

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

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 under-
signed 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 re-
quired 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.

Charles Boone
Henry
George Weber
Viewers.

Jan. 30, 1931.

Now, January 30, 1931, notice given and copy of notice de-
livered and service is hereby accepted.

Walter Welch
Attorney for Claimant

Bell, D'Amplie & McElroy
Solicitor for Supervisors of
Pike Township.

L. 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 _____

_____ Jan. 30, _____ 1931 _____

_____ Geo. K. Weber _____

_____ Viewers _____

VIEWED FEBRUARY 6, 1931.

Hand-drawn survey map of a property in Pike. The map shows a creek on the left, a driveway leading to a green house, and various property boundaries. Key features and measurements include:

- Property Line:** A dashed line running diagonally across the top of the map.
- Driveway:** A dashed line leading from the creek area to the green house.
- Green House:** A rectangular structure with a hatched pattern, labeled "Green House".
- Boundaries and Bearings:**
 - Top boundary: $N 45^{\circ} 30' E 50'$
 - Right boundary: $N 65^{\circ} 14' E 100'$
 - Bottom boundary: $S 70^{\circ} 15' E 100'$
 - Left boundary: $S 55^{\circ} 15' E 200'$
 - Bottom boundary: $S 46^{\circ} 00' E 500'$
- Other Labels:**
 - "John P. Watts" (written vertically on the left and bottom)
 - "City" (written near the creek)
 - "Creek" (written near the creek)
 - "14" Culvert" (written near the top right)
 - "19" Culvert" (written near the top right)
 - "100' 8.30"
 - "100' 9"
 - "100' 6"
 - "100' 5"
 - "100' 4"
 - "100' 3"
 - "100' 2"
 - "100' 1"

Magnetic 1931

Scale 1" = 200'

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 ~~xxxxxx~~
~~xxxxxx~~ 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. 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

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 A. D. ¹⁹³¹~~1932~~, and the hearing to be held in the ^{Grand Jury}~~Arbitration~~ 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 A. D. ¹⁹³¹~~1932~~, 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. Solicitors 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 xxxxxxxx road xxx 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 xxxxxxxx use the following described road: to wit 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 practical to increase 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 releases obtained and copy of the notices~~

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

A-B-192-

E. J. Goyne Seal
J. E. Fry Seal
George K. Weber Seal
Seal

No. 7 Feb Sessions, 19 31

ORDER

To view and assess damages + Q_a
for JOHN P. WATTS ~~use the~~
township of PIKE
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.

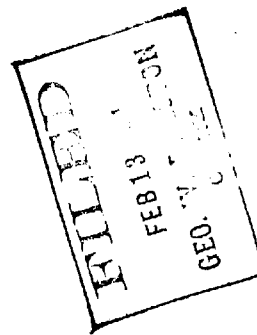
Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

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	AM'T.
2	46	\$19.60
3	53	\$27.80
4	76	\$37.60

Now March 28th 1931
No specifications being
filed hereto, it
is ordered & directed
the amount of bond
to be paid to the parties
entitled thereto
By the court,
Filed
Fees \$1.25 paid by J. B. 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 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

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

John P. Watts) No. February Term 1931
)
) vs
)
Clearfield County)

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

The petition of John P. Watts, respectfully represents:

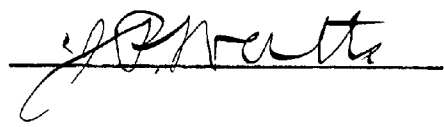
That your petitioner is the owner of a tract of land in
Pike Township containing seventy-six acres.

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 settle-
ment 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.

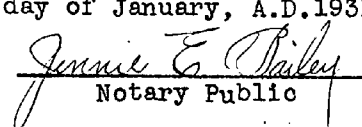
AND he will ever pray, etc.



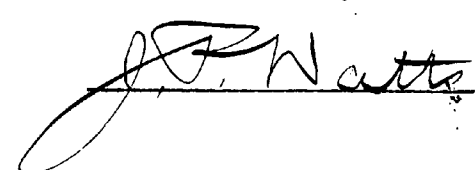
Clearfield County, SS:

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.



Notary Public



7 Feb. 14 1931

John P. Watts

VS

CLEARFIELD COUNTY

Petition to appoint Viewers
to assess damage by State
Highway

Now Jan 26th 1931,
I, J. P. Watts, Jr., of
Twp. of Kargelk, Clearfield Co.,
are affected viewers,
to view and report
by the Court.

Walter Welch

Attorney at Law
Clearfield, Pa.

FILED

JAN 28 1931

GEO. W. RALSTON
CLERK