

DOCKET No. 6

Number Term Year

17

Sept

1926

Petition for road in Sandy Twp

Versus

PETITION FOR PUBLIC ROAD IN SANDY TOWNSHIP

TO THE HONORABLE A. R. CHASE
PRESIDENT JUDGE CLEARFIELD COUNTY:

The undersigned petitioners pray your Honor for the establishing of a Township Road in Sandy Township, Clearfield County, Pennsylvania, beginning at the Township Highway leading south from the extension of South Main Street, City of Du Bois, to State Road No.5 at a point corner land of James Jeffreys, Mary Shaffer and M. I. McCreight, thence, in the southwest-erly direction to a point corner land of M. I. McCreight and Thomas Hindman at State Route No.5, about 700 ft. ~~east~~ of the Jefferson County Line, a distance of two miles, more or less, on, over and across lands of Mary Shaffer, William Shaffer, Daniel Smith, George Burfield, D. E. Heberling and M. I. McCreight. That your Honor will appoint a Board of Viewers and otherwise, do all manner and things that may be necessary to provide said public highway according to law and we will ever pray, etc.

Du Bois, Pa. June 25, 1926.

D. E. Heberling
Mary Heberling
Mary Shaffer
William Shaffer
Daniel Smith
D. E. Smith
George Burfield
D. E. Burfield
F. R. Deep
A. B. Smith
A. E. Justice
John Burfield
David Bearfield
George Bearfield
Willie Burfield
Mrs. Will Anderson

Margarett Smith
Grover Haas
O. M. Wolfe
J. H. Grant
John Burfield
G. H. Fifer
John Fifer
Geo. Nelson
John Arkey
Jane Arkey
D. H. Holley
S. C. Hess
J. H. Mueller
H. R. Wilson
G. M. Anderson
F. G. Anderson
H. C. G. Anderson

Frank Gumpert
Rufus Gumpert
Anne Gumpert
Anne Gumpert

Wm. Gumpert
Mrs. Fred E. Weber

Geo H. Bailey

Mrs. G. Bailey

William D. Lank

Earl Dugay

K. Dugay

G. Solada

Pete Jackson

As. E. Larson

E. A. Haag

G. G. Heberling

H. G. Shaffer

Roy Lousine

J. G. & E. Shaffer

J. G. & E. Shaffer

Kenneth G. Gatz

Elwood D. Minns

1314 Walborn

Fred E. Weber

John H. Gatz
James W. Gatz

Samuel Dugay

James, Jr.

Edith Rice

Mrs. Allen Quisen

J. D. Siddle

John A. Peterson

John S. Peterson

Frank McHale

Blair Holman

Mrs. Blair Holman

Joseph M. Mullen

John M. Mullen

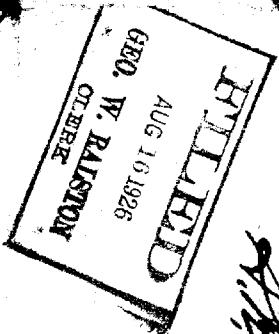
J. P. Roringer

J. H. Magle

17 Sept 1926

Prison For
Tranship Red
Soc'dy Imp

Dear August 18th 1842
Franklin S.
Frankly, I
think we are
beginning to
smell a rat.



PETITION FOR PUBLIC ROAD IN SANDY TOWNSHIP

TO THE HONORABLE A. R. CHASE
PRESIDENT JUDGE CLEARFIELD COUNTY:

The undersigned petitioners pray your Honor for the establishing of a Township Road in Sandy Township, Clearfield County, Pennsylvania, beginning at the Township Highway leading south from the extension of South Main Street, City of Du Bois, to State Road No.5 at a point corner land of James Jeffreys, Mary Shaffer and M. I. McCreight, thence, in the southwest-erly direction to a point corner land of M. I. McCreight and Thomas Hindman at State Route No.5, about 700 ft. ~~East~~ of the Jefferson County Line a distance of two miles, more or less, on, over and across lands of Mary Shaffer, William Shaffer, Daniel Smith, George Burfield, D. E. Hoberling and M. I. McCreight. That your Honor will appoint a Board of Viewers and otherwise, do all manner and things that may be necessary to provide said public highway according to law and we will ever pray, etc.

Du Bois, Pa. June 25, 1926.

*J. P. Murphy
J. S. Nelson, 713 S. Brady St. Du Bois, Pa.
W. H. Houser 58 on Long Ave
C. H. Miller 114 E. Lehigh Ave*

TO THE 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 Township Road leading South from the extension of South Main Street, City of DuBois, to State Road No. "5" at a point corner of land of James Jeffreys, Mary Shaffer and M.I. McCreight in Sandy Township, #6 thence in Southwesterly directions to a point at corner of lands of M.I. McCreight ~~at corner of lands~~ ^{and} of Thomas Hundman at State Route No. "5", about 700 feet East of the Jefferson County line, a distance of two miles, more or less, on, over and across lands of Mary Shaffer, William Shaffer, Daniel Shaffer, George Burfield D.E. Heberling and M.I. McCreight in Sandy Township, in the County aforesaid, will meet at the designated place of beginning in Sandy Township, on Tuesday the 21st day of September 1926 at 9 o'clock A.M. to attend to the duties assigned them.

And that the Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Thursday the 23rd day of September 1926 at 9:30 O'clock A.M. at which time and place all interested parties may attend and be heard.

Frank Hulten
J. E. Fry
Geo. A. Heber
Viewers

DuBois Pa. Sept. 7th 1926

Now, Sept. 9, 1926 service of the above notice is accepted for the Commissioners of Clearfield County, Pennsylvania.

L. C. Horner
Clerk

TO THE SUPERVISORS OF SANDY TOWNSHIP ROAD DISTRICT.

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 Township Road leading South from the extension of South Main Street, City of DuBois, to State Road "No.5" at a point corner of lands of James Jeffreys, Mary Shaffer and M.I. McCraight in Sandy Township, thence in Southwest wly directions to a point at corner of lands of M.I. McCraight and Thomas Hundman at State Route "No.5", about 700 feet East of the Jefferson County line, a distance of two miles, more or less, on, over and across lands of Mary Shaffer, William Shaffer, Daniel Shaffer, George Burfield, D.R. Heberling and M.I. McCraight, in Sandy Township in the County aforesaid, will meet at the designated place of beginning in Sandy Township, on Tuesday the 21st day of September 1936 at nine o'clock A.M. to attend to the duties assigned them.

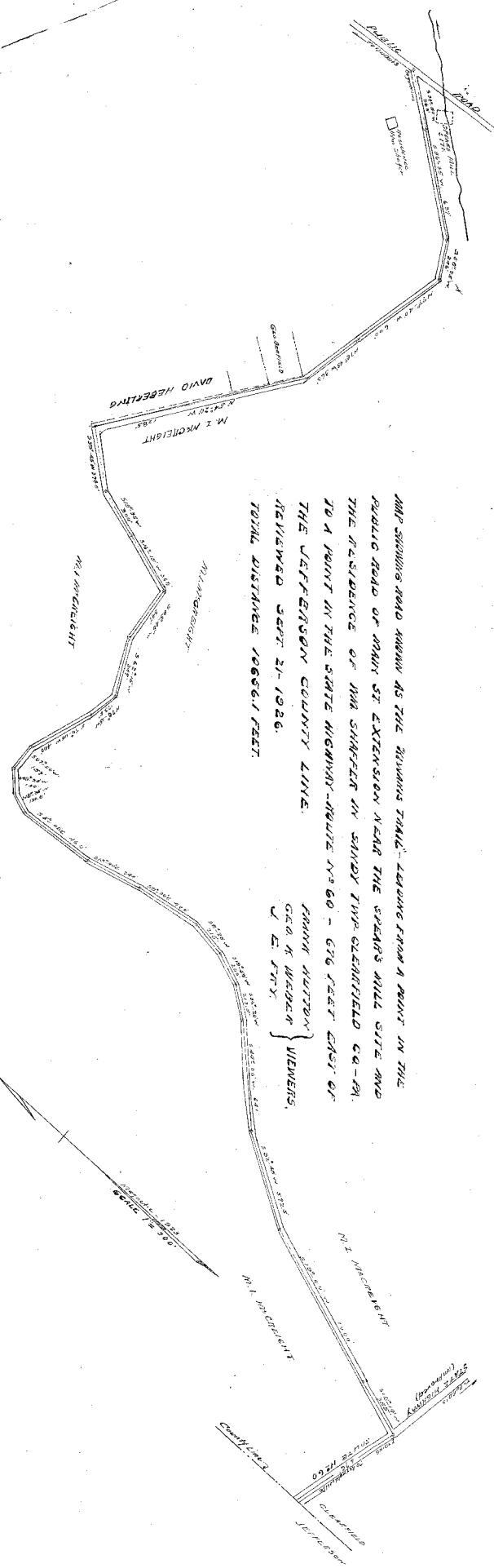
And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, Pa. on Thursday the 23rd day of September 1936 at 9:30 o'clock A.M. when and where all interested parties may attend and be heard.

Frank Shaffner
J E Foy
George K Weber
Viewers

DuBois, Pa. Sept. 7th 1936

Now, Sept. 13th 1936, service of above notice is accepted for the Supervisors of Sandy Township Road District.

Jerry Brown, Sec



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 16th day of August
in the year of our Lord one thousand nine hundred twenty six

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

in said County, ~~sundry inhabitants~~ pray your Honor for the establishing of a Twp road in Sandy Twp. beginning at the Township Highway leading south from the extension of South Main Street, City of DuBois, to State Road No. 5 at a point corner land of James Jeffreys, Mary Shaffer and M. I. McCraight, thence in the southwesterly directions to a point corner land of M. I. McCraight and Thomas Hundman at State Route No. 5, about 700 ft. east of the Jefferson County Line, a distance of two miles, more or less, on, over and across lands of Mary Shaffer, William Shaffer, Daniel Shaffer, George Burfield, D.E Heberling and M. I. McCraight.

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 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 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 21st day of September 6 A. D. 1926, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 23rd day of September 6, 1926, at 9:30 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 E.M.Liddle, Ralph Gray and Jerry Brown, Supervisors of Sandy Twp. Road District

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 23rd day of September 6 A. D. 1926, when the following appearances were noted: Leo A. Brockbank Esq., of Bell & Brockbank Atty's for Supervisors of Sandy Twp. Ralph Gray, Supervisor, Dan Smith and WM Shaffer parties interested.

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 The Viewers in this case were appointed and viewed the road petitioned for in No. 5 September Sessions 1923 which said road was the same as petitioned for in this case. Your Viewers after viewing the proposed road petitioned for in this case find very little if any change in conditions along the proposed road from what we found at the former view. We made full report setting forth the conditions as we then found them and our reasons for refusing to recommend the road petitioned for in No. 5 Sept. Sessions 1923 and we find no sufficient reasons after view and Hearing in this case to change our opinion, as filed in that case and refuse to recommend the road petitioned for in this case for the same reasons assigned in our report in the former case

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 (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

No releases required

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: No damages

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

WITNESS our hands and seals this 21st day of October
A. D. 1926.

Frank B. Miller Seal
J. E. Tug Seal
George B. Miller Seal
Seal

No. 17 Sept 19 26

ORDER

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.

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

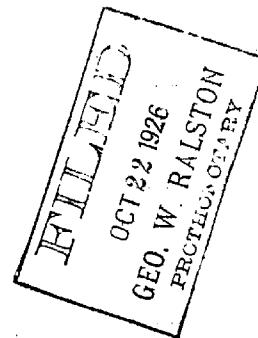
Days	Miles	AMT.

To view a
road and confirmed Ni. Si. Road to be
opened 33 feet wide, except where there
is side hill cutting or embankment and
bridging, there to be 16 feet wide.

By the Comt.
A. D. 1926
J. J. Johnson

Prov Feb 88-1927 C. J.
confirmed et alitly
By the comt of
A. D. 1926
J. J. Johnson

19
Filed
Fees \$1.25 paid by



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 respectfully 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. 1926.

Seal

Seal

Seal

Seal