

Road DOCKET No. 5

Number	Term	Year
16	Sept	1921

Petition of Mary E. Beck for Appt. of  
Viewers to assess damages

•Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

In Re:

Construction of State Highway  
Route No. 313.

: Petition of Mary E. Beck,  
: for the appointment of Viewers.  
:  
:  
:

To the Honorable Singleton Bell, President Judge:-

The petition of Mary E. Beck respectfully represents:

- (1). That she is the owner of property in Morris Township, Clearfield County, Pennsylvania, conveyed to her by deed of April 1, 1912 from James Walker and wife, recorded in Deed Book 191, page 150; said premises containing 6.07 acres.
- (2). That the State Highway Commissioners of the State of Pennsylvania, has undertaken the construction of an improved State highway known as Route No. 313, through said premises, a change of width and of existing lines and location being occasioned thereby.
- (3). That your petitioner has sustained damage by reason of said road construction, and she has been unable to agree with the County Commissioners of Clearfield County as to the damage sustained by her.

Your petitioner, therefore, prays the Court to appoint Viewers to ascertain and assess her damages, as provided by the Act of April 6, 1921, and Amending Section 16 of the Act of May 31, 1911, P.L. 468; said amendatory act being No. 62 of the Statutes of 1921, and as provided by other pertinent acts of Assembly.

W. Mary E. Beck

STATE OF PENNSYLVANIA:  
COUNTY OF CLEARFIELD : SS:  
Centre

Mary E. Beck, the petitioner above named, being duly sworn deposes and says that the facts stated in her foregoing petition are true and correct.  
Subscribed and sworn to  
before me the 25<sup>th</sup> day of  
August 1921.

W. Mary E. Beck

W. Ward Flannigan  
Notary Public  
Com. exp. 3/9/23

In the Court of Quarter  
Sessions of Clearfield County,  
Pennsylvania.

Case No 1428

In Re:  
Construction of State High-  
Way. Route 313.

1761 AD 1921

Petition of Mary E. Beck

for the Appointment of

Viewers.

Now day 29, 1921  
A. P. Edwards, Harry  
Reed, J. P. Houghale  
and others in due  
form and duly  
presented.

By M. E. Beck,  
Mary E. Beck.

FILED

APR 29 1921

A. M. LIVERIGHT

MR. W. K. ATTORNEY AT LAW  
CITY OF CLEARFIELD, PA.

# 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 29th day of August in the year of our Lord one thousand nine hundred twenty-one,

Judge of the same Court: Upon the petition of Mary E. Beck, inhabitress of the Township of Morris

in said County, setting forth that she is the owner of property in Morris Twp. Clearfield Co. Penna. conveyed to her by deed of April 1, 1912 from James Walker and wife, recorded in deed Book 191, page 150; said premises containing 6.07 acres. The State Highway Commissioner has undertaken the construction of an improved State Highway known as Route No. 313, through said premises, a change of width and of existing lines and location being occasioned thereby. The petitioner has sustained damages by reason of the said road construction, and she has been unable to agree with the County Commissioners of Clearfield County as to the damages sustained by her.

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 A. L. Edwards, Esq.,

Harry Reese and J. W. Spangle

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 judgment, 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. Palston*, 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, beg 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 Mary E. Beck and that notices thereof were posted along the route of the proposed road, that the said view would be held on the 24th day of October, A. D. 1921, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 31st day of November, 1921, at 11 o'clock A. M. That        viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Mary E. Beck, Jos. Tracy  
A. G. Edwards & Harry Penn viewers

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 19th day of November A. D. 1921, when the following appearances were noted: A. M. Livingston Esq. for Complainant  
Mary E. Beck by Jos. Tracy, A. H. Woodward Esq. for County  
Commissioner, T. K. Warren & M. Farrel.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is        occasion for a road as desired by the petitioner, and that the same is        necessary for a        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

After having viewed the premises personally  
showing him the testimony as to value of land  
& damage done the viewers do award to Mary E.  
Beck the sum of \$100. for land taken for road  
purposes. (See map attached.)

No. 16 Sept Sessions, 19 21

**ORDER**

To view & assess damages to a  
Road from ~~Marion & Beck~~  
township of Morris  
Clearfield County

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 report.

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	A.M.T.
Harry Keas	4	74	3370
J. Edwards	4	56	3280

To view & assess damages to a  
Road from ~~Marion & Beck~~  
township of Morris  
Clearfield County

July 10 Session, 1922,  
read and confirmed At ~~Marion & Beck~~  
Road to be opened 33 feet  
wide, except where there is  
side hill cutting or embank-  
ment and bridging, there to  
be 16 feet wide.

19  
Fees \$1.25 paid by  
A. M. Liveright, Atty.

DEC 1 1922  
Mo. W. RALSTON  
CLERK

**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 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. 191\_\_\_\_\_

SEAL  
SEAL  
SEAL  
SEAL

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 practicable 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 the 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: Mary E. Beck \$1.00

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

WITNESS our hands and seals this 19<sup>th</sup> day of November  
A. D. 1921.

A. L. Edwards.

B. A. Reese



Graph showing the effect of water flow rate  
on the rate of removal of  $\text{Pb}^{2+}$  ions  
from a solution of  $\text{Pb}(\text{OH})_2$  by leaching  
with water at  $25^\circ\text{C}$  and  $\text{pH} = 6$



MARY E BECK