

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. 1921¹⁹³⁰, at two

o'clock P. M., to attend to the ~~day~~ 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.

Nov. 1, 1930

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

In Re; Petition of Orville Smeal, : 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 Smeal, 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.

Thomas Bone
Harry Reed
J. P. Dowler
Viewers.

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

Wagarty & Berlin
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.

Wagarty & Berlin
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.

L. 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 G. BOOSE ESQ.
SCALE 1" = 200' H.A. REESE
H.P. DOWLER



WM TURNER

TO CLEARFIELD

BORROW PIT

STATE HIGHWAY

1687'

ORVILLE

Smeal

TO SNOWSHOE →

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

Judge of the same Court: Upon the petition of Orville Smeal
~~and~~ ~~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
106½ perches to a white oak; thence south 157½ 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 56½ 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

and therefore, praying the Court to appoint proper persons to ~~view and~~ ~~assess damages~~
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. Boose Esq.,
Harry Reese and H. P. Dowler

who have been duly appointed by the Court and filed their oaths of office and are duly quali-
fied 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 eight day of November ¹⁹³⁰ ~~1930~~, and the hearing to be held in the ^{Grand Jury} ~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the tenth day of November, 1930, ~~1930~~, at 9.30 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.

parties in interest. That the hearing was held in the ^{Grand Jury} ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the tenth day of November ¹⁹³⁰ ~~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.

H. A. Reese
H. Pawler

Seal

Seal

Seal

Seal

No. 10 Dec 1930 Sessions, 19 30

ORDER

To view and assess damages to a
road for Orville Smeal use in
township of Graham
Cleveland County

Feb. Sessions, 1931,

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.

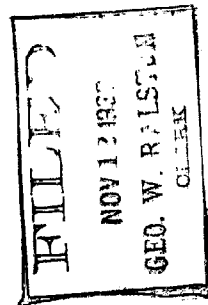
NOTE.—In case of a private road, the release
must be executed in favor of the petitioner for
said road.

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.

	DAYS	MILES	AMT.
H. P. Dowler	2	18	\$16.80
Harry Reese	3	38	\$26.30
Earle G. Boone	4	114	\$41.40



Filed

Fees \$1.25 paid by

W. A. Hagerty & Carl A. L. 1

Attorneys.

Original to 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 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