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DOCKET No. 6

Number	Term	Year
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6	Feb ss	1931
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Petition of G.E. Bucksbee for appt  
of viewers to assess damages in  
Sandy Twp.

Versus

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TO THE HONORABLE, A. R. CHASE, JUDGE OF THE QUARTER SESSIONS  
OF THE COUNTY OF CLEARFIELD, PENNSYLVANIA.

The Petition of G. E. BUCKSBEE, Respectfully Represent;  
That in the month of October, A. D. 1929, he was the owner of a  
certain Farm situate in Sandy Township, Clearfield County, Pennsyl-  
vania, bounded on the East by other lands of the Petitioner; on the  
South by Jerry Brown and Jim VanSice lands; on the West by D. S.  
Ausbaugh, lands and on the North by lands of C. E. Hoyt, ~~and~~ and  
in the month aforesaid the State of Pennsylvania Highway Department  
having built a Paved Highway Route 555 between Sabula and Penfield  
and during the construction thereof, having cut down and destroyed  
a considerable number of Fruit Trees and wasting ground on a Private  
driveway ~~by~~ used by the Petitioner causing the damages to your depo-  
nent-Petitioner to the amount of undecided sum of money, and that  
the County of Clearfield is responsible for the damages done to your  
petitioner by reason of the said cutting the fruit trees and wasting  
ground on the private driveway Etc., and that your petitioner has  
tried to agree with the Commissioners of Clearfield County for the  
damages done to him by reason aforesaid, but your petitioner has been  
unable to make arrangement or agreement with them for said damages  
to your petitioner.

Your petitioner therefore prays this Honorable Court  
to Appoint Viewers, as provided by the laws of the Commonwealth of  
Pennsylvania, to view and assess the damages done your petitioner  
by reason damages done to your deponent by cutting the fruit trees  
and wasting ground on the Private Driveway while building the State  
Highway thru the premises of your petitioner.

And he will ever pray, Etc.,

G. E. Bucksbee

State of Pennsylvania,  
County of Clearfield, SS;

Personally appeared before me, an Alderman,  
in and for said County and State, G. E. BUCKSBEE, who being  
duly sworn according to law, deposes and says that the facts  
set forth in the foregoing petition are correct and true to  
the best of his knowledge and belief.

Sworn to and subscribed before me G. E. Bucksbee  
this 17th day of Januar, A.D. 1931.

J. H. Bogden  
ALDERMAN

My Commission Expires Jan. 1, 1932.

6 Feb. 22 1931

In Common Pleas Court of the  
County of Clearfield.  
Of Feb. Term, 1931, No.

Petition for Appointment of  
Viewers to view and assess  
Damages to J. M. Snodgrass  
*Dandy Snodgrass*

P E T I T I O N .

Now, *18th* 1931, petition  
read and considered and the  
Court appoints *Saul S. Brown,*  
*H. J. Tyne* and *J. H. Weber*  
viewers as prayed for. the  
viewers to view the premises  
and make report to the next  
Term.

*J. G. Bogden*  
By the Court,  
P. J.

J. G. BOGDEN  
ALDERMAN FIRST WARD  
DU BOIS, PA.

FILED  
JAN 19 1931  
GEO. W. RALSTON  
CLERK

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

In Re; Assessment of damage : Of February Sessions,  
to G. E. Bucksbee. : 1930.  
State Highway construction. : No. 6.

To G. E. Bucksbee, claimant; the Commissioners of  
Clearfield County, and the Supervisors of Sandy Township;

You and each of you will hereby take notice that the under-  
signed have been appointed to view and assess damages to G. E.  
Bucksbee by reason of taking of ground and cutting of fruit trees  
on his premises in Sandy Township, Clearfield County, Pa., in the  
construction of State Highway No. 555, from Sabula to Penfield.

The Viewers will meet for purpose of making the view, at the  
house of D. S. Allsbaugh, near the premises, on Tuesday, the 27th  
day of January, 1931, at one o'clock P. M., and that the public  
hearing in the matter will be held in the Grand Jury Room of the  
Court house at Clearfield, Pa., on Thursday, the 29th day of  
January, 1931, at 9.30 o'clock A. M., at which time and place you  
may attend and be heard.

Emilio Bovas  
J. Fry  
Ed. Weber  
Viewers.

Now, January 22, 1931, notice received and copy thereof delivered  
and service is hereby accepted,

G. E. Bucksbee  
Claimant.

Now, January 22, 1931, notice received and copy thereof delivered  
and service is hereby accepted.

Jerry Brown  
Sec'y. of Board of Supervisors  
of Sandy Township.

Now, January 22, 1931, notice received and copy thereof delivered  
and service is hereby accepted.

L. C. Morris  
Clerk of County Commissioners.

# 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 to G. E. Buckshee in the construction of State Highway Road leading from Sabula

in Sandy Township, to Perfield

in Huston Township, in Clearfield County, aforesaid, will meet at the house of D. B. Allsbaugh, near the premises in Sandy Township, on Tuesday the 27th day of January 1931, at 1.30 o'clock, P. M. to attend the duty assigned them, of which time and place aforesaid all parties interested will take notice.

The Public Hearing in the matter required by the Act of Assembly, and the Rules of the aforesaid Court, to be held by Viewers, will be held in the Grand Jury Room of the Court House at Clearfield, Penna., on Thursday the 29th day of January 1931, at 9.30 o'clock A. M.

Earl G. Boose

J. E. Fry

G. K. Weber

Jan. 22, 19 31

Viewers.



**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 19th day of January  
in the year of our Lord one thousand nine hundred  
thirty one

G. E. BUCKSBEE

Judge of the same Court: Upon the petition of ~~Sandy~~  
~~Adkins~~ of the Township of Sandy

in said County, setting forth that in October 1929 he was  
the owner of a certain farm situate in Sandy Twp. bounded on the east by other  
lands of your petitioner; on the south by Jerry Brown and Jim Van Bice lands;  
on the west by D. S. Ausbaugh, lands and on the north by lands of C. E. Hoyt,  
in the month aforesaid the State Highway Dept. having built a paved highway route  
555 between Sabula and Penfield and during the construction thereof, having cut  
down and destroyed a considerable number of fruit trees and wasting ground  
on a driveway used by the petitioner causing damage to your deponent and that  
your petitioner has been unable to agree with the Commissioners of Clearfield Co.  
as to the amount of damages sustained

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. Boose, Esq.,

J. E. Fry and G.K. Weber

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 and make report to the next term

By order of the Court.

Geo. W. Rakston, 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 Sandy and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 27th day of January <sup>1931</sup> A. D. ~~1931~~, and the hearing to be held in the <sup>Grand Jury</sup> ~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the 29th day of January, <sup>1931</sup> ~~1931~~, at 9.30 o'clock A. M. That all viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view G. E. Bucksbee, the Claimant, Lamar S. Hay, the now owner of the premises.

<sup>Grand Jury</sup> parties in interest. That the hearing was held in the ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the 29th day of January, <sup>1931</sup> A. D. ~~1931~~, when the following appearances were noted: G. E. Bucksbee, the Claimant, and with him, John Urey Esq., his counsel; A. M. Liveright Esq., representing the Commissioners of Clearfield County.

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 a substantial damage done the premises described in the petition of the Claimant, which damage results from an appropriation of lands reserved by the claimant for a private driveway, and filling in upon the same rendering it useless for the purpose for which it was reserved; also for the taking and cutting down of certain fruit trees growing upon the right of way of the new State Highway. That such damages amount to the sum of One Hundred and Forty Dollars, which said amount is assessed hereby against Clearfield County and in favor of G. E. Bucksbee, the claimant;

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~~

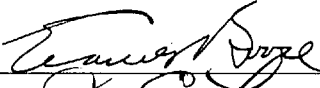

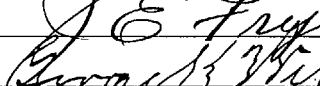

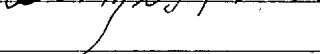

~~when it was not practical to preserve it within that limit.~~

~~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 G. E. Bucksbee, the sum of One Hundred and Forty Dollars.

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

WITNESS our hands and seals this 30th day of January  
A. D. 1922. 1931.

No. 6 Feb Sessions, 19 31

## ORDER

To view and assess damages to  
road for G. E. BUCKSBEE use in  
township of Sandy  
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.

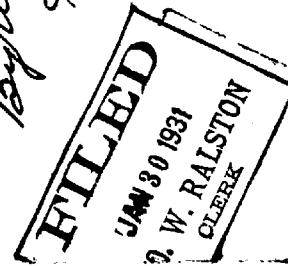
N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

	DAYS	MILES	AMT.
J. E. Fry	3	36	\$26.10
Geo. K. Weber	2	44	19.40
Earl G. Boose	4	50	35.00

*Order May 6<sup>th</sup> 1931  
Confirmed absolutely  
and County directed  
to pay damages  
assessed.*

*By the Court  
J. McNamee*

*P. J.*



Filed  
Fees \$1.25 paid by

## 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 ensembling 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\_\_\_\_\_.

\_\_\_\_\_  
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Seal  
Seal  
Seal  
Seal