAELS.

VIEWERS

September 20th, 1915.

And now September 24th 1915 service of the within notice is hereby accepted for and in behalf of the Commissioners of Clearfield County, Pa

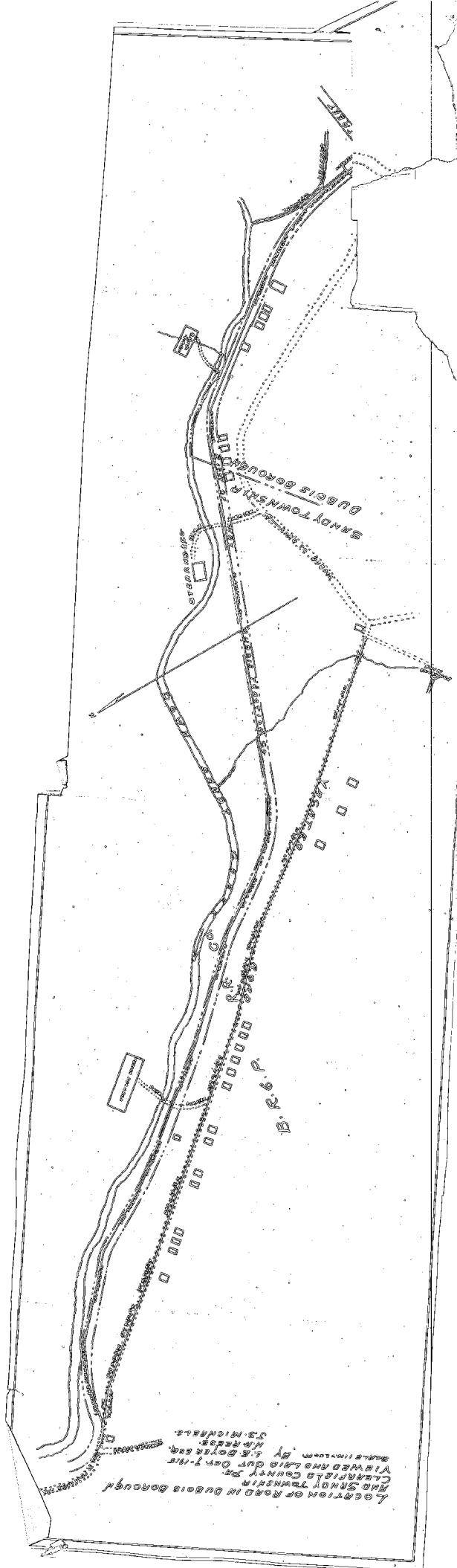
L. C. Morris, Clerk

And now September 24th 1915 service of the within notice is hereby accepted for and in behalf of the Supervisors of Sandy Township.

Ernest Boose
Collector

And now September 24th 1915 service of the within notice is hereby accepted for and in behalf of the Borough of DuBois.

John C. Arnold
Atty for Borough of DuBois



LOCATION OF ROAD IN DUBOIS BOROUGH
AND SANDY TOWNSHIP PA.
CLEARFIELD COUNTY PA.
VIEWED AND Laid Out Dec 7-1916
Scale 1 mile = 1 mile
By L. E. BOYER Esq.
H. R. REESE
J. S. MICHAELS.

