

DOCKET No. ⁵ _____

Number Term Year

4 May 1923

Petition for Appo of Viewers to
assess damages to Jos Korb in
Bloom Twp

Versus

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 6th day of April in the year of our Lord one thousand nine hundred twentythrees

JOHSEPH KORB

Judge of the same Court: Upon the petition of ~~subscribers~~ inhabitants of the Township of Bloom

in said County, setting forth that he is the owner of a certain tract of land situate in Bloom Twp. along the public road leading from Grampian Borough to the Erie Turnpike. That the State Highway Commissioner has undertaken the construction of an improved highway known as route No 59 leading from the Boro of Curwensville to Reams watering trough leading thro the above mentioned premises causing a change of existing lines and sustaining damages and have been unable to agree with County Com. as to the amount of damages sustained

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.

Les 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~~ ~~petitioner~~ and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 23rd day of April A. D. 1923, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the 25th day of April, 1923, at 9 o'clock A M. That all the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Sidney Smith, Paul Smith and Joseph Korb, citizens of Bloom Twp. and

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 25th day of April A. D. 1923, when the following appearances were noted: A.H. Woodward Esq., Atty for County Commissioners, T.R. Weimer and J.E. Dale County Commissioners, W.A. Hagerty Esq., Atty for petitioner, Joseph Korb, Wm. Michales, Tobias Korb, Harrison Shaffer, L.H. Hartzfeldt, Paul Smith, and Sidney Smith who were each duly affirmed, examined and cross examined

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 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 that the property of Joseph Korb has been damaged by the change of location made in the construction of the State Highway the said road as changed running through 1339 feet of improved farm land, in good state of cultivation and through 728 feet of wood land having had a fair stand of growing timber trees thereon and leaving a strip of land about 197 feet wide at one end running something over 2100 feet to a point, most of which land by reason of the cuts and grad will be of little use for farm purposes.

The Viewers unanimously agree in awarding to Joseph Korb, the petitioner damages to the sum of Four Hundred and Fifty (\$450.00)

TO THE COMMISSIONER 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 and assess damages accruing to Joseph Korb of Bloom Township caused by the change of existing lines, in the construction of an improved Highway known as Route #59 leading from the Borough of Curwensville to the Reams watering trough in Bloom Township, in the County aforesaid will meet on the premises of Joseph Korb in Bloom Township on Monday the 23rd day of April 1923 at ten o'clock A.M., to attend to the duty assigned them. And that the required Public Hearing will be held in the Court House in the Borough of Clearfield on Wednesday the 25th day of April 1923 at 9 o'clock A.M., of which times and places you will take notice and may be heard at said Public Hearing if you so desire.

Frank Bellin
J E Fry
George Klubek

Viewers

DuBois Pa. April 7th 1923

Now April 7th 1923 service of this notice is accepted for the County Commissioners.

L. C. Marshall
Clerk

To JOSEPH KORB:- You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County Pennsylvania, to view and assess damages accruing to you caused by the change of existing lines, in the construction of an improved High way known as Route #59 leading from the Borough of Curwensville to the Roams watering trough in Bloom Township, in the County aforesaid, will meet on the premises of Joseph Korb in Bloom Township, on Monday the 23rd day of April 1923 at ten o'clock A.M., to attend to the duty assigned them.

And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, on Wednesday the 25th day of April 1923 at nine o'clock A.M. when and where you and all parties interested may attend and be heard of you so desire.

DuBois, Pa. April 7th 1923

Frank Shetler
J. E. Fry
George Kueber
Viewers

Now April 9th 1923 service of this notice accepted for
Joseph Korb.

A. A. Lagerby
Atty for Joseph Korb

Now April 9th 1923

Service accepted for County Commissioners
Mr. D. C. Morris
Atty

MAP showing chance of route no 59
Passing through the lands of Jos. Hore
in the townships Great Falls Corp.
Vineyard for assessment of damage.
April 25-1923 - Scale 1:200.
From hill to hill
Geo. W. Miller
J. E. F. Y.

A. D. 1923.

WITNESS our hands and seals this 28th day of April

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

(\$450.00) dollars

make report thereof as follows: ~~John~~ Joseph Korb Four Hundred and Fifty
ers, after having considered the advantages to be derived to them, do assess them damages and
be entitled by reason of the location and opening of the said road, we the undersigned view
the following persons having refused to release the damages to which they respectfully may

arise from opening the same, and that they procured such releases from
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 endeavored to procure from all the owners of

The undersigned further report that they endeavored to procure from all the owners of

when it was not practical to preserve it within that limit.

degrees, excepting no exceptions
is hereto attached and made a part hereof, said road being at an elevation not exceeding five
and that a plan or draft of said road showing courses and distances affected

No. 4 May Sessions, 19-23

ORDER

To view and assess damages to
road for Joseph Korb use in the
township of Bloom
Clearfield County _____
Sessions, 19_____,
read 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.

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.

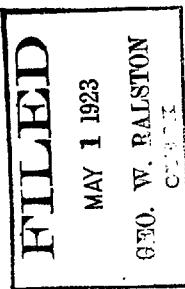
N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

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Filed 19 _____
Fees \$1.25 paid by _____

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Appeal #91 Sept 1923



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. 192 ____.

Seal

In the Court of Quarter Sessions of Clearfield County Pa
In re construction of : No May Sessions 1923
State Highway Route : Petition of Joseph Korb for
No 59 : appointment of viewers

To Hon Singleton Bell Judge of said Court.

The petition of Joseph Korb Respectfully represents

First .- That he is the owner of a certain tract of land situate in Bloom Township, Clearfield County Pennsylvania along the public road leading from Grampian Borough to the Erie Turnpike.-

Second.- That the State Highway Commissioner of the State of Pennsylvania has undertaken the construction of an improved Highway known as route NO 59 leading from the Borough of Curwensville to Reams watering trough.- said highway leading through the above mentioned premises. That as laid out and partly constructed it has caused a change of width, existing lines and location .-

Third.- That your petitioner has sustained damages by reason of the change, of width, existing lines and location and the construction of said Highway .- That he has been unable to agree with the County Commissioners of Clearfield County as to the amount of damages sustained by him .-

Your petitioner therefore prays the Court to appoint viewers to ascertain and assess his damages as provided by the Act of Assembly approved April 6th 1921 amending section I6 of the Act of May 31st 1911 and re enacting section I of the Act of July 18th 1917 and as provided by other Acts of Assembly relating to the ascertainment and assessment of damages for opening public highways.-

Joseph Korb

State of Pennsylvania :

County of Clearfield : SS

On this 3rd day of ~~March~~ April A D 1923 before me
the subscriber one of the Justices of the Peace in and for
said County personally appeared the above named petitioner
who being duly sworn according to law doth depose and say
that the facts set out in the foregoing petition are true and
correct to the best of his knowledge, information and belief

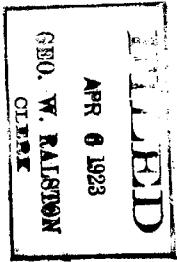
Sworn & subscribed to
before me this 3rd day
of ~~March~~ April A D 1923

Joseph Hork

J. F. Hork J.P.
MY COMMISSION EXPIRES FIRST MONDAY
IN JANUARY, 1928

On April 9, 1923, Frank Weston Jr. of the same firm
had a meeting with the members of the
Manufacturing Association in the
Hotel Franklin, Boston, Mass.

On April 10, 1923
Peter Payne was
invited to speak
for an audience
of 1000.



May 1923