

R oad

DOCKET No. 6

Number Term Year

6 Feb ss 1931

Petition of G.E.Bucksbee for appt
of viewers to assess damages in
Sandy Twp.

Versus

X

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

The Petition of G. E. BUCKSBE, 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~~ in the month aforesaid the State of Pennsylvania Highway Department
having built a Paved Highway Route 555 between Satula and Penfield
and during the construction thereof, having cut down and destroyed
a considerable number of Frut 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, SS;
County of Clearfield,

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. B. Bogdon
ALDERMAN
By 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 F. J. Huckabee
Dandy Surf -

P E T I T I O N .

Now, 1931, petition
read and considered and the
Court appoints Paul Scherer,

H. J. Price and J. H. Weber,
Viewers as prayed for, the
viewers to view the premises
and make report to the next
Term.

FILED
JAN 19 1931
GEO. W. RALSTON
CLERK

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

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 undersigned 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.

James Bovas
W. A. Fry
G. K. 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.

X. 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 Penfield

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

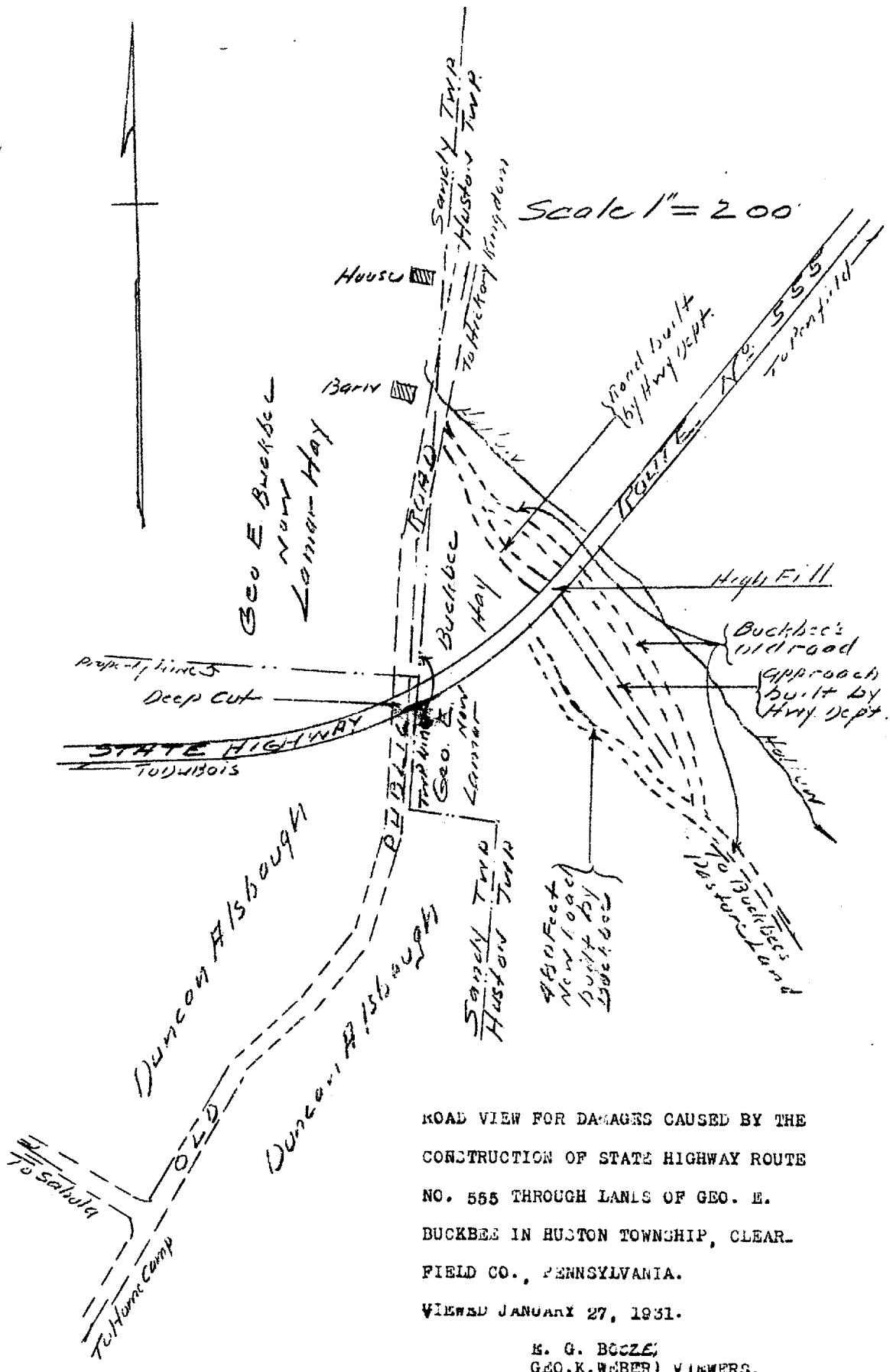
J. E. Fry

G. K. Weber

Viewers.

Jan. 22,

19 31



ROAD VIEW FOR DAMAGES CAUSED BY THE
CONSTRUCTION OF STATE HIGHWAY ROUTE
NO. 555 THROUGH LANIS OF GEO. E.
BUCKBEE IN HUSTON TOWNSHIP, CLEAR-
FIELD CO., PENNSYLVANIA.

VIEWED JANUARY 27, 1931.

H. G. BOOZE,
GEO. K. WEBER) VIEWERS.
J. E. FRY)

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~~
~~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 Sice 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 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 and make report to the next term

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

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 1931 A. D. 1932, and the hearing to be held in the ~~Arbitration~~ ^{Grand Jury} Room, at the Court House, in Clearfield, Pa., on the 29th day of January, 1931, 1932, 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.

Grand Jury
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, 1931 A. D. 1932, 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 -- 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 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

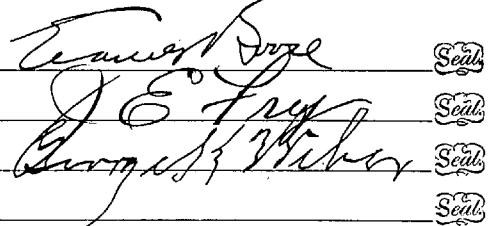
when it was not practical to preserve it within that limit.

- 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. Buckshee, 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. 1931.


Edward D. Fry 
J. E. Fry 
George J. Vibey 