

No. 2, May Session, 1895

Public Road

COMMONWEALTH

~~VERSUS~~

in

Huston Township

Contents:

R. L. - P. 7

vacated

... the owners of that Road
leading from H.D. Singers to gas Buckhauers

We the under signed Citizens of Gardner Hill
Elk. Co. will ask you to Remember us
as your Neighbors (Penfield being our Nearest
Market. or for a Doctor &c.

We the under signed will greatly appreciate
a Near cut Road leading from H.D. Singers
to the Center Hill Road Near gas Buckhauers

A. D. Smith
J. L. Beck

Levi E. Gardner

Geo. Gardner

Frank Gardner

H. J. Lyons

H. J. Lyons

H. J. Lyons

H. J. Lyons

S. L. Beck

Renfield 3/26, 1895

Petition for the laying out of a Public Road
To the Honorable Judge of the Court of
Quarter Session of the Peace in and for
The County of Clearfield State of Pennsylv
The petition of the undersigned inhabitants
of the Township of Huston in the said
County respectfully sheweth that your
petitioners labor under great inconvenience
for want of a public road ~~from~~ or high-
way to lead from Henry Signers on the
Public road from Renfield to Pleasant
Hill and to end on the Public road
from Millboun to the Mountain at or
near James Guckevan in Huston Township
your petitioners therefore pray the Court
to appoint proper persons to view and
lay out the same according to law and
they will ever pray &

Names
John A Bowen
G H Singer
M T Smith
H D Singer
Simon Whitmire
Abe Kessler
H H Beckwith
M A Beckwith
Maurice English

P W Rudolph
Erwin Singer
Gorg. Enslin D.
Wm Payne
J H Callahan

Names
J G L Lemig
C H Walker
Henry M Hitchman
John Distler
J St Bonenap

May 2, May 28, 1896
Return for Board
House in Hudson
County.

No. May 2, 1896

Dear ones May
1896 The following
report is sent to you
upon the Board of H. H. H.
and W. H. H. H. H.
on account of some
to the H. H. H. H. H.
H. H. H. H. H. H. H.
H. H. H. H. H. H. H.

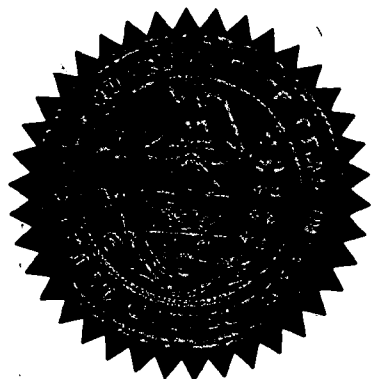
My dear
your truly
H. H.

May 6 May 1896

H. H.

My dear
H. H.

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 Houston

, in said County, setting forth that

they labor under great inconvenience for want of a public road or highway to lead from Newry, Pa. to Pleasant Hill & to run on the public road from Mill Run to the mountain at or near James Suckerman in said Pa.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, report to next term

whereupon the Court, upon due consideration had of the premises, do order and appoint Bird R. Glyn & M. 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 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

J. S. Sweeney
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 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 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 recieve 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 James Guccovan the sum of Route 3 \$225 Route 4 \$275
To H. D. Singer the sum of " 3 \$50 " 4 \$100
To Saml. Lee the sum of " 3 \$350. " 4 175.

Witness our hands this 22nd day of August, A D. 1895.

L. Bird
J. H. Flynn

No. *2* May Sessions, 189*5*

ORDER

To view and lay out a road for
Public use in the township of
Houston, Clearfield Co.

Also Sessions, 189*6*,
read and confirmed *19/1895* *Ni. 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 Gooding
Shaw 1896 confirmed
also verified 1896
paid by the Court
By the Court
Cyrus Gooding

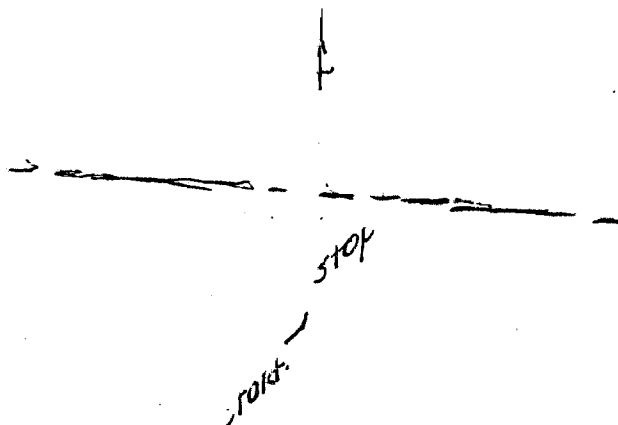
Filed *2* Sept 189*5*

Fees \$ 1, paid by

JP Schofield

* NOTE.—In case of a private road, the release must be ex-
ecuted in favor of the petitioner for said road.
Also—Viewers will carefully note the number of days em-
ployed, and set the amount out at the foot of their return.
Reviewers 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.

L. Bine		Days	2	}	Amount.
Pine assistance		Miles	4		
					8.40
					1.75
		Days	10.15		
		Miles			
		Days	1	}	
		Miles	4		
					2.40
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Clfd.Co., Huston Twp.
Feb. 8, 1896. Conf. Date.
33 ft. -- 16 ft.

Beginning at the rock corner on the road
to Penfield thence north east then North
across Gucaven's field to the present
road at a point 33.7 rods east from the
turn of the road from Toby.

(4 routes suggested- this may not be
the route chosen.)

10.5-
Rd. 10.5-
ROAD VIEW, Huston Twp.

The viewers appointed on laying a public road, or highway, to lead from Henry Singer's on the public road from Penfield to Pleasant Hill and to end on the public road from Mill Run to the Mountain at or near James Gucaven's in said Township, will meet at the beginning on Monday, Aug. 19, 1895, at 9 A.M. to view the route.

Penfield, Pa.

Aug. 10, 1895.

L. Bird,

P. H. Flynn,

Viewers.

7

Samuel Lee declines to sign a release of damages, and we estimate his damage on the last route at \$ 175.

James Gucaven declines to sign a release of damages, and we estimate his damages on route numbered three at \$ 225, and on route numbered four at \$ 275.

Henry Singer was not present. We estimate his damages on route numbered three at \$ 50 - and on route numbered four at \$ 100.

There is no settlement in Huston Township beyond the farms of James Gucaven and John Bowen.

The travel passing Henry Singer's to Elk County is not very heavy.

Several citizens of Elk County asked us to lay a road, and we attach their paper. If it is proper for us to answer this, we would say, the correct route for their section of Elk County to reach Penfield and vicinity, would leave the Toby road at the foot of the hill a mile or more beyond Gucaven's and come directly down Wilson Run, the route lying partly in both Counties.

While this shorter route, proposed in this Petition and Order would be a convenience, it is our opinion that the public necessity is not such as would justify the damage to private property, or the payment of the amount necessary to make good the damages.

If the road should be ordered by Court, a full description is found in No. 3 of the best route, and in No. 4 of the next best route. We file a map as a part of our report.

*Geo. W. Daugherty has
removed from the County.*

*L. Bird } Various
P. A. Flynn }*

Partitions
1895
TO THE HONORABLE CYRUS L. GORDON,

Judge of the Court of Quarter Sessions, Clearfield Co., Pa.

The undersigned viewers on a proposed new road from Henry Singer's to near James Gucaven's, in Huston Township, respectfully report: After being duly sworn they viewed the grounds proposed for said road and made survey as follows: *on Aug. 17 & 19 1895*

1st. From the turn of the present road at the rock near Henry Singer's, marked No. 1 on the accompanying map around to No. 2 on the map, where the road turns Northward again between James Gucaven's and John Bowen's - one mile. This is through old settled and cleared farms by a good road and no severe grades.

2nd. A direct line from No. 1 to No. 2 is $1\frac{1}{2}$ rods less than a quarter of a mile. This is through cleared fields, along the line of Henry Singer and Samuel Lee, and then along line of John Bowen and James Gucaven - Gucaven's being cleared land.

This route is entirely impracticable on account of steep hills on each side of a branch on the last part of the line.

3d. A better route is to begin at the rock. Thence North $4\frac{1}{2}$ deg. East by the red dotted line on the map 15 and 2-10th rods. Then diagonally across Lee's field, North $48\frac{1}{2}$ deg. East 34 and 6-10th rods to a stake in line of Lee and Gucaven. Then North $19\frac{1}{4}$ deg. East, crossing Gucaven's field, 31 and 2-10 rods to the present road, at a stake standing 33 and 7-10th rods Eastward from the turn of the road towards Toby, giving 81 rods of new road, on a good route and easily built.

Samuel Lee objects positively to this route because the only spring on his farm is thus cut off from the principal part of his farm. We consider that this would damage him not less than \$350.

4th. A possible route is from the rock North $4\frac{1}{2}$ East 39 rods to Samuel Lee's corner. Thence by line of Lee and Gucaven, South $86\frac{1}{2}$ East 24 and 4-10th rods to a stake. Thence North $19\frac{1}{4}$ deg. East 31 and 2-10th rods to the present road at a stake 33 and 7-10th rods Eastward from the turn of the road towards Toby, giving 94 and 6-10th rods of new road.