

No. 1, May Session, 1895

Public Road

COMMONWEALTH

versus in

Huston Township

Contents:

Plaintiff's Petition

Answer

X

To the Honorable Cyrus Gordon Judge of the Court of Quarter Sessions of the Peace of Clearfield County:

The petitions of the undersigned respectfully represents:-

That a

Public Road beginning at a point on a Public Road near Hoover, Hughes & Co's. mill in Huston township, in said County, and running to a point on a Public Road near F. A. Brown in the said township laid out by order of Court, was confirmed at the Sessions in the year of our Lord One Thousand Eight Hundred and ~~Eighty~~, and that said road runs directly across the Public School grounds on which is located what is known as the "Hill" school house, thus preventing the fencing in and beautifying of said grounds; and also that said road will better accommodate the public travel by being changed so as to begin ~~at~~ and end at the same point, ~~not~~ ~~to~~ ~~near by and yet not~~ through the said school lot.

The Petitioners therefore pray the Court to inquire of and ~~change~~ ^{Vacate} ~~and supply~~ the said road, and for that purpose to appoint three persons qualified according to law, to view the said road and the grounds proposed for the said change, and to inquire of the premises, and make report of their proceedings at the next term of Court.

And they will ever pray, Etc.,

.....ooooooo.....

E. A. Singer

M. P. Smith

A. H. Spotts

C. D. Singer

F. L. Lencor

H. D. Singer

Simon Whitmire

J. D. B. 10077
John Haskett
Geo Campbell,
W². S. Chambers
Stanley E. Woodward
A. J. Woodware
J. M. L. Lencor
H. B. Singer

H. E. Ragin
G. B. Williams
H. J. Flanagan
W. W. Howren
P. O'Conorally
V. J. Smith
W. F. Cook
Geo. F. Denny
P. H. Rose
J. H. Powers
J. W. Williams
John. Flannigan
W. D. Woodward Jr.
A. K. Jacobs
Liam O'Farrell
George H. Loughlin
S. D. Keller
R. Smith
F. H. Schine
R. H. Birne
Kris. J. Bundy
A. H. Rosenkrantz
W. D. Woodward Jr.
Kieran Woodward
A. B. Kessler
M. A. Tyler

James A. Tyler
Peter Evans
W. Parker
H. B. Seafied
Peter Bailey
Henry Griggs
R. H. Cockman
K. C. Irone
H. C. Culbertson
J. F. Redifer
J. J. Scully
C. M. Mack
H. W. Armstrong
Dr. Sauer
M. C. Harper
Wm. Roberts
J. E. Horning
Jack Horning
J. H. Calista.

1911

12/11/31

Paul Cezanne
French painter

John H. Newell

John C. Green
Great Bay 1875

John Brown

Appinged Ally
for Pictures

Clearfield County, ss:



At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 6 day of May, A. D. 1895, before Judge of said Court, upon a petition of sundry inhabitants of the township of Easton, in said County, setting forth that

a public road beginning at a point on a public road near Hoover Hough's Coal Mine in Huston Gap in Clearfield County and running to a point on a public road near Gott Brown.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~and make upon to next term~~ ^{Vacate & Survey} whereupon the Court, upon due consideration had of the premises do order and appoint ~~John~~ ^{Vacate & Survey} Ira J. Lepus & Wm. Dougherty, who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the ^{Vacate & Survey} actual viewers agree that there is occasion for such road, they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do the least injury to private property, and state particularly, whether they judge the same necessary for a PUBLIC or PRIVATE road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose land said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for said county, in which report they shall state that they have been sworn and affirmed according to law, Notice is directed to be given to the owners or occupants of seated land through which the within road is intended to pass, of the time of the view, according to the 147th Rule of Court.

BY THE COURT.

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 the..... 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 respectively 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. 189 .

Seal

Seal

Seal

Seal

ASSESTMENT OF DAMAGES.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof, as follows :

To..... the sum of.....

To..... the sum of.....

To..... the sum of.....

Witness our hands this..... day of....., A. D. 189 .

TO THE HONORABLE CYRUS L. GORDON,

Judge of the Court of Quarter Sessions, Clearfield County, Penna.

The undersigned, L. Bird and P. H. Flynn, two of the viewers appointed on petition to vacate and supply a public road between Hoover, Hughes mill, in Huston Twp., and F. H. Brown's in said Township, respectfully report: They made proper advertisement of the time of viewing the road.

On Aug. 19, 1895, after being duly sworn to perform the duties of their appointment with impartiality and fidelity, they viewed the entire length of the route covered by the petition.

There is no necessity to vacate and supply any of said road for the benefit of public travel.

Evidently the change contemplated in the petition is at the Pleasant Hill School House lot, and if made, would increase the distance about twenty feet, and increase the grade very slightly, perhaps two feet in eight rods, but there is still no serious grade, it being very slight.

The only benefit of the proposed change is to improve the school house lot, which was located before the present road was surveyed.

The accompanying map is part of our report.

The red color indicates the present road.

The blue color indicates the new road required to meet the requirement that seems to be intended by the petitioners.

We report that the change is not necessary for a public road.

Respectfully submitted,

L. Bird }
P. H. Flynn } viewers

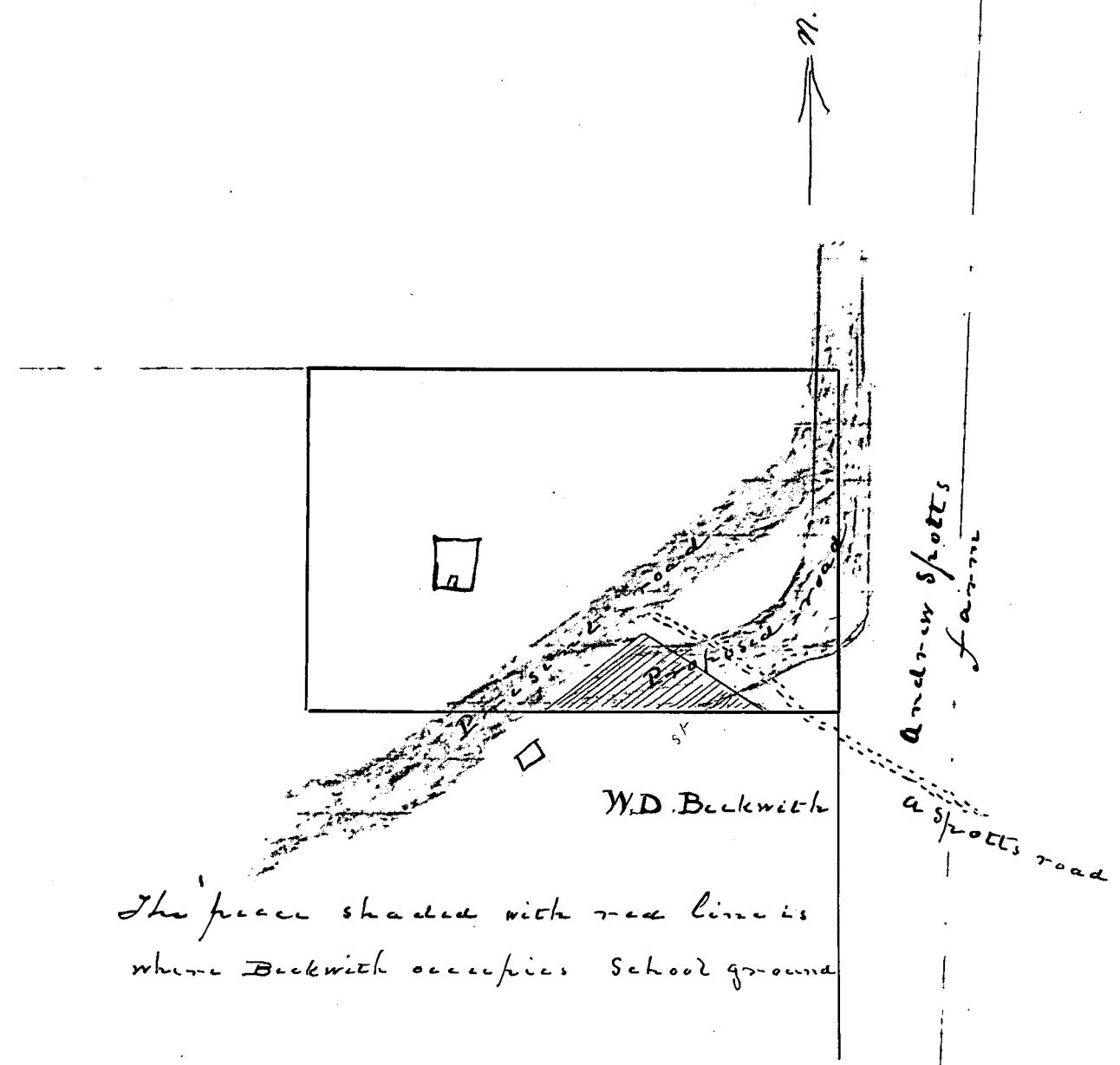
ROAD VIEW, Huston Twp., Clearfield Co.

The viewers appointed on laying a public road, beginning at a point on a public road at a point near Hoover, Hughes & Co.'s mill, in Huston Twp., in said County, and running to a point on a public road near F. H. Brown, will meet at the beginning of the route at 9 A.M., Saturday, Aug. 17, 1895, to view the route.

Penfield, Pa.

Aug. 10, 1895.

L. Bird,
P. H. Flynn,
Viewers.



one inch
5 rods.

0°

L. Bird

Aug. 23/95

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.
Viewers cannot interfere with 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.

No. 10 May Sessions, 1895.

ORDER

To view and take fees
for use in the township of
Moxton, Clearfield Co.

Dec 25th 1895,
read and confirmed At: Si.

Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

By the Court
Cyrus S. Schaffer

They 1896 confirmed
also entirely confirmed
parts by the County
By the Court

By Cyrus Schaffer
Filed 2 Sept 1895

Fees \$1, paid by

J. H. Schaffer

	AMOUNT.
U. B. Cox	Days 1 1/2
	Miles 4
	6.00
P. H. Johnson	Days 1
	Miles 4
	2.00