

Road DOCKET No. 5

Number Term Year

4 Sept 1923

Petition for Public road in Sandy

Twp

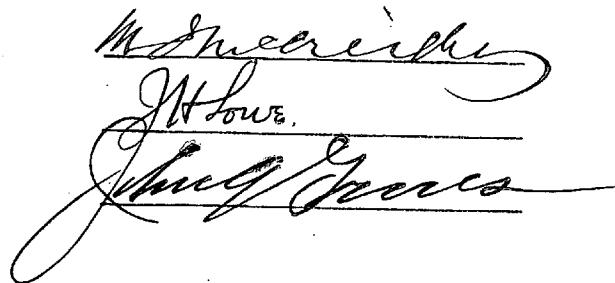
Versus

KNOW ALL MEN BY THESE PRESENTS, THAT WE, M. I. MC CREIGHT,
J. H. LOWE AND JOHN Q. GROVES, of the City of DuBois, County of
Clearfield and State of Pennsylvania, are held and firmly bound
unto the Commonwealth of Pennsylvania for the use of any party
or parties whatsoever entitled thereto, in the sum of One Hundred
(\$100.00) Dollars, to which payment well and truly to be made
and done, we do hereby bind ourselves, our executors and adminis-
trators.

Sealed with our seals and dated the Nineteenth day of May,
1926.

NOW, THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas,
divers citizens of the County of Clearfield, Pennsylvania, have
filed in the Court of Quarter Sessions in said County, a petition
for the establishment of a public road in Sandy Township in said
County and praying the Court to appoint viewers in connection
therewith;

Now, if the obligors above named shall pay or cause to be
paid all costs in connection with said proceeding at the conclusion
of the same, in the event that the said proceeding shall be decided
against said petitioners, then this obligation to be void and of
no effect, otherwise to be and remain in full force and virtue.



The image shows three handwritten signatures in black ink. The top signature is 'M. I. McCreight', the middle one is 'J. H. Lowe', and the bottom one is 'John Q. Groves'. Each signature is written in a cursive style and is underlined.

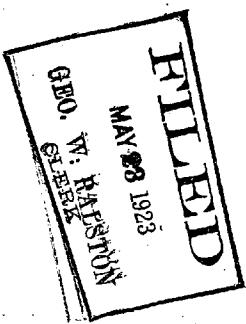
IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY,
PENNA.

NO. 4 SEPTEMBER SESSIONS, 1923.

IN RE: PROPOSED PUBLIC ROAD
IN SANDY TOWNSHIP; CLEARFIELD
COUNTY, PENNSYLVANIA.

BOND.

May 23, 1923, approved
By the Court
Freighton, Peck
J.P.



L.E. BOYER.

PETITION For ROAD--SANDY TOWNSHIP.

TO THE HONORABLE COURT OF QUARTER SESSIONS:--

The undersigned hereby petition:

1. That Viewers be appointed to lay out public road in Sandy Township, Clearfield County as follows; Beginning at a point intersection of Dixon Avenue and Mertland Street, thence on and along Mertland Street in a westerly direction as now laid out on survey of Wilson Addition to line of land of and thence through land of Logan, Johnston Heberling Jefferys and Nelson to point in public road at or near old mill site near William Shaffer's, in said Township.
2. That said road is less than one mile in length requiring to be opened and constructed. That it will be substantially water grade; that it will eliminate several very steep grades now necessary to overcome in reaching that section; that it will open and make available valuable homesites to suburban residents; that right-of-way will be furnished by land owners for said purpose at a nominal sum.

Chas Shiffles Hasson and Sandy Tiop
Find Lach South Brady st. Det Boro Pa
Leland McMoore DaBris, Pa.

- D.R. Visebinder 114 W. Long Ave. DuBois, Pa.
J. F. Wigen 312 S Main DuBois Pa
C. E. Blakeslee 312 E Seminary DuBois Pa
Hotel DuBois John Hartnett Pres
John St. John Hall, 600 Kennedy St. DuBois Pa
G. B. Wachob Wash St 222

Eff Prohibition 20 East 2nd Street. Deshais Pa.

Walter Kalline 219 S Brady St. Webster, Pa.

Lloyd Kettner Brady St West Bend Pa

J. G. Jeffersing

P. O. Miller

—

Chas Nelson S. Main S.T. B.C. Box 128½

Leick Bawser Louis K. :
1900

L. B. Mosley Sandy of ~~water~~ Pa.
El. Patterson " " "

D. A. Gubbs George Franky.
W. F. Kelly " "
C. L. in ~~Graves~~ Chas. Franky

Mr W^m Northev.
David Shaffer " "
S. H. Kemp J. J. Miller
Wm Lincoln " "
A. K. Ward J. J. Levine

Luke Kite
J. Franky
H. J. Franky
Geo. Whitmore
Scott Wilson
Chas. Wilson
J. T. Spencer
Wm Wagges
Mrs M. J. Wagges
H. C. Rutherford
Lewis Thomas
J. J. Morris
J. A. Overdorp
J. R. Delp

J. A. Bandy 23¹/₂ 66¹/₂ 1/2 in.
R. Berry " " "
Lloyd J. Wingerd. 24¹/₂ 66¹/₂ Pa.
W. D. Tyler, W. C. Boa Pa
R. D. Ewicki D. B. Boa Pa.
Donald McClellan D. B. Boa, Pa.
J. Franky C. Morris Sandy Twp

J. C. Tye Sandy Twp
J. P. Heilbrun " "
W^m Lisatovich Sandy Twp
E. Smundrige " "
Thomas D. Belvert Fd 3
Patrick Johnson Sandy Township
George Morris Sandy Township
Reuben Whitmore Sandy

H. H. Smith. 530 So. Brady st. Du Bois Pa.

Joseph A Allen

Mrs Annie Allen

Mrs Victoria Cramer.

H. R. Mage

Geo. J. Kessler

Charles Lyons

Matthew Rupard

Geo. Ulmer

J. H. Haggott

Wm Gifford

W. H. Overdorff

Wm Saloda

J. W. Duttry

J. R. Duttry

John J. Berryman

Thomas L. Fye

John Atwell

Chas R. Horn Sandy Township

Jesus Woods Sandy Township

Wm Horn Kunkers.

S. Smiley

W. D. Wiggin

George L. Clark

Charles E. Kain

B. S. Hayes

Michael. Kunkers

De Bois Pa.

Entzien Pa.

121 Wilson Ave. De Bois Pa.

Sandy Township

Barley Johnson 206 DuBois St.
Mc Gordon DuBois Pa.
Joseph Lockwood 1 Oak St DuBois
W. Johnson 329 W. Lang. DuBois,
W. Mathess DuBois
J. M. Darm DuBois
A. J. Dietz DuBois Pa.

M. E. Dixon

L. W. Shaffer

K. L. Shaffer

H. W. Shaffer

R. S. Stapp

Fred Bowser

James L. Grinn
Joseph M. Galerick

Mr. Devine

E. M. Liddle

D. L. Baker

Blair Helman

W. D. Dixon

DuBois Pa.

Zabula Co. Pa

Sandy top

DuBois Pa

DuBois Pa

Arboden Pa

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

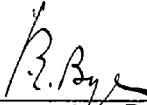
IN RE: PROPOSED PUBLIC ROAD IN SANDY : NO. SEPTEMBER SS: 1923.
TOWNSHIP. CLEARFIELD COUNTY. :

TO THE SUPERVISORS OF SANDY TOWNSHIP, PA:

Notice is hereby given that an application will be made to the Court of Quarter Sessions on Monday May 21st, 1923 at 10 A. M., for the appointment of viewers in connection with an ^{public} application for the viewing and laying out of a proposed new road in Sandy Township, Clearfield County, Pennsylvania, briefly described as follows:

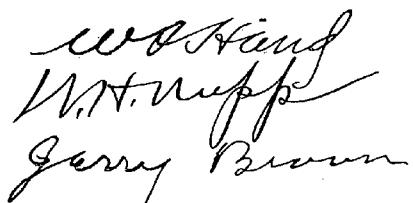
Beginning at a point intersection of Dixon Avenue and Mertland Street, thence on and along Mertland Street in a westerly direction as now layed out on survey of Wilson Addition to line of land of and thence through lands of Logan, Johnston Heberling Jeffreys and Nelson to point in public road at or near old mill site near William Shaffer's in said Township.

That said road is less than one mile in length requiring to be opened and constructed. That it will be substantially water grade; that it will eliminate several very steep grades now necessary to overcome in reaching that section; that it will open and make available valuable homesites to suburban residents; that right-of-way will be furnished by land owners for said purpose at a nominal sum.



Attorney for Petitioners.

Now, the 5 day of May, 1923, service of the
within notice is hereby accepted.



W.T. Napp
Jerry Brown

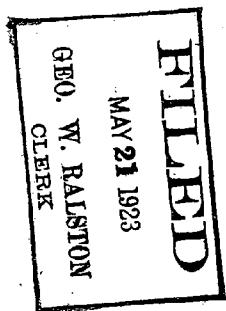
IN THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY, PENNA.

NO. 4 SEPTEMBER 25: 1923.

IN RE: PROPOSED PUBLIC ROAD
IN SANDY TOWNSHIP, CLEARFIELD
COUNTY.

NOTICE.

(Annoncement.)



L.E. Boyer, Atty.
for Petitioners.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: PROPOSED PUBLIC ROAD IN SANDY TOWNSHIP :
CLEARFIELD COUNTY. : NO. SEPTEMBER SS:19
:

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PA:

Notice is hereby given that an application will be made to the Court of Quarter Sessions on Monday May 21st, 1923 at 10 A. M., for the appointment of viewers in connection with an application for the viewing and laying out of a proposed new road in Sandy Township, Clearfield County, Pennsylvania, briefly described as follows:

Beginning at a point intersection of Dixon Avenue and Mertland Street, thence on and along Mertland Street in a westerly direction as now layed out on survey of Wilson. Addition to line of land of and thence through lands of Logan, Johnston Heberling Jeffreys and Nelson to point in public road at or near old mill site near William Shaffer's in said Township.

That said road is less than one mile in length requiring to be opened and constructed. That it will be substantially water grade; that it will eliminate several very steep grades now necessary to overcome in reaching that section; that it will open and make available valuable homesites to suburban residents; that right-of-way will be furnished by land owners for said purpose at a nominal sum.

R.B.

Attorney for Petitioners.

Now, the 7th day of May, 1923, service of the within notice is hereby accepted. *for County Commissioners*

of Clearfield County

L. C. Morris
Clerk.

IN THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY
PENNA.

NO. *4* SEPTEMBER SS: 1923.

IN RE: PROPOSED PUBLIC ROAD
IN SANDY TOWNSHIP, CLEARFIELD
COUNTY.

NOTICE.

(County Commissioners.)

FILED

MAY 21 1923

ATTO: W. RALSTON

CLERK

I. E. Boyer, Atty.
for Petitioners.

IN THE COURT OF QUARTER
SESSIONS OF CLAYFIELD
COUNTY, PA. NO. 155-
1923.

IF RE: INCLOSED/ROAD
IN SANDY TOWNSHIP, CLAYFIELD
COUNTY.

PUBLIC

PETITION.

May 21, 1923. J. E. P. M.
Frank Shetler, Esq. and
George Johnson appointed
as executors pro tempore.

By the Court
Sunglowell Bell

FILED

MAY 21 1923

Geo. W. DUGTON
C. L. LOUISE E. BOYER
ATTORNEY AT LAW
DU BOIS, PA.

272- by atty

that it will eliminate several very steep grades now necessary to overcome in reaching that section; that it will open and make available valuable homesites to suburban residents; that right-of-way will be furnished by land owners for said purpose at a nominal sum.

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 21st day of May in the year of our Lord one thousand nine hundred twenty-three

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Sandy in said County, ~~setting forth that~~ that viewers be appointed to lay out a public road Beginning at a point intersection of Dixon Ave., and Mertland St. thence on and along Mertland St. in a westerly direction as now layed out on survey of Wilson Addition to line of land of and thence through lands of Logan, Johnston Heberling Jeffreys and Nelson to point in public road at or near old mill site near William Shaffer's in said Twp. That said road is less than one mile in length requiring to be opened and constructed. That it will be substantially water grade;

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

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 judgement, 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.

Geo W. Palastre, 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, be 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 31st day of July

A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the sixth day of August, 1923, 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 W.S.Hand, Supervisor of Sandy Township and P.S.Haberling

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 6th day of August A. D. 1923, when the following appearances were noted: W.C.Pantz, Esq. Attorney for Sandy Township Road Dist. L.E.Boyer Esq., Atty for petitioner W.S.Hand Supervisor, J.P.Logan George Bearfield, Mary Calvert, William Anderson, William Dixon, P.S. Haberling, Samuel Postlethwaite, T.J.Wayne, Hugh Jefferys, C.A.Mitchell, Ira Marshall and Charles Nelson, all of whom were sworn and testified

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 use the following described road, to wit Beginning We attach herewith a draft of our view as made and in accordance with this Order.

The chief reasons which prompts us to make this negative report are First:- The proposed road parallels another road from Dixon Avenue to the Spear's mill point of intersection which present road has been open and in use for many years, and has a number of residences along it who are served by it, hence there is little probability of its ever being vacated, while the proposed road has no residents on it who are not now served by convenient road.

Second:- While the proposed road would have a much better grade it would be an expensive road to build, some of it through low swampy ground, which would have to be filled and drained.

Third:- The proposed road would go through improved property, the owners of which are demanding heavy damages, and who would in some cases be damaged out of proportion to the entire value of their properties.

Fourth:- The evidence offered to your viewers was entirely adverse to the petition, the abutting property owners alleging the road to be unnecessary, that it would materially damage their properties, while other citizens and taxpayers alleged that it was not only unnecessary but would be a burden which Sandy Township, Road District, in its pres- ent financial condition is unable to assume.

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 at intersection of Dixon Avenue and Mertland Street, thence on and along Mertland Street in a westerly direction as now layed out on survey of Wilson Addition in Sandy Township to line of land of _____ and thence through lands of Logan, Johnston, Heberling, Jeffreys and Nelson to a point in public road at or near old Mill Site near William Shaffer's in Sandy Township, in the County aforesaid, will meet at the intersection of Dixon Avenue and Mertland Street in Sandy Township on Tuesday the 31st day of July 1923 at nine o'clock A.M. to attend to the duty assigned them of whichtime and place you will take due notice.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield on Monday the 6th day of August 1923 at nine o'clock A.M. at which time and place you may attend and be heard if you so desire.

J E Fry
Frank Kellin
George Leebes

Viewers.

Now July 14th 1923 service of this notice accepted for the Supervisors of Sandy Township

Paul Paul
Atlys for Supervisors of
Sandy Township

DuBois, Pa. July 14th 1923

TO THE 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 at intersection of Dixon Avenue and Mertland Street, thence on and along Mertland Street in a westerly direction as now layed on on survey of Wilson Addition in Sandy Township, to line of land of _____ and thence through lands of Logan, Johnston, Heberling, Jeffreys and Nelson to a point in Public Road at or near old Mill Site near William Shaffer's in Sandy Township, in the County aforesaid, will meet at the intersection of Dixon Avenue and Mertland Street in Sandy Township, on Tuesday the 31st day of July A.D. 1923 at nine o'clock A.M. to attend to the duty assigned them, of which time and place aforesaid, you will take due notice.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, on Monday the 6th day of August 1923 at nine o'clock A.M. ~~you~~ at which time and place you may attend and be heard if you so desire.

DuBois, Pa. July 14th 1923

J E Fry
Frank Hellm
George Lauber

Viewers.

Now July 14 1923 service of this notice is accepted for the Commissioners of Clearfield County.

L. C. Morris
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 practical 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 _____

(Inasmuch as your viewers are making a negative report no releases have been obtained nor no damages fixed)

the following persons having refused to release the damages to which they respectfully may be entitled by 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 15th day of August,

A.D. 1923

15th day of August

J. E. Fry Seal
Frank Hutton Seal
George K. Fisher Seal