

Road

DOCKET No. 6

Number	Term	Year
7	FEB	1931

Petition of John P. Watts for
appointment of viewers to assess
damages in Pike Twp
Versus

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.....

X

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

In Re; Assessment of Damage to) Of February Term, 1931.
JOHN P. WATTS.) No. 6.

To John P. Watts, Claimant; the Supervisors of Pike Township;
and the Commissioners of Clearfield County, Pennsylvania;

You and each of you will hereby take notice that the undersigned have been appointed as Viewers, by the said Court, to view and assess damages done to the property of the above named claimant, in Pike Township, in the construction of State Highway leading from Curwensville, Pa., to Lumber City, Pa.

The view will be held on Friday, the sixth day of February, 1931, the Viewers to meet at the Watts Green House at 2.00 o'clock P. M. on that day, for that purpose, and the public hearing required to be held by the Viewers by the Act of Assembly and the Rules of this Court, will be held on Monday, the ninth day of February, 1931, at 9.30 o'clock P. M. in the Grand Jury Room in the Court House at Clearfield, Pa., at which time and place any party in interest may attend and be heard.

Paul East Brose
John Morris
George K. Morris

Jan. 30, 1931.

Viewers.

Now, January 30, 1931, notice given and copy of notice delivered and service is hereby accepted.

Walter Welch

Attorney for Claimant

Bell O'Fayhers, Welch & Bell
Solicitor for Supervisors of
Pike Township.

D. C. Morris

Clerk of the County Com-
missioners.

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 John P. Watts on account of damage in construction of State Road leading from Curwensville, Pa.

in Pike Township, to Lumber City, Pa.

in Ferguson Township, in Clearfield County, aforesaid, will meet at the Watts Green House.

in Pike Township, on Friday the sixth day of February 1931, at two 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 Monday the ninth day of February 1931, at 9.30 o'clock A. M.

Earle G. Boose

J. E. Fry

Geo. K. Weher

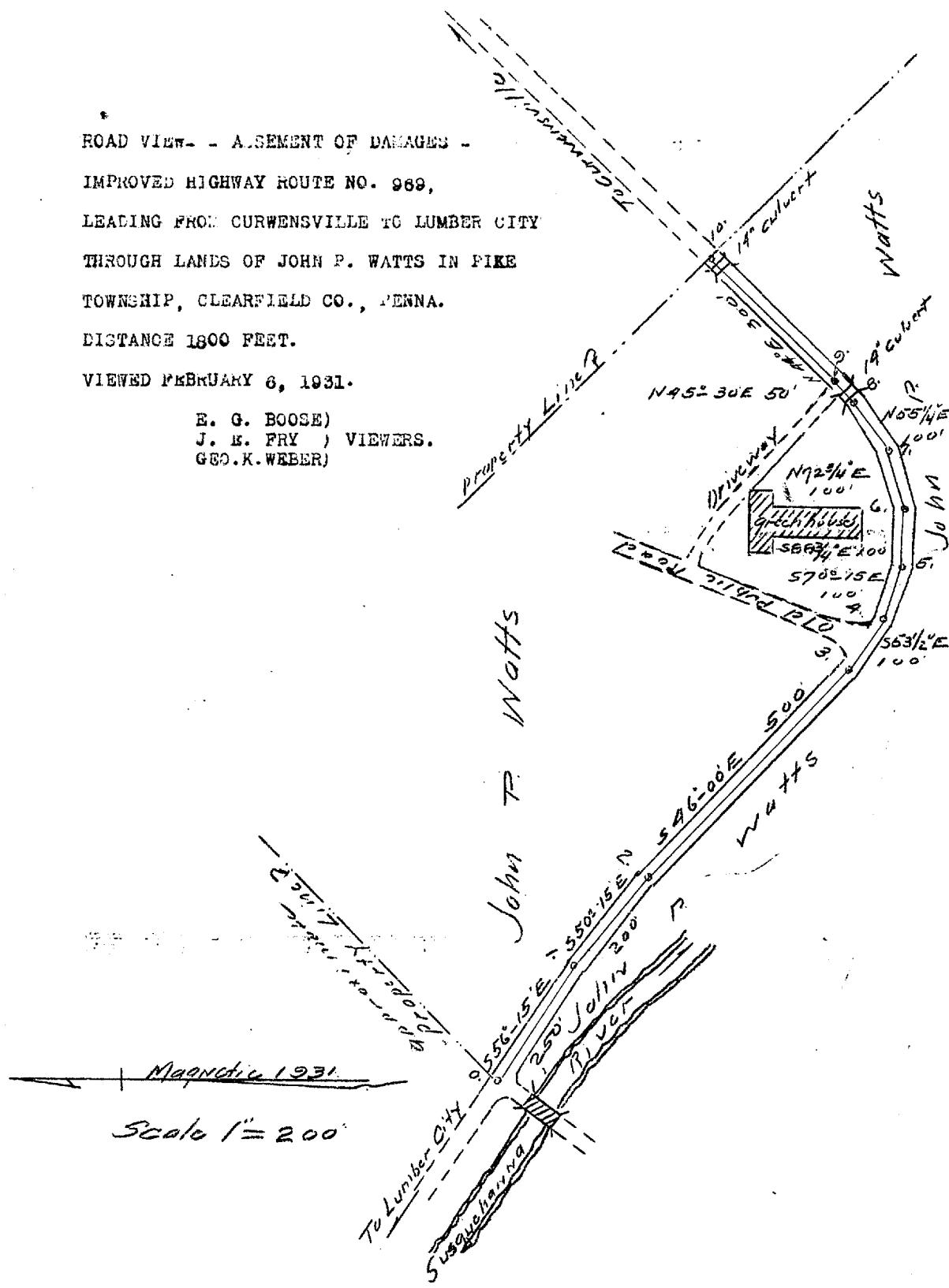
Jan. 30, 1931

Viewers

ROAD VIEW - A SEGMENT OF DAMAGES -
IMPROVED HIGHWAY ROUTE NO. 969,
LEADING FROM CURWENSVILLE TO LUMBER CITY
THROUGH LANDS OF JOHN P. WATTS IN PIKE
TOWNSHIP, CLEARFIELD CO., PENNA.
DISTANCE 1800 FEET.

VIEWED FEBRUARY 6, 1931.

E. G. BOOSE
J. E. PRY, VIEWERS.
GEO. K. WEBER



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 28th day of January in the year of our Lord one thousand nine hundred thirty one

JOHN P. WATTS

Judge of the same Court: Upon the petition of ~~Stanley~~
~~Kentucky~~ of the Township of PIKE

in said County, setting forth that he is the owner of a tract of land in Pike Township containing 76. acres.

That an improved State Highway has been built through the said farm, changing the location of the original road, and has been so constructed to greatly damage and injure the farm, particularly in failing to provide for the water and permitting it to be directed from its natural channel and to overrun, damage and destroy the farm and growing crops. and has been unable to arrive at a satisfactory settlement with County Commissioners of Clearfield County

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. Frye and George 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

By order of the Court.

Geo. W. Palston, 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

Pike and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 6th day of February 1931, and the hearing to be held in the Grand Jury Room, at the Court House, in Clearfield, Pa., on the 9th day of February, 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 John P. Watts, the landowner claimant, and Walter Welch Esq., his counsel.

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 9th day of February ¹⁹³¹ A. D.-1931, when the following appearances were noted: John P. Watts, the claimant and with him, Walter Welch Esq., his counsel; L. C. Norris, Clerk of the County Commissioners, and with him, Frank Smith Esq., representing A. M. Liveright Esq. Solicitor for 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 ~~xxx occasion for a road as desired by the petitioner, and that the same is xxx necessary for xxx road. And having due 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 xxx use the following described road to him.~~ Beginning a substantial damage done the lands of the claimant, described in his petition for appointment of Viewers; which damage results from taking of his lands in the re-location of the State Highway, and collection of water and turning it on lands adjacent to the road. The Viewers are of the opinion that such damage amounts to the sum of Four Hundred and Fifty Dollars and do hereby award that amount to John P. Watts against the county of Clearfield.

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 practicable to reserve 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 John P. Watts, the sum of Four Hundred and Fifty Dollars.

and we herewith return ~~the~~ ~~copy~~ ~~obtained~~ and copy of the notice(s) _____

WITNESS our hands and seals this tenth day of February, 1931

A. D. 192-

C. S. Hayes Seal
J. E. Try Seal
George K. Weber Seal
Seal

No. 7 Feb Sessions, 19 31

ORDER

To view and assess damages + a
tax for JOHN P. WATTS in the
township of PIKE
Clearfield 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.

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

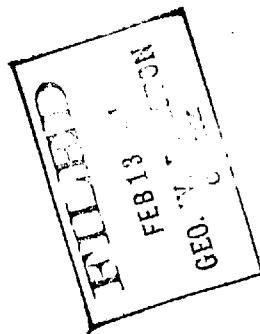
N. B.—If the viewers believe the parties are not
entitled to damages, taking into consideration the
advantages as well as the disadvantages of the
road, they will report to that effect.

	Days	Miles	Amount
	2	4.6	\$19.60
	3	53	\$27.80
	4	76	\$37.60

Mon. March 28th 1931

No specification being
filed hereto, it is
so ordered and directed
the amount of said
be paid to the parties
entitled thereto
By the court
Filed
Fees \$1.25 paid by *W. Welch*

Walter Welch, Esq.,



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 sealing 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

In the Court of Common Pleas of Clearfield County, Pennsylvania.

To the Honorable A. R. Chase, President Judge of said Court:

The petition of John P. Watts, respectfully represents:

That your petitioner is the owner of a tract of land in
Pike Township containing seventy-six acres.

That an improved State Highway has been built through the said farm, changing the location of the original road, and has been so constructed to greatly damage and injure the farm, particularly in failing to provide for the water and permitting it to be directed from its natural channel and to overrun, damage and destroy the farm and growing crops.

That he has been unable to arrive at a satisfactory settlement for damages with the County Commissioners of Clearfield County.

Your petitioner therefore prays your Honorable Court to appoint viewers to view and appraise and assess the damages to which your petitioner is entitled by reason of damage and injury to his property by the building of said State Road or highway.

AND he will ever pray, etc.

Clearfield County, SS:

John P. Watts being duly affirmed according to law doth depose and say that the facts set forth in the forgoing petition are true to the best of his knowledge, information and belief.

Affirmed and subscribed to before
me this 24th day of January, A.D. 1931.

Jennie E. Bailey
Notary Public

7 Feb. 1931

John P. Watts

vs

CLEARFIELD COUNTY

Petition to appoint Viewers
to assess damage by State
Highway

From Jan 26 - 1931
Carl S. Rose Esq.,
Tyrone, Pa.
are appointed Viewers
to view and report
by the County.

FILED

JAN 28 1931
GEO. W. RALSTON
CLERK

Walter Welch
Attorney at Law
Clearfield, Pa.