

DOCKET No. 5

Number
18

Term
Sept

Year
1923

Public Road in Sandy Twp

to begin on the Valley Road

Versus

Rd. 5 - Page 573

Part Twp. Rd. 17466

To the Supervisors of Sandy Township:

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Clearfield County on Tuesday, the 4th day of September, 1923, at 9 o'clock in the morning, for the laying out of a public road in Sandy Township to begin in the Valley Road, about nine hundred feet North from intersection of Hill Road and extending westerly to what is known as the Hill Road, at the property of F. M. Schreager in said Township, where and when you can be present if you so wish.

James E. Schreager
Attorneys for Petitioner

Service of above petition accepted for the Supervisors of Sandy Township.

James E. Schreager
Secretary

Notice of hearing before me
the County Comm. Sept 4 1923
Chas. E. Schreager, Clerk

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 4th day of September 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 they labor under great inconvenience for want of a public road to begin at a point on the Valley Road, or concrete road, nine hundred feet north from intersection of the Valley Road and Hill Road, at lands of F. M. Schrauger, in Sandy Twp. and to end at a point on land of F. M. Schrauger, opposite the corner of the North line and South line between land now occupied by Widow of Lou Duttrey & H. I. Merriis, and 1600 ft. North of the intersection of the Valley Road and Hill Road; AND ALSO to vacate that part of what is known as the Hill Road in Sandy Twp. beginning at the intersection of the Valley Road & Hill Road, thence extending north about 1600 ft. at or near the line between property of H. I. Merriis & Widow Duttrey which has become useless and burdensome.

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., J. E. Fry and Geo. K. 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 Ralston, 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 first day of October A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the third day of October, 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 Jerry Brown, Supervisor, and F.M. Shrauger

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the third day of October A. D. 1923, when the following appearances were noted: John J. Pentz, Esq., of Pentz and Pentz Attys for petitioners, Jerry Brown and W.S. Hand, Supervisors of Sandy Twp., F.M. Shrauger, Chas Dixon, E.A. Hoyt, H.T. Galgreen citizens favoring the petition and George Cole, citizen not favoring the petition, all of whom were sworn, and examined

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is very 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 concrete road nine hundred feet from intersection of concrete road and the Hill road, thence N. 61° 40' W fifty one feet; thence North 65° 30' W. one hundred feet; thence N. 88° 50' W. one hundred feet; thence S. 89° 45' W. one hundred feet; thence S. 85° 45' W. one hundred feet; thence N. 66° 45' W. one hundred feet; thence N. 56° 15' W. one hundred feet; thence N. 63° 45' W. one hundred feet; thence N. 73° W. one hundred feet; thence N. 61° 45' W. one hundred feet to point in middle of Public road known as the Hill road opposite line between lands of H.I. Morris and Mrs Lou Duttry.

Your viewers also recomend for vacation that part of the Hill road described as follows:— Beginning at the Concrete or Valley road thence North 4° 10' W. three hundred fifty feet; thence N. 3° 50' W. three hundred eight feet; thence N. 30° 15' W one hundred feet; thence N. 50° 25' W. one hundred thirty six and one-half feet; thence N. 68° 40' W. three hundred feet; thence N. 64° 40' W. two hundred eight feet; thence N. 43° W one hundred forty four feet; thence N. 32° 30' W. one hundred forty four and six tenth feet to point opposite line between lands of H.I. Morris and Mrs Lou Duttry in all a distance of 1691.1 feet

Your viewers desire to call the attention of the Court to certain conditions existing in this view to wit:— The length of the proposed road is 951 feet, the difference in elevation from the point of beginning as set forth in the Order of view, at concrete road ad point of ending in the Hill road is ninety nine feet, the termini being fixed in the Order to view it was not practical nor possible

to lay out this road and not exceed a five degree grade but after viewing the situation on the ground and after hearing the witnesses who were all representative citizens of the vicinity and reasonable and fair men your viewers decided to recommend the road as petitioned for regardless of the excess grade, the maximum of which is 11 feet to the 100 and submit our reasons for our decisions which are

First every witness, but one (Mr Cole) at present use the Hill road to get on to the concrete and testified they would prefer the new road with its increased grade to the old one the maximum grade of which is 8.4 feet to the hundred feet, because of the danger of the old one.

Second the vacation of the Hill road as recommended eliminates an acute angled curve at the junction of the Hill and concrete roads, which curve is considered by your viewers as extremely dangerous, for the Hill road for some 700 feet from its intersection with the concrete has an elevation of 8.4 feet to the hundred and coming down it and making left hand turn, or those coming down the Valley road for a right hand turn up the Hill Road have a very acute angle to turn.

Third, the hill part of the Hill road is icy and dangerous in winter and has a sharp curve dangerous for traffic and is also expensive to maintain and drifts in winter. Fourth, at least 700 feet of the Hill road should be protected by guard rails, while no caution for damages have ever been brought, in its present condition it may happen at any time and to properly guard it would be about as expensive as the opening the new road. Fifth, the intersection of the proposed road with the concrete is such that in approaching from the proposed road a good view of the traffic on the concrete is had.

Mr Hand of the Supervisors, favored the road, but not the allowance of any damages for land taken. It is the opinion of your viewers and the witnesses that the proposed road would be much more easily and cheaply maintained.

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~~ ^{seven} degrees, excepting no exceptions

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

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: Mrs F.W. Shrauger though whose improved field the road wholly runs on a hundred dollars

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

WITNESS our hands and seals this 8th day of October
A. D. 1925.

Myrl Hutton

Seal

George R. Huber

Seal

Seal

Seal

TO THE HONORABLE, THE JUDGE OF THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY

The petition of the undersigned citizens
of the Township of Sandy respectfully represents:

That they labor under great inconvenience
for want of a public road to begin at a point on the Valley
Road, or concrete road, *five hundred* feet North from in-
tersection of the Valley Road and Hill Road, at lands of
F. M. Schrauger, in the said Township of Sandy, and to end
at a point on land of F. M. Schrauger, opposite the corner
of the North line and South line between land now occupied
by widow of Lou Duttrey and H. I. Merris, and sixteen (1600)
feet North of the intersection of the Valley Road and Hill
Road; and for that purpose to appoint competent viewers.

And also, to vacate that part of what
is known as the Hill Road in said Township of Sandy, beginning
at the intersection of the Valley Road and Hill Road, thence
extending North about sixteen (1600) feet, at or near the line
between property of H. I. Merris and the Widow Duttrey, which
has become useless and burdensome.

And they will ever pray, etc.

J. H. Smith
G. W. Brown
M. E. Dodson
H. K. Shipman
James Handmelt
Chas. Dixon
B. H. Wodde
W. M. Harrell
M. M. Schaefer
W. S. Albright
Walter Brown
W. A. Burns
M. C. Bundy
C. R. Bundy
Rural Parker
Fred Hocking

Chas. Solada
Geo. Solada
Edwin Liddle
George Wren
Edgar Dodd
F. F. Shrauger
E. A. Hoyt
N. A. Hoyt
C. C. Dodd
Alvin Kelgren
James Brown
Daniel Ross
Geo. Brown
William H. Brown.

Ambrose Bundy

Arthur Bundy
J. A. Bundy

Ed. Jale

James Duthy

Levi Duthy

James M. Duthy

Arthur Duthy

Edna Burr

C. H. Clinton

W. P. Burns

James S. Dutt & Co

Stanley Shrauger

Mary C. Hess

J. L. Hess

Pearle D. Christian

Charles Goodwin

Ado KDD

D. P. Christian

W. D. Christian

John Christian

Smy. Taylor

A. G. Kline

S. S. Kline

W. H. Taylor

Katherine Colley

Walter Colley

David Devore

J. E. Nangle

W. R. Nangle

W. B. Nangle

A. W. Durlap

William Durlap

Earl Durlap

F. H. Forsyth

J. E. Clinton

C. P. Dixon

Jennie Brown

John Van Sice

Earl Bundy
Ray Bundy
Sarah Bogle
Joseph Glavin
Robt M^{rs} Donald
William Ferrier
Charles Bellinger
Simon Bundy
Charles Beer.

John Dittus
S. H. Conway
J. J. Conway
H. A. Munro
was Hand.
A. M. Pearson
Edward A. Charlton
L. E. Dunlop
Phil McDonald
Bert Kern
Chas Delp
W. J. Furry
R. G. Dickinson
David Carbaugh
Fred Kern
J. M. Harrison
P. J. Pearson
W. L. Krenk
H. F. Murky

Mo 18 Sept 20 1920

In re:
JUNY TO TSHIP. ROAD

SECTION

4 Sept. 1920 Bell
need and therefore
to work made
are reported near
some beyond the
and the need and
for vacation and
after the day
Ruth Louie

W. B. Bell
11/1

SEP 4 1923
PENTZ & PENTZ
W. BAISTON
CLERK
DUBOIS, PA.

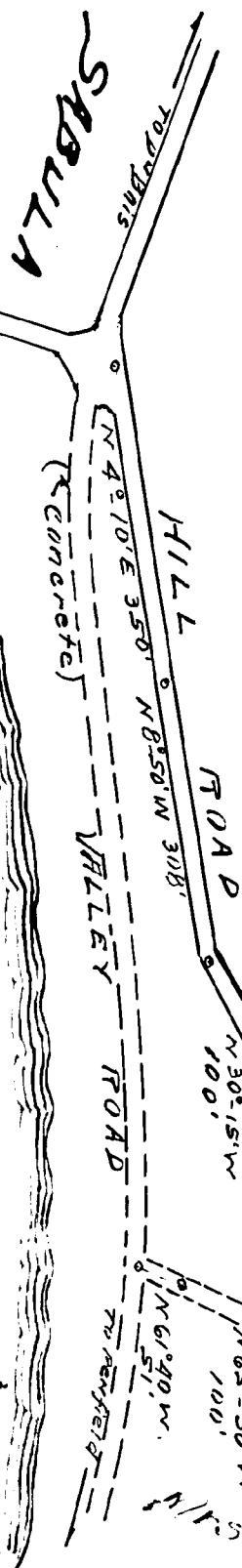
H. I. MERRIS N. 32° 30' W 61° 45' W
144.6' 100'

Distance - Road to vacate - 1691.1 Ft.
Distance - Road to supply - 951.0 Ft.
Measured Oct. 1-1923
Scale 1" = 200'

FRANK HUSTON
Geo. H. Weber
J. F. FRY

Weimers.

Frank Hutton
Geo. H. Weber
J. E. Fry



LATE SABULRA

F. M. Schragel
pr. u. t. u.

Commissioners Subpoena.

COUNTY OF CLEARFIELD, SS:

The Commonwealth of Pennsylvania, to

*James Hendricks, F. M. Shrauger, Charles Dixon
E. A. Hoyt, H. J. Calgreen*

We Command you, that setting aside all manner of business and excuses whatsoever, you
be and appear in your proper person before *Frank Hunter, J. E. Frye, Geo. W. Palmer*
~~Esq., Commissioner.~~ at *Court House* in *Clearfield*

Pa., on the *21* day of

Oct next, at *9* o'clock. *9*, M., there to
testify the truth according to your knowledge in a certain case now pending and then and there
to be tried, wherein *In Re Sanchy Township road*

L bellant, and

Respondent, and

that on the part of the *Relators* And this
you are not to omit under penalty of five hundred pounds.

WITNESS, the Honorable SINGLETON BELL, President Judge of our said
Court, at Clearfield, Pa., the *21* day of *Oct*

Anno Domini, one thousand nine hundred and

Twenty three
Geo. W. Halstead
Prothonotary.

No.....Term, 191..

VS.

Commissioners Subpoena.

....., Attorney.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY,

Of.....September Sessions, 1963

No.....

Versus

Supervisor's.....Bill of Costs

At.....Term, 190.....

Before J. E. Fry, Frank Hutton, and G. F. Weber, Board of Viewers

[illegible]

CLEARFIELD COUNTY, SS:

Personally appeared before me..... Jerry Brown....., who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material, and in attendance as above stated, and that the mileage is correct as he believes.

Suorn to and subscribed before me this

2nd day of October, A. D. 1903.

Prothrombotic state

NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 7, 1928

Jerry Brown

No.....Sessions
September.....~~Term~~ 1903..

Versus

SUPERVISOR'S.....*Bill of Costs*

For.....Term 190 ...

Date.....October 2..... 1903.

Amount - - - \$19.54.....

To the County Commissioners of Clearfield County, Penna.

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 on the Valley or Concrete Road in Sandy Township, nine hundred feet North from the intersection of the Valley Road and Hill Road at lands of F.M. Schrauger, in Sandy Township, and to end at a point on land of F.M. Schrauger opposite the corner of the North line and South line between the lands now occupied by widow of Lou Duttrey and H.I. Morris and sixteen hundred feet North of the intersection of Valley Road and Hill Road in Sandy Twp., AND ALSO to vacate that part of what is known as the Hill Road in Sandy Township, beginning at the intersection of Valley Road and Hill Road, thence extending North about sixteen hundred feet at or near line between property of H.I. Morris and the widow Duttrey, in Sandy Township, will meet at the intersection of the Valley Road and Hill Road in Sandy Township in the County aforesaid, on Monday the first day of October 1923 at nine o'clock A.M. to attend to the duty assigned them, of which time and place all parties interested will take due notice. And that the required Public Hearing will be held at the Court House in the Borough of Clearfield on Wednesday the third day of October 1923 at nine o'clock A.M. when and where all interested parties may attend and be heard.

DuBois Pa. Sept. 18th 1923

Emch Hutton
J. E. Fry
George Kleiber
Viewers

Now Sept. 19 1923 service of this notice is accepted for the
County Commissioners

L. O. Morris
Clerk

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 on the Valley Road or Concrete Road in Sandy Township, nine hundred feet North from the intersection of the Valley Road and the Hill Road at lands of F.M. Schrauger, in Sandy Township, and to end at a point in lands of F.M. Schrauger opposite the corner of the North line and the South line between lands now occupied by the widow of Lou Duttrey and H.I. Morris, and sixteen hundred feet North of the intersection of the Valley Road and Hill Road in Sandy Township.

AND ALSO to vacate that part of what is known as the Hill Road in Sandy Township, beginning at the intersection of the Valley Road and the Hill Road thence extending North about sixteen hundred feet at or near the line between the property of H.I. Morris and the widow Duttrey in Sandy Township, in the County aforesaid, will meet at the intersection of the Valley Road and Hill Road, in Sandy Township, on Monday the first day of October 1923 at nine o'clock A.M. to attend to the duty assigned them of this you will take due notice.

And that the required Public Hearing will be held at the Court House in the Borough of Clearfield on Wednesday the 3rd day of October 1923 at nine o'clock A.M. when and where you may attend and be heard if you so desire,

DuBois, Pa. Sept. 18th 1923

Amos Shullin

J. E. Fry

George K. Weber

~~Viewers~~

Now Sept. 18 1923 service of this notice accepted for the Road Supervisors of Sandy Township

Paul Wiley
Atty for Supervisors