

Road DOCKET No. 5

| Number | Term | Year |
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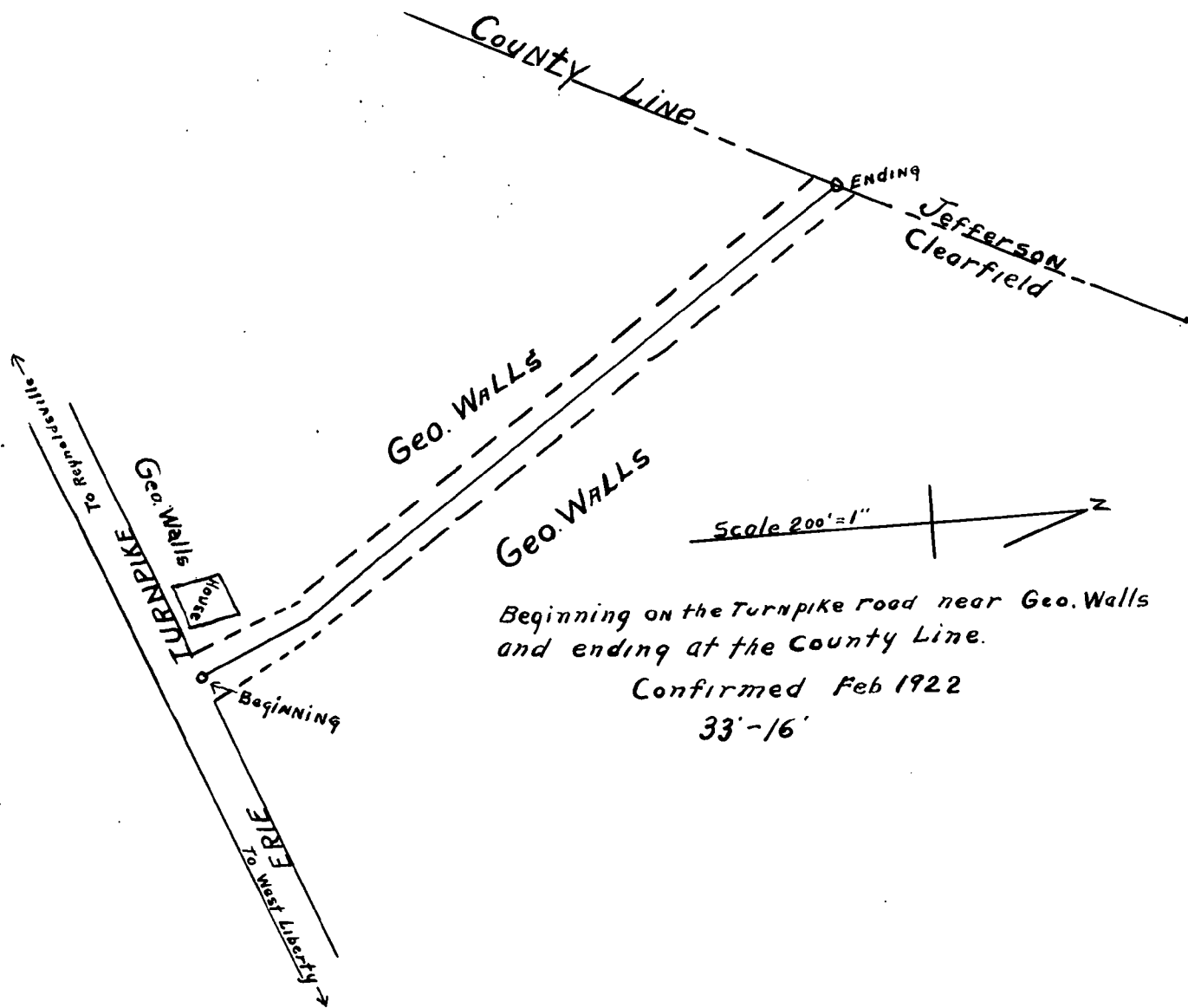
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| <u>4</u> | <u>Dec</u> | <u>Sg 1921</u> |
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Petition for Road in Sandy Twp.

Versus

R. A. * 5 - Page 48v

Not on System



Beginning on the Turnpike Road near Geo. Walls
and ending at the County Line.

Confirmed Feb 1922

33'-16'

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned, as Obligors, who are citizens of Sandy Township, Clearfield County, Pennsylvania, are jointly and severally bound unto the Commonwealth of Pennsylvania in the penal sum of One Hundred Dollars, to payment of which, we and each of us and our heirs, executors and administrators, are firmly bound.

Witness our hands and seals this thirtieth day of September, A. D. 1921.

WHEREAS, George Wall and other citizens of the Township of Sandy aforesaid have presented their petition to the Court of Quarter Sessions of Clearfield, praying that the Court appoint viewers to view and lay out as a public road within the said Township of Sandy, a proposed road beginning at a point twenty yards east of the house of George Wall, in the Erie Turnpike and ending at the line between the counties of Clearfield and Jefferson at the terminal of a proposed public road beginning in the State Highway in Route #60 and ending at the point in the Clearfield-Jefferson county line at the point above named, and agreeable to said prayer the Court has appointed viewers for the purpose and required the petitioners to file Bond,

NOW THE CONDITION OF THIS OBLIGATION is such that if the said viewers shall view said proposed road and report adversely to laying out the same as a public road, then and in that case, the said Obligors jointly or severally, or for him or them, his or their respective heirs, administrators or executors will within ten days after notice by the Prothonotary of the County of Clearfield as Clerk of the Court of Quarter Session of said County, pay into the said office the costs incurred in making said view and report to the court, otherwise this obligation to be void and of none effect.

 (SEAL)

----- (SEAL)

----- (SEAL)

----- (SEAL)

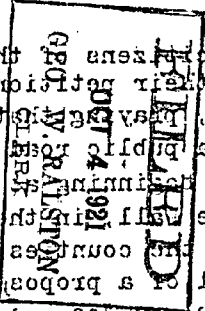
----- (SEAL)

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned, as
 Obligors, who are citizens of Sandy Township, Clearfield
 County, Pennsylvania, are jointly and severally bound unto
 the Commonwealth of Pennsylvania in the penal sum of One
 Hundred Dollars, to payment of which, we and each of us and
 our heirs, executors and administrators, are firmly bound.

Witness our hands and seals this thirtieth day of

September, A. D. 1931.

WHEREAS, George Wall and other obligors of Sandy Township have presented their petition to the
 Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and lay out a public road within the
 said Township of Sandy, to take said road to the east of the line between the township of Sandy and the township of
 Clearfield and ending at the line between the township of Sandy and the township of Clearfield, and beginning at the
 road beginning in the State Highway in Route #60 and ending
 at the point in the Clearfield Township county line at the
 point above named, and agreed to file a bond, and required the petitioners
 appointed viewers for the purpose, and required the petitioners
 to file bond.



NOW THE CONDITION OF THIS OBLIGATION is such that
 if the said viewers shall view said proposed road and report
 adversely to laying out the same as a public road, then and in
 that case, the said Obligors jointly or severally, or for him
 or them, his or their respective heirs, administrators or ex-
 ecutors will within ten days after notice by the Prothonotary
 of the County of Clearfield as Clerk of the Court of Quarter
 Session of said County, pay into the said office the costs in-
 curred in making said view and report to the court, otherwise
 this obligation to be void and of none effect.

(SEAL) _____
 (SEAL) _____
 (SEAL) _____
 (SEAL) _____
 (SEAL) _____

*In case to be in Station
 Prothonotary, Clearfield*

GEO. W. RALSTON

PROTHONOTARY & CLERK OF COURTS,

CLEARFIELD COUNTY

CLEARFIELD, PENN'A.

Sept 28th 1921

E.G.Boose, Atty.

In re your petition for 3/4 mile road in Sandy Twp;

COURTS ORDER:

Sept 28th 1921 , Frank Hutton, Esq, George Weber, and J.E.Fry
are appointed Viewers to proceed according to the provisions of the a
acts of assembly, Order not to issue until BOND is filed

By the Court, Singleton Bell. P.J.

You will note you have failed to file bond;

Very truly yours,

Prothy.

E. G. BOOSE

ATTY-AT-LAW
NOTARY PUBLIC

DUBOIS, PA. Sept. 27, 1921.

Geo. W. Ralston Esq.,
Clearfield, Pa.


Dear Sir:-

I enclose you petition for appointment of Viewers with check and I would appreciate it if you would hand this petition to Judge Bell as soon as Possible.

The Jefferson County Court has already appointed viewers to view the piece in Jefferson County, which if layed out would join this section which is in this County, and as they will make their return to the last Monday of October and desire to have their view the same day as the Clearfield County viewers so as to consult with them, we will have to keep it moving.

If you will hand both letter and Petition to the Judge he will understand the necessity of the case.

Very Respectfully,



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 four notices thereof were posted along the route of the proposed road, that the said view would be held on the fourth day of November, A. D. 1921, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the ninth day of November, 1921, at 9 o'clock A.M. That all the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view George Walls petitioner

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the ninth day of November, A. D. 1921, when the following appearances were noted: no appearances

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 in the Public Road commonly known as the Erie Turnpike thence North 25°30' West one hundred forty nine and five-tenth (149.5) feet; thence North 38° 30' West one hundred twenty two and five-tenth (122.5) feet; thence North 36°45' West seven hundred and eight (708) feet to line between the Counties of Clearfield and Jefferson

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 28th day of
Sept in the year of our Lord
one thousand nine hundred and twenty-one

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

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, Frank Hutton, Esq.,
George Weber & J. E. Fry.

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:

Geo W. Ralston

, Clerk.

your petitioners labor under great inconvenience for the want of a public road or highway, to lead from a point in the public highway, commonly known as the "Erie Turnpike", 20 yards east of the house of George Walls and ending at the line between the counties of Clearfield and Jefferson, at a point which is one of the termini of a proposed public road in Jefferson County beginning at a point in the State Highway opposite the private road of Myers Owens and ending at the said county line at the point which is the termini of the road proposed in this petition.

The distance from the point in the Erie Turnpike which is the first named of the termini of this proposed road to the nearest intersecting public road is three-fourths of one mile, and the distance from the other termini of the proposed road, to the nearest intersecting road is approximately one mile.

To T.R.WEIMER, J.E.DALE and M.L.FARREL,COUNTY COMMISSIONERS OF
CLEARFIELD COUNTY,PENNSYLVANIA.

You are hereby notified that the undersigned Viewers,appointed by the Court of Quarter Sessions of Clearfield County,Pennsylvania, to view a Public Road leading from a point in the Public Road commonly known as "The Erie Turnpike",twenty yards East from the house of George Walls in Sandy,Township,to a point in the line between the Counties of Clearfield and Jefferson,which point is one of the termini of a proposed road in Jefferson County beginning at a point in the State Highway opposite the Private Road of Myers Owens,and which point is in Sandy Township,in the County aforesaid,will meet at the house of George Walls in Sandy Township,on Friday the 4th day of November A.D. 1921 at 9 O'clock A.M., to attend to the duty assigned them,of which time and place you and all parties interested will take notice.

And that the Public Hearing required will be held at the Court House in the Borough of Clearfield on Wednesday the 9th day of November 1921 at 9 O'clock A.M.,at which time and place all interested persons may attend and be heard.

DuBois,Pa. Oct 21st 1921

Immh Hutton

George Weber

Viewers

J E Fry

Now Oct. 21 1921 service of this notice is accepted

County Commissioners

Per. L. C. Morris,

Clk

To the ROAD SUPERVISORS OF SANDY TOWNSHIP, CLEARFIELD COUNTY, PA.
You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a Public Road leading from a point in the public road commonly known as "The Erie Turnpike" twenty yards East from the house of George Walls in Sandy Township, to a point in the line between the Counties of Clearfield and Jefferson, which point is one of the termini of a proposed road in Jefferson County beginning at a point in the State Highway opposite the Private Road of Myers Owens and which point of termini is in said County line in said Sandy Township, will meet at the house of George Walls in Sandy Township, on Friday the 4th day of November 1921 at 9 o'clock A.M. to attend to the duty assigned them, of which time and place you and all parties interested will take notice.

And that the required Public Hearing will be held at the Court House in the Borough of Clearfield on Wednesday the 9th day of November 1921 at nine o'clock A.M. at which time and place all interested parties may attend and be heard.

DuBois, Pa. Oct 21st 1921

Frank Shultz
George Culber Viewers
E. Fry

Now, October 21st, 1921, Service of this Notice is accepted on behalf of the Supervisors of Sandy Township.

Al Borse
Solicitor.

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

To the Honorable, the President Judge of the said Court,

The petition of the undersigned, all of whom are residents of the County of Clearfield and Township of Sandy, respectfully represents;

That your petitioners labor under great inconvenience for the want of a public road or highway, to lead from a point in the public highway, commonly known as the "Erie Turnpike" twenty yards east of the House of George Walls and ending at the line between the counties of Clearfield and Jefferson, at a point which is one of the termini of a proposed public road in Jefferson County beginning at a point in the State Highway opposite the private road of Myers Owens and ending at the said county line at the point which is the termini of the road proposed in this petition.

The distance from the point in the Erie Turnpike which is the first named of the termini of this proposed road to the nearest intersecting public road is three-fourths of one mile, and the distance from the other termini of the proposed road, to the nearest intersecting road is approximately one mile.

Your petitioners do therefore pray that the Court appoint proper persons to view and lay out the said road, all of which is in the Township of Sandy, aforesaid, according to law, and they will ever pray.

J. F. Kibbling

J. W. Cowan

Harvey J. Shaffer

Harvey Walls

James F. Colley

Mrs. Wm. Kress

Blake Brosious

A. C. Heberling

Sam Postlethwaite

E. E. Postlethwaite

Mrs. G. E. Heberling

F. A. DeLancey

Grover Hank

B. M. Heberling

F. M. Linsley

C. E. Pifer

County of Clearfield)
State of Pennsylvania) SS;

Before me, a Notary Public duly commissioned in and for the County of Clearfield, personally came George Walls who being duly sworn according to law deposes and says upon oath that he is one of the signers to the foregoing petition and that the matters therein set forth, are to the best of the knowledge and belief of the deponent, true and correct.

Sworn and subscribed before me this twenty-fourth day of September, 1921.

G. B. Walls

Carroll B. ...

My Commission Expires May 2, 1923.

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

Geo. B. Galls, who is the owner of all the land through which the proposed road runs

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 29th day of November
A. D. 1901.

Frank Shetton
George Fisher
J. E. Fry



170

No. 4 Dec Sessions, 1921

ORDER

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

Dec Session, 1921,
Read and confirmed W. S.
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
Superior Will

Feb 24 1922. Confirmed
Absolutely by the Court
Magistrate Forester

Filed

Fees \$1.25 paid by

E. G. Boose, Atty.

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. |
|--------------|------|-------------|
| J. E. Fry | 3 | 68 24.90 |
| Geo. Weber | 3 | 62 18.10 |
| Frank Hutton | 3 | 68 24.90 |

FILED

DEC 2 1921

GEORGE W. RALSTON
CLERK

RELEASE OF DAMAGES

Know all men by these presents, that we, the undersigned owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of one dollar to us respectively paid by

The County of Clearfield

at and before the enrolling and delivery hereof, have remised, released and forever quit-claimed, and do hereby release, release and forever quit-claim to the said

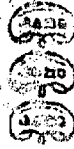
County of Clearfield

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 29th day of November

A. D. 1921

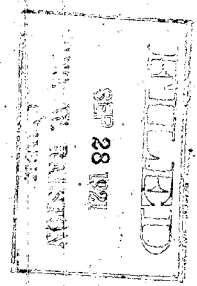
G. B. Walls



Mo 4 Dec 18 1921.

10. Board Road

Road



2.75 Paid by M. E. W. H. H.

Sept 28th 1921. Frank Hutton, Esq., George W. H. and J. E. F. on approved vouchers to proceed according to the provisions of the Acts of Assembly. Order to not return until bond is filed.

By the Court
Hughes Bell
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