

Road

DOCKET No. 6

Number Term Year

4 Feb ss 1931

Petition to vacate road in

Sandy Twp

Versus

X

TO: Ralph Grey, Jerry Brown and Joshua T. Hoover, Supervisors
of Sandy Township, Clearfield County:-

You are hereby notified that the undersigned viewers,
appointed by the Court of Quarter Sessions of Clearfield County to No.
4, February Sessions, 1931, to view and vacate that portion of a public
road in Sandy Township, being a part of the old Sabula-Horn Camp road,
beginning at the Private Road of Arthur Wood and ending at the Huston
Township line, and being approximately one mile in distance, in Sandy
Township, in the County aforesaid, will meet at the Private Road of
Arthur Wood in said Township on Wednesday, the 28th day of January,
A. D. 1931 at 11:00 o'clock A. M., to attend to the duties assigned
them; all parties interested will take notice.

And that the public hearing as required by Act of
Assembly and Rules of Court to be held by the viewers before the filing
of their report in Court, in order to give all parties interested in the
said road an opportunity to be heard, will be held in the Arbitration
Room in the Court House in Clearfield on Friday, the 30th day of January,
A. D. 1931 at ten (10) o'clock A. M., or as soon thereafter as counsel
can be heard, at which time and place all parties interested may attend
and be heard.

John Scollard
J. E. Fry
Geo. R. Weber

Viewers

Dated, January 15, 1931.

CLEARFIELD COUNTY, SS:

Now, this 22 day of January, A. D. 1931, service
of the above notice is hereby accepted for the Supervisors of Sandy
Township, Clearfield County.

James Bouse
Secretary for

Supervisors

TO: Ralph Gray, Jerry Brown and Joshua F. Hoover, Supervisors
of Sandy Township, Clearfield County:-

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 4, February Sessions, 1931, to view and vacate that portion of a public road beginning at the house of Duncan Allisbaugh, leading thence Northerly across the new State Highway No. 555, ending in a public road at the barn of Lamar Bay, being approximately 3300 feet, in Sandy Township, in the County aforesaid, will meet at the house of Duncan Allisbaugh in said Township on Wednesday, the 28th day of January, A. D. 1931 at 1:30 o'clock P. M., to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court, in order to give all parties interested in the said road an opportunity to be heard, will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 30th day of January, A. D. 1931 at ten (10) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Scollard
J. E. Frij
G. R. Oberber
Viewers

Dated, January 15, 1931.

CLEARFIELD COUNTY, SS:

Now, this 22 day of January, A. D. 1931, service of the above notice is hereby accepted for the Supervisors of Sandy Township, Clearfield County.

James Boro
Salisbury Jr.
Supervisors

TO: Ralph Gray, Jerry Brown and Joshua S. Hunter, Supervisors
of Sandy Township, Clearfield County.

You are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County to No. 4, February Sessions, 1931, to view and vacate that portion of a public road beginning in the old Sabalo-Penfield Road at the Dunker Church, thence in a northerly direction, about three-fourths of a mile, ending at the Pine Grove School House, in Sandy Township, in the County aforesaid, will meet at the Dunker Church in said Township on Wednesday, the 28th day of January, A. D. 1931 at 3:00 o'clock P. M., to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court, in order to give all parties interested in the said road an opportunity to be heard, will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 30th day of January, A. D. 1931 at ten (10) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Scollins
J. E. Fry
Geo. T. Weber
Viewers

Dated, January 16, 1931.

CLEARFIELD COUNTY, PA.

Now, this 22 day of January, A. D. 1931, witness of the above notice is hereby accepted for the Supervisors of Sandy Township, Clearfield County.

George W. Rose
Solicitor for
Supervisors

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 to No. 4, February Sessions, 1931, to view and vacate that portion of a public road in Sandy Township, being a part of the old Sabina-Home Camp road, beginning at the Private Road of Arthur Wood and ending at the Huston Township line, and being approximately one mile in distance, in Sandy Township, in the County aforesaid, will meet at the Private Road of Arthur Wood in said Township on Wednesday, the 28th day of January, A. D. 1931 at 11:00 o'clock A. M., to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court, in order to give all parties interested in the said road an opportunity to be heard, will be held in the Arbitration Room in the Court House in Clearfield on Friday, the 30th day of January, A. D. 1931 at ten (10) o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

John Sellins
J. E. Fry
Geo. K. Weber
Viewers

Dated, January 15, 1931.

CLEARFIELD COUNTY, SS:

Now, this 19th day of January, A. D. 1931, service of the above notice is accepted for the Commissioners of Clearfield County.

Y. C. Morris
Clerk

TO: The Commissioners of Clearfield County, Pennsylvania:-

You are hereby notified that the undersigned witness,
employed by the State of Pennsylvania of Clearfield County to Do.
A. Highway Section, 1000, to visit and inspect the portion of a public
road existing at the time of January 10th, 1931, running through the
County of Clearfield, State of Pennsylvania, being the State
Highway No. 20, being a public road of the
time of January 10th, being approximately 2000 feet, in County of Clearfield, in
the County of Clearfield, will visit at the time of January 10th, 1931,
and remain on January, the 10th day of January, A. D. 1931 at
the office of the A. D. 1931, to attend to the various details there, all services
interrelated will be rendered.

And that the public hearing so required by law of
Assembly and Board of Court to be held by the witness before the finding
of their report to Court, in order to give all pertinent information in the
said road as opportunity to be heard, will be held in the institution
known as the State Prison in Clearfield on Friday, the 10th day of January,
A. D. 1931 at the (10) o'clock A. M., or as soon thereafter as can be
convenient to board, at which time and place all parties interested may attend
and be heard.

John Scallion
J. E. Frey
Geo. A. Weber

Pittsburgh, January 10, 1931.

CLEARFIELD COUNTY, SS:

Now, this 19th day of January, A. D. 1931, service
of the above notice is accepted for the Commissioners of Clearfield
County.

L. C. Noyes
Clerk

To: The Commissioners of Clearfield County, Pennsylvania:-

It is hereby certified that the following written
certified by the Clerk of Court for the County of Clearfield to be true.
January Sixteenth, 1931, to view and inspect the portion of a mine
and property in the old Clearfield Coal in the State of
Pennsylvania in a northern direction about two-thirds of a mile, called
the New Green Coal Mine, in County of ~~Clearfield~~, in the County of ~~Clearfield~~
Penn., will meet at the State Coal in said County on Saturday,
the ~~20th~~ day of ~~January~~, A. D. 1931 at the ~~10:00~~ o'clock P. M., to which
no other person than all parties interested will be invited.

At the public meeting as required by law of
Assembly and Clerk of Court to be held by the parties before the Sheriff
of Clearfield County, in order to give all parties interested in
the mine and property to be leased, will be held in the Auditorium
room in the Court House in Clearfield on Friday, the ~~19th~~ day of ~~January~~,
A. D. 1931 at the ~~10:00~~ o'clock A. M., or as soon thereafter as convenient
and to meet, at which time and place all parties interested may attend
and be heard.

John Scellard
J. E. Fry
Geo. K. Oberer

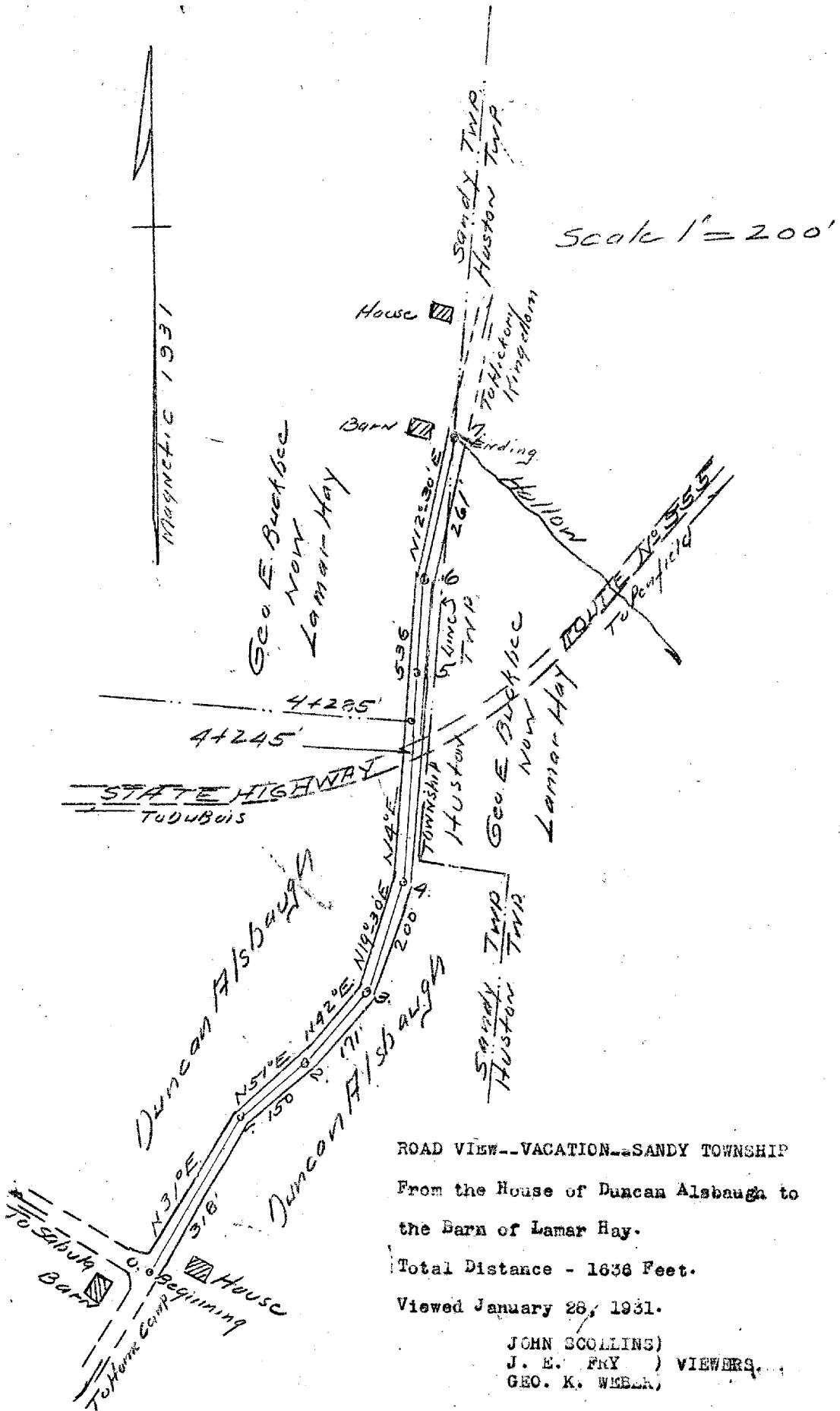
Patton, January 16, 1931.

CLEARFIELD COUNTY, SS:

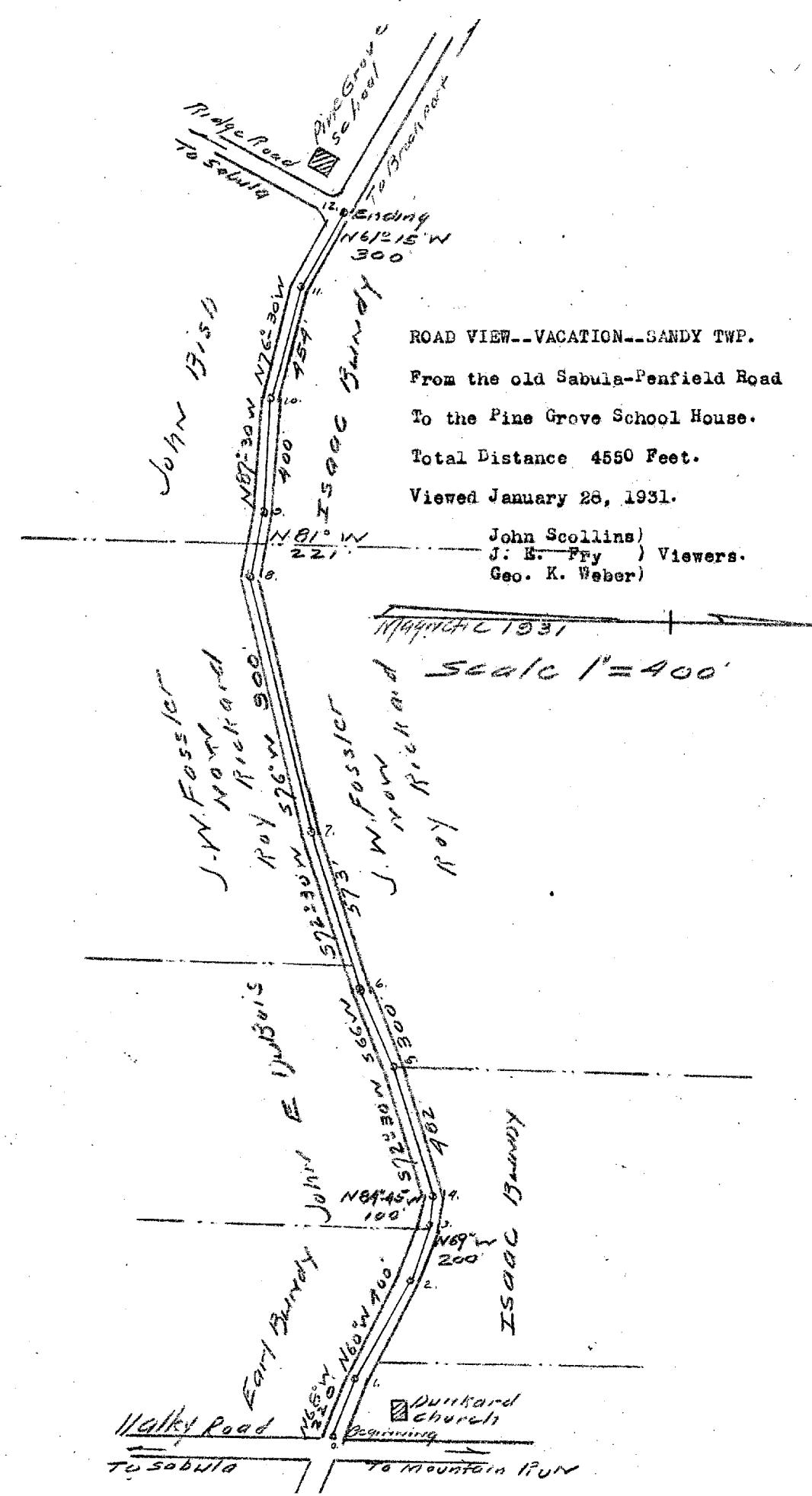
Now, this 19th day of January, A. D. 1931, service
of the above notice is accepted for the Commissioners of Clearfield
County.

L. C. Morris
Clerk

Magnetic 1931



Distance from center of State Highway
To Ending at Lamar Hays Barri is 552 feet



4

FIRST: Beginning at the intersection of this Road leading from Sabula, with the private road leading to property of Arthur Woods; thence along lands of John E. DuBois and the Summit Outing Club South 217 feet; thence South 18 degrees 45' West 300 feet; thence South 0 degrees 30' East 300 feet; thence South 12 degrees 30' West 200 feet; thence South 47 degrees 30' West 200 feet; thence South 38 degrees 30' West 100 feet; thence South 28 degrees 45' West 100 feet; thence South 14 degrees 30' West 100 feet; thence South 4 degrees 45' East 300 feet; thence South 21 degrees 15' East 200 feet; thence South 49 degrees 45' East 200 feet; thence South 85 degrees 45' East 450 feet; thence South 43 degrees 45' East 100 feet; thence South 31 degrees 45' East 150 feet; thence South 10 degrees East 300 feet; thence South 17 degrees 30' East 250 feet; thence South 34 degrees 45' East 300 feet; thence South 36 degrees 15' East 700 feet; thence South 37 degrees East 250 feet; thence South 46 degrees 15' East 228 feet and ending at the common division line of Sandy and Huston Townships. The vacation of this Road was earnestly opposed and excepted to by the members of the Summit Outing Club and the DuBois Outing Club, which Clubs own tracts of land upon which camps have been erected with an acreage of 134.5 and 95.6, respectively, which have been assessed as seated lands. It was suggested that the small cost of its annual up-keep might easily be borne by the Clubs, and that it might be maintained as a private road over which they could exercise control; but the Clubs are desirous of maintaining their lands for the use of the public; the tracts are in close proximity to Sabula Lake and a regular summer resort region; that it would be burdensome to police and considering the altruistic spirit of the exceptants and the small cost of maintaining the road, and the fact that it is the most convenient outlet, after viewing the road and hearing the testimony, your Board finds as facts: that the aforesaid road is convenient, necessary and not a burden to Sandy Township, and therefore recommend that it be maintained for the public use.

CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa., in and for said County, on the 13th day of January in the year of our Lord, one thousand nine hundred and thirty one

A. R. CHASE

By the Honorable ~~Singleton~~, President Judge of the said Court: Upon the petition of ~~sanday~~ Supervisors

inhabitants of the Township of Sandy in the County aforesaid setting forth that there is are certain roads or parts of public roads in Sandy Township which have become useless, inconvenient and burdensome, described as follows:
FIRST. Being a part of the old Sabula-Home Camp Road, Beginning at the Private Road of Arthur Wood and ending at the Huston Township Line, and being approximately one mile in distance.

SECOND: Beginning at the house of Duncan Allsbaugh, leading thence Northerly, across the new State Highway No. 555, ending in a public road at the barn of Lamar Hay, being approximately 3300 feet;

Third: Beginning in the old Sabula-Penfield Road at the Dunker Church, thence in a northerly direction, about three-fourths of a mile, ending at the Pine Grove School House.

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers John Scollins, Esq., J. E. Fry and

George K. Weber who have been duly appointed by the said Court on the County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; 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 the place where they would meet, to view 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 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, ^{Op. No. 4, February Term, 1931} beg leave to report as follows:

That notice of the time of the 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 said road to be vacated, that the said view would be held on the

28th day of January, A. D. 1931, 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 the 30th day of January A. D., 1931, at ten o'clock A. M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view: at 11:00 A.M., Jerry Brown, Supervisor of Sandy Township, Bernard Jacobson, John A. Lyons, Walter H. Smith and C. G. Dixon; at 1:30 P.M., Jerry Brown aforesaid, L. S. Hay and Duncan Allsbaugh; at 3:00 P.M., Jerry Brown aforesaid,

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 30th day of January, A. D. 1931, when the parties interested in the said road were in attendance: Jerry Brown, Supervisor, L. S. Hay, John Lyons, Walter H. Smith, Bernard Jacobson, G. B. Woodford and C. G. Dixon, all of whom were sworn, examined and cross-examined by your Board.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome, to wit:

THIRD: Beginning at the cross-roads near the Dunkard Church; thence North 68 degrees West along lands of Earl Bundy and the Dunkard Church 220 feet; thence North 60 degrees West along lands of Earl Bundy and Isaac Blindy 400 feet; thence still thereby North 69 degrees West 200 feet; thence along lands of John E. DuBois and Isaac Bundy North 84 degrees 45' West 100 feet; thence still thereby South 72 degrees 30' West 482 feet; thence along lands of John E. DuBois and J. W. Fossler, now Roy Richard, South 66 degrees West 300 feet; thence along lands of J. W. Fossler, now Roy Richard, South 72 degrees 30' West 573 feet; thence still thereby South 76 degrees West 900 feet; thence still thereby and lands of John Bish and Isaac Bundy North 81 degrees West 221 feet; thence along lands of John Bish and Isaac Bundy North 87 degrees 30' West 400 feet; thence still thereby North 76 degrees 30' West 454 feet; and thence still thereby North 61 degrees 15' West 300 feet and ending at the intersection with the Brockport and Ridge Road at Pine Grove School. We further find that both the Pine Grove School has been abandoned by the School District; the only inhabited house along the route thereof burned in 1930 and has not been re-built; that the grades at points are steep and dangerous, and that the public has other convenient outlets. We therefore recommend its vacation.

SECOND: That portion of said Road beginning at the intersection of the Home Camp and Sabula Roads, near the residence of Duncan Alsbaugh; thence along lands of Duncan Alsbaugh North 31 degrees East 318 feet; thence thereby North 51 degrees East 150 feet; thence still thereby North 42 degrees East 171 feet; thence still thereby North 19 degrees 30' East 200 feet; and thence North 4 degrees East along lands of Duncan Alsbaugh and Lamar Hay (formerly Geo. E. Buckhee) and ending at the Southern line of the Right-of-way of State Improved Highway Route 555: Your Board recommends be maintained as a Public Road, as in the opinion of your Board its up-keep is not costly or burdensome to the township, it is convenient and necessary for public use and travel.

But, that portion of said Road beginning at the Northern line of its intersection with State Highway Route 555, thence continuing North 4 degrees East along lands of Lamar Hay and Duncan Alsbaugh 291 feet more or less to a post; thence North 12 degrees 30' East 261 feet and ending at the intersection of the private road of Lamar Hay and the road leading to Hickory Kingdom. In the opinion of your Board this portion of the aforesaid Road is inconvenient of access, burdensome of up-keep and unnecessary for public use and travel and therefore recommended for vacation.

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from:

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up 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 assessed.

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

Witness our hands and seals this 31st day of January, A. D. 19 31

John Scobine [SEAL.]

J. E. Try [SEAL.]

George B. Weber [SEAL.]

Viewers.

No. 4 Feb Term 19 31

ORDER TO VACATE

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. Frye	6	142	\$52.10
Geo. K. Weber	2	110	\$20.50
John Scollins	5	208	\$47.90

To view and vacate road situate in the Township of Sandy Clearfield County.

Now Feb Sessions 19 31

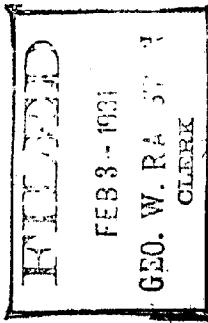
read and confirmed Ni. Si.

By the Court
W. H. Boose
Sessions 1931

Now May Sessions 1931
confirmed absolute.

By the Court.

W. H. Boose
8/



Filed 19

Atty, E. G. Boose,
Fees \$1.25 paid by

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

In Re; Petition for Viewers : Of February Term,
to view and vacate Public : 1931
Roads in Sandy Township. : No.

To the Honorable A. R. Chase, the President Judge of
said Court;

Your undersigned who are the Supervisors of Sandy Township
in said county, would respectfully represent;

That there are certain public roads or parts of public roads
in said township of Sandy, heretofore layed out by virtue of view
and opening orders issuing out of this Court, which by reason
divergence of public travel resulting from construction of im-
proved roads in said township, have become useless, inconvenient
and burdensome to the inhabitants of said township;

That said roads or parts of said public roads are described
as follows, to wit;

FIRST PIECE; Being a part of the old Sabula-Home Camp Road,
beginning at the private Road of Arthur Wood and ending at the
Huston Township Line, and being approximating one mile in dis-
tance.

SECOND PIECE; Beginning at the house of Duncan Allsbaugh,
leading thence Northerly, across the new State Highway No. 555,
ending in a public road at the barn of Lamar Hay, being approx-
imately 3300 feet;

THIRD PIECE; Beginning in the old Sabula-Clearfield Road at the
Dunker Church, thence in a Northerly direction, about three-fourths
of a mile, ending at the Pine Grove School House.

WHEREFORE your petitioners respectfully pray that the Court appoint persons from among the Roads Viewers of Clearfield County, to view said roads above mentioned, and if the viewers think proper, to return the same for vacation. And they will ever pray etc.

Ralph Gray
Joshua Hoover
Jerry Brown

Clearfield County,)
Pennsylvania.) SS

On the fifth day of January, 1931, before me, a Notary Public came Jerry Brown, one of the above petitioners, and he being by me duly sworn according to law, deposes and says that the facts set forth in the foregoing petition, are true and correct,

Sworn and subscribed the day -
and year above written.

James Clegg

Notary Public

My Commission Expires Apr.
12, 1931.

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

OF February term, 1931,
No. 4

In re Petition for Viewers
to view and vacate public
roads in Sandy Township.

PETITION.

Now, January 12th, 1931,
the foregoing petition
read and considered at
thereupon the Court appoints
John L. Lohman and *George W. Weber*
to view said roads and make
report thereof to the
Court the first Monday in
February next.

By the Court,

A. Whase
A. Whase
P. J.

<i>John L. Lohman</i>	George W. Weber
CLERK	CLERK
JAN 13 1931	
TYPICALLY PRINTED INDIANA, PA.	

GEO. W. RALSTON
CLERK