

DOCKET No. 5

Number	Term	Year
18	Sept	1921

Petition of Wm. H. Densham

for Appt. of Viewers to assess damage

Versus

Your petitioner, therefore, prays the Court to appoint Viewers to ascertain and assess his damages, as provided by the Act of April 6, 1921, 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.

William H. Densham

STATE OF PENNSYLVANIA:
:: SS:
COUNTY OF CLEARFIELD :

William H. Densham, the petitioner above named, being
duly sworn deposes and says that the facts stated in his fore-
going petition are true and correct.

William H. Densham

Subscribed and sworn to
before me the 31st day
of August, 1921.

Geo W Ralston
Notary

IN THE COURT OF COMMON PLEAS

OF STAFFORD COUNTY, PA.

No. 18 September Term
1921

IN NO:

Constitution of State
Highway, North No. 515.

Petition of
WILLIAM T. DUNHAM.

Read Sept. 1st, 1921.
O. E. Edwards Esq.,
Harry Rice and J. M.
Stangor are appointed
viewers to proceed and
report as directed by the
court previously.

By the Court
Sugden & Bell

FILED

SEP 1 1921

A. M. LIVERIGHT
ATTORNEY AT LAW
CLEARFIELD, PA.

NOTARY PUBLIC, CLEARFIELD, PA.

150 A4 Def

Sept 22 1921 from Y. M. M. Sugden & Bell
to Mr. S. S. 1921 My the Court
Sugden & Bell

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and assess damages.

Road leading from on property of William H. Denchman
in the village of Oak Grove, Morris Township, Clearfield County
Penna. caused by construction of an improved State Highway
known as route No. 313 necessitating a change of width &
existing lines & location of said property

in Morris Township to

in _____ Township, in the County aforesaid, will

meet at the house of William H. Denchman

in Morris Township, on Monday

the 24th day of October A. D. 1921, at 10

o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take

notice. A hearing on said views will be held in Antietam Room
at Clearfield on Monday Oct 31-1921 at 11 A. M.

A. L. Edwards.

Harry Reese

J. W. Spangle

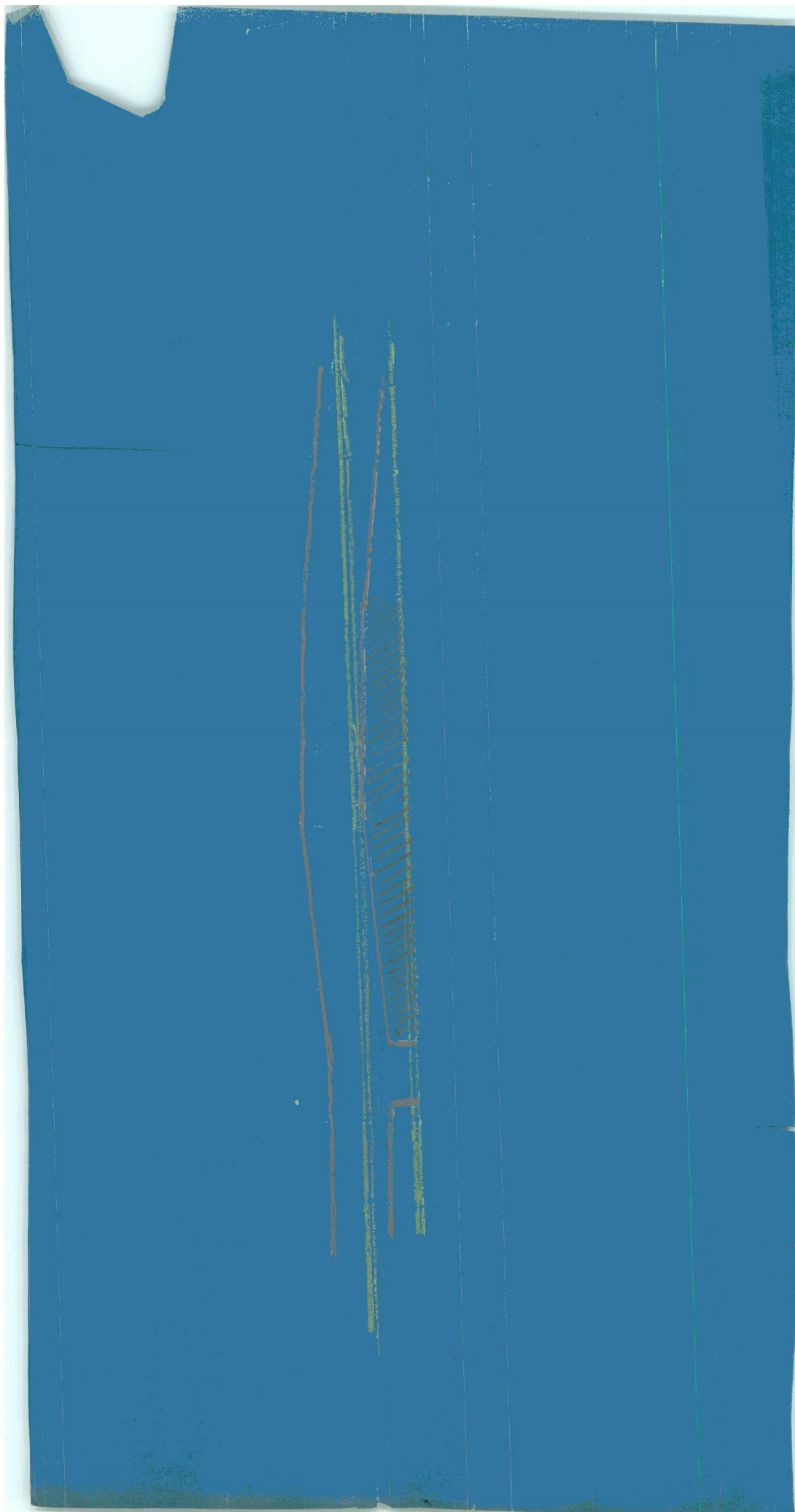
Viewers

Oct 14th

19 21

Now October fourteenth 1921 service ^{as}
within notice & notice of David Brown; Joseph M. Brown
& Mary E. Beck damage proceedings are hereby accepted
for the County Commissioners of Fairfield County.

J. R. Newell
Co Comm



1500 D

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: Wm H. Dunscomb \$1500⁰⁰ ~~xx~~

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

WITNESS our hands and seals this 19th day of November
A. D. 1921.

A. L. Edwards

H. A. Reese



No. 18 Sept Sessions, 1921

ORDER

To view & assess damages to
Mr. H. Denahan
residing in the
township of Morris
Clearfield County

Feb 10th Session, 1922,
read and confirmed At. St.
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.

By the Court
Engelhardt

Filed _____ 19

Fees \$1.25 paid by _____

A. M. Liveright, Atty.,

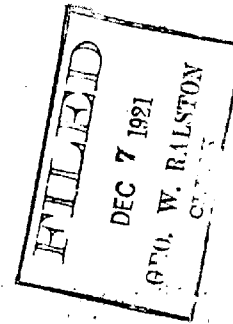
Note.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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.
Harry Reese	4	64	33.20
A. L. Edwards	4	64	33.20



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 _____



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 first day of
September in the year of our Lord
one thousand nine hundred twenty-one

Judge of the same Court: Upon the petition of
William H. Densham
~~and~~ of the Township of Morris

~~in said County, setting forth that, he is the owner of~~
property in the village of Oak Grove, Morris Twp, Clearfield Co. Pa, conveyed to
him by deed of Samuel Fuge and wife on the 24th day of June 1901, recorded at
Clearfield in Deed Book 118 Page 254; said premises constituting his dwelling
house and curtilage appurtenant thereto, and his store building, and originally
containing three and one-half acres, more or less, and now contains over one acre,
the remainder having been sold. That the State Highway Com. 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. Said petitioner has been unable to agree with the County
Commissioners of Clearfield County as to the damage sustained by him

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 impartial-
ity 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 dis-
tance, 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, 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

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 24th 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 Wm. Dunsenham, David Brown, (Harry Reiser & A.L. Edwards 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. Linsight, Wm. H. Dunsenham, David Brown for complainant, A. H. Woodward Esq. T. R. Wernier & Mike Harris for County Commissioners

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 personally viewed the premises affected & having heard the testimony of witnesses as to values & damages the viewers do award to Wm. H. Dunsenham the sum of \$1500.00 for damages sustained by change of location of road & ground taken