

No. 18 Sept Term, 1881

Viewers to Assess Damages

VERSUS

Sandy Township

Contents:

Exception filed

*Exceptions sustained
and Report & proceedings
set aside by*

By the Court

To the Honorable the Judges of the
Court of Quarter Session in and for
the County of Cleaveland,

Your petitioners the Board of
School Directors for the District of
Sandy in the County aforesaid, respectfully
sheweth,

That under the provisions of the Act
of Assembly the board of Directors of
said District of Sandy have taken the
possession of a certain lot of ground
situate in said District for school
purposes and have erected thereon
a school house, to be used for the
school purposes of Sandy Township -
Said ground is located at the cross
roads and taken from the land of
Andrew Putz Sr. Therefore your petitioners
prays your Honors that suitable persons,
^{be appointed} to view and assess damages, due to
any person interested, and your peti-
tioners will ever pray &c

A Heberling
President

C. E. Washburn Secy
Henry Detroit
Thomas Wayne
Andrew Smith
Simon Stoores

Sept 18 Sept 5 1881

Order for appointment
of officers to Peace
Savannah

Nov 27th 1881

J. P. Taylor, Sheriff
and John Taylor are
appointed to receive
deposits as per
for

By the Court

Wm. W. W.

W. W.

Filed 27th Sept 1881

W. W. W.

To the Honorable the Judges of
the County Common Pleas of
Clearfield County;

The petition of Andrew
Pentz Sr.

Respectfully Represents:-
That the Board of Directors of said
School District have entered upon and
taken possession of about one
half acre of land in Sandy
township, in the County aforesaid,
the property of your petitioner, and
have commenced the erection
of a school house thereon for the
use of said School District;
that said entry upon said land
was without the consent of your
petitioner and greatly to his det-
riment and disadvantage.

That said lot is situated on
a public road leading from the
Elijah Ashenfelter farm to
the village of Duffois.

That your petitioner has been
unable to agree with the said
Board of Directors of said
District as to the amount
of compensation or damages

and sustained by your
petitioner. Reason of the taking
and occupying the said lot
of land, for and on behalf of
said School District,

Your petitioner therefore prays the
Court to appoint a jury of viewers
consisting of three discreet and
disinterested citizens of said County,
who shall not be owners of prop-
erty or residents of said district
of land, and who having been
truly sworn or affirmed, faith-
fully, justly and impartially to de-
cide and make a true report con-
cerning all matters and things sub-
mitted to them, and having viewed
the premises, shall estimate and de-
termine the quantity and value of the
land so taken to be used for the
purposes aforesaid, and after
having made a fair and just
computation of the advantages and
disadvantages, shall estimate and
determine whether any and if any
what amount of damage has been
or may be sustained, and to whom
payable, and make report thereof

To this Court, And he will swear

Andrew Pentz ^{sw}

Seneca County ss.

Andrew Pentz Jr.

The petition above named being
We duly sworn according to law
doth depose and say the facts
set forth in the foregoing petition
are correct and true as he verily
believes

Given and subscribed
before me this 10th
Sept 1881.

Andrew Pentz, ^{sw}

A. M. Beaman
Notary Public

Apr 4. 1882
The within Affidavit
must be filed

By the Court
J. M. D.

St. Louis, Mo

James S. Jones
District

Petition for
the appointment
of a receiver

Oct. 8. 1881

James S. Jones,
Esq. Petitioner and

James S. Jones
Applicant's name

By the Court
Richard M. Jones
Jr.

J. M. D.
W. S. Jones.

To the Honorable the Judges of the Court of Quarter
Sessions of the County of Cheafeld

The Petition of Joseph R. Putz respectfully
represents,

That the School Directors of the Township of Sandy have taken possession of
a piece of land situated in the township of
Sandy Cheafeld County for school purposes
and did present a petition to the Court
at September Sessions to have viewers
appointed to Assess the damages done to
citizens by said seizure of lands and
whereas under and order of Court dated
27th of Sept 1881. said viewers did make
an appraisement of the premises, and
did award to Andrew Putz Sr. the
sum of One hundred Dollars for his
damages arising therefrom, And your
petitioner represents that said Andrew
Putz Sr. does not own said land, as
the possession and ownership is in
him the said Joseph R. Putz, all of which
he avers he is able to prove And he prays
Your honors to grant an order directing the
payment of said award into Court to await
proper ownership - And he will ever pray &c

Sworn and subscribed before me
this 5th day of Jan'y ad 1882
J. H. Scott, J.P.

J. R. Putz

no 18 Sept 7 1881

Section

Dec 16 - Jan 1882

Clearfield County, ss

At a Court of Quarter Sessions of the Peace of the county
of Clearfield, held at Clearfield, ~~on~~ and for said county,
on the 27 day of Sept A. D.

1881, before Judges of said Court, upon a petition of
~~School Board~~ ~~Sandy inhabitants~~ of the Township of Sandy

in said county, setting forth that they have erected
a school building on the grounds Andrew
Peutz Sr in said Township and pray that
viewers be appointed to assess the damages
incurred thereby to the said Andrew Peutz Sr

and therefore praying the Court to appoint proper persons to view and ~~lay out~~ ^{assess}
the same according to law, make report to the Court
whereupon the Court, upon due consideration had of the premises, do order and
appoint J. P. Taylor - Lewis Zugler - Jm Inxell
who, after being respectively sworn or affirmed to perform the duties of their ap-
pointment with impartiality and fidelity, are to view the grounds ~~proposed for~~
~~upon which the school board have erected school building~~
~~said road~~ and if they view the same and any two of the actual viewers agree that
damages
~~there is occasion for such road, they shall proceed to lay out the same agreeable~~
~~to the desire of the petitioners, as may be, having respect to the best ground for~~
~~a road and the shortest distance, and in such manner as to do least injury to pri-~~
~~vate property, and state particularly whether they judge the same necessary~~
~~for a public or private road, together with a plot or draft of the same, with the~~
~~course and distance and reference to the improvements through which it~~
~~passes, and shall also procure releases of damages from persons through whose~~
~~lands said road may pass, or failing to procure such releases, shall assess the~~
same, if any sustained, and shall make report thereof to the next Court of
Quarter Sessions to be held for the said county, in which report they shall state
that they have been sworn and affirmed according to law. Notice is directed to
be given to the owners or occupants of ~~land~~ ^{upon} lands through which the ~~within~~
~~School building erected~~
~~road is intended to pass~~, of the time of the view, according to the 147th rule of
Court.

BY THE COURT,

Jas Kerr

Clerk.

RELEASE OF DAMAGES.

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, owners of the 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 _____ at and before the ensembling and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease and forever quit-claim to the said _____ 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 _____ day of _____
A. D. 1888 .



ASSESSMENT OF DAMAGES.

The following named persons, having refused to release the damages to which they respectively may be entitled by reason of the location ^{of a School House} ~~and the opening of the~~ ^{land of Andrew Pinty} ~~said road~~ in the annexed return described, we, the undersigned, viewers, under oath in pursuance of our duty, under the Act of Assembly do assess ^{his} ~~their~~ damages and make report thereof, as follows:

To Andrew Pinty, Jr. the sum of One Hundred Dollars
To for one half acre of ground the sum of where the School Building
To new stands the sum of _____

Witness our hands this 26th day of December A. D. 1881 .

J. P. Taylor
D. M. Maxwell
Lewis Gingles

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 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.

Sworn and Subscribed before me, this
26th day of Dec. A.D. 1881

W. H. Prothero
J. P.

