

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers,
appointed by the Court of Quarter Sessions of Clearfield County, Penn-
sylvania, to view _____
and assess damages to Orville Smeal for taking of land in
construction of State Highway No. 668, in Graham Township

Road leading from _____

Bigler

in Bradford Township to Allport

in Morris Township, in the County aforesaid, will

meet at the house of Orville Smeal

in Graham Township, on Saturday,

the eighth day of November A. D. 192¹⁹³⁰, at two

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

The public hearing required by the Act of Assembly and the Rules of the
Court, to be held by the viewers, will be held in the ^{Grand Jury} Arbitration Room of
the Court House at Clearfield, Pa., on Monday, the tenth day of November,
1930, at 9.30 o'clock A. M.

Earle G. Boose

Harry Reese

H. P. Dowler.

Viewers.

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

In Re; Petition of Orville Smoal, : Of December Term,
for Appointment of Viewers to :
view and assess damages done to :
his land in construction of : 1930.
State Highway No. 668, in the :
Township of Graham. : No. 8.

To the Petitioner, the Supervisors of Graham Township and
the Commissioners of Clearfield County;

You and each of you will please take notice that upon the
petition in the above cited case being presented to the Court,
the undersigned were appointed viewers to view the premises de-
scribed in said petition, and to assess damages.

For said purpose, the Viewers will meet to view on Saturday,
the eighth day of November, 1930, at two o'clock P. M. at the
house of said Orville Smoal, the petitioner, and that the public
hearing in the matter will be held in the Grand Jury Room in the
Court House at Clearfield, Pa. on Monday, the tenth day of Nov-
ember, 1930, at 9.30 o'clock A. M.

James B. Rose
Karen Recal
H. P. Davies
Viewers.

Now, November 1, 1930, notice is received by copy and service is
accepted, the usual ten day notice being hereby specifically
waived.

Hagerty & Belin
Attorney for Petitioner.

Now, November 1, 1930, notice is received by copy and service is
accepted, the usual ten day notice being hereby specifically
waived.

Hagerty & Belin
Solicitor for Supervisors
of Graham Township.

Now, November 1, 1930, notice is received by copy and service is
accepted, the usual ten day notice being hereby specifically
waived.

D. C. Morris
Clerk for Commissioners
of Clearfield County.

PROPERTY OF ORVILLE SMEAL
IN GRAHAM TOWNSHIP CLEARFIELD COUNTY
VIEWED UPON A QUESTION OF DAMAGE
NOV 8-1930 BY EARL Q BOOSE Esq.
SCALE 1:200 H. A. REESE
H. P. DOWLER

W. TURNER

CLEARFIELD

BORROW PIT

STATE HIGHWAY

TO SHOESHOE

ORVILLE SMEAL

WILBUR SMEAL

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 30th day of October in the year of our Lord one thousand nine hundred thirty

Orville Smeal

Judge of the same Court: Upon the petition of ~~sundayxxx~~
~~hathxxx~~ of the Township of Graham

in said County, setting forth that he is the owner of a certain tract of land situate in Graham Township, Beginning at a post; thence West 106 $\frac{1}{2}$ perches to a white oak; thence south 157 $\frac{1}{2}$ perches to a stone heap; thence north 30 perches to a stone heap; thence west 12 perches to stones around a Chestnut Oak; thence north 71 perches to a post; thence east 12 perches to a post; thence north 56 $\frac{1}{2}$ perches to place of beginning. Containing 94 acres more or less. That the Comth of Penna acting through its agents have reconstructed the State Highway Route between the towns of Bigler and Allport known as route 668. That your petitioner is damaged because of the land taken

assess damages 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 Earl G. Booze Esq., Harry Reese and H. P. Dowler

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.

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, 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

Graham and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the eighth day of November A. D. 1930, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the tenth day of November, 1930, 102-, a9.30 o'clock A.M. That all three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Orville Smeal, the petitioner, and divers other citizens of Graham Township.

Grand Jury
parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the tenth day of November A. D. 1930, when the following appearances were noted: Carl Belin Esq., of counsel for the petitioner; Orville Smeal, the petitioner, and witnesses called by him.

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 ----- substantial damage done to the premises of said petitioner described in his petition, by reason of the construction of said State Highway, which has depreciated the value of his lands, mentioned and described in his said petition, to the extent of Three Hundred and Fifty (\$350.00) Dollars.

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 practical 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 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: To Orville Smeal the sum of Three Hundred and Fifty (\$350.00) Dollars.

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

WITNESS our hands and seals this eleventh day of November,
A. D. 192-1930.

Seal

K. A. Reese

Seal

M. P. Hawley

Seal

Seal

No. 1 Dec 1930 Sessions, 1930

ORDER

To reg and assess damages to a
road for Orville Smeal use in
township of Graham
Cleaveland 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 return.

Viewers cannot interfere with the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

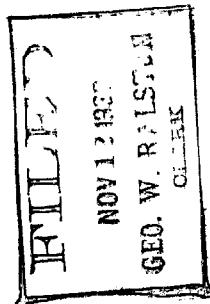
N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

	Days	Miles	Amt.
H. P. Dowler	2	18	\$16.80
Harry Reese	3	38	\$26.30
Earle G. Boose	4	114	\$41.40

~~Report of the viewers~~
~~for the road for Orville Smeal use in~~
~~township of Graham~~
~~Cleaveland County~~

Filed 1
Fees \$1.25 paid by W. A. Haggerty & Carl A. 1

Attorneys.



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
Seal
Seal
Seal