

No. 4 Feby Sessions, 1906

COMMONWEALTH

versus

Public Road
in
Huston Twp

Charge

Peatz

X

WILLIAM I. SWOOPE,
DISTRICT ATTORNEY.

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 13 day of Dec, A. D. 1905, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Houston, in said county, setting forth that

The road to leave the Mountain Run Road at or near Philip Stitchens and reach the Hickory Kingdom Road at or near Warren Shemeler is a distance of about a mile.

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 C. B. Alexander, Lewis DeLoach, Chas. H. Goodland 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 View and lay out 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.

Reed B Thompson
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 enrolling 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. 190.....

.....
Seal

.....
Seal

.....
Seal

.....
Seal



ASSESSMENT 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. 190 ..

.....
.....
.....

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view *Public Road leading from the Mountaintop Run Road above near Philip Kitchens*

in *Huston* Township, to *the Hickory Kingdom Road near Warren Shoemaker*

in *Huston* Township, in the county aforesaid, will meet at the house of *Philip Kitchens*, in *Huston* Township, on *Friday*, the *18* day of *January* A. D. 190*6*, at *10* o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

C. B. Alexander
H. G. Kuntz
Chas. Godlander

Viewers.

Jan 12, 190*6*.

Service accepted
Jan 17. 1906
"Co. C" "C" "C"
By W. H. H. H. H.
C. H. H. H. H.

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view *Public* Road leading from *The Mountain Run Road at or near Philip Kitchen*

in *Huston* Township, to *Hickory Kingdom Road near Warner Shores*

in *Huston* Township, in the county aforesaid, will meet at the house of *Philip Kitchen*, in *Huston* Township, on *Friday*, the *17th*, day of *January* A. D. 1906, at *10* o'clock *A.* M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

C. B. Alexander
S. G. Kurutz
Chas. Godlander

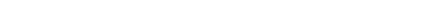
Viewers.

Jan. 17, 1906.

Service Accepted

Property Holders
along Proposed
Road.

Wm. T. T. Co.



ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view *Public* Road leading from *The Mountaintop Run Road at or near Philip Kitchner*

in *Huston* Township, to *Hickory Kingdom Road near Warren Shoemaker*

in *Huston* Township, in the county aforesaid, will meet at the house of *Philip Kitchner*, in *Huston* Township, on *Friday*, the *19* day of *January* A. D. 1906, at *10* o'clock *A. M.*, to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

C. B. Alexander
A. G. Kuntz
Chas. Goldlander
Viewers.

Jan 19, 1906.

Service Accepted

W. J. Parich

J. H. Callahan

Supervisors of
Hustons Twp.

To The Honorable Allison Q. Smith, President Judge of the Court of Quarter Sessions of Clearfield County Pennsylvania.

We the undersigned Viewers for Public Road herein mentioned, respectfully report that we gave good and lawful notice of said view to the County Commissioners of Clearfield County, to the Supervisors of Huston Twp. to the property holders along route of said view, and notices were posted in vicinity of view; all according to law. Copies of said notices with signatures are herewith attached.

On Friday, Jan. 19th. A.D. 1906 your Viewers met as appointed and being ~~severally~~ advised viewed for Public Road as herein mentioned and received testimony.

Your Viewers would further respectfully report that the grade of location where this road is proposed to be built is much in excess of the five degrees prescribed by law as the maximum grade for public roads,

Therefore your viewers cannot recommend the construction of said road.

Witness our hands this 19th. day of January A.D. 1906.

Viewers { C. B. Alexander
J. H. (unclear)
C. W. Goodlander

No. *424* Sessions, 190*6*

ORDER

To view *and lay out* a
road for *Public* use in the
township of *Shenston*,
Clearfield County

July Sessions, 190*6*,
read and confirmed W. 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 Com. to*
Wm. C. Smith
May 21, 1906
Confined about 1/2 mi.
by the Com.

FILED
JAN 23 1906
Paul H. Thompson
CLERK

Filed 190*6*

Fees \$1.25 paid by *W. C. Condy*

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 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.

		AMOUNT.
<i>C. H. Goodland</i>	Days <i>3</i> Miles <i>4.5</i>	\$ <i>16.50</i>
<i>S. G. Spartz</i>	Days <i>1</i> Miles <i>2.5</i>	\$ <i>4.50</i>
<i>C. H. Goodland</i>	Days <i>1</i> Miles <i>2.0</i>	\$ <i>4.00</i>
	Days Miles	
	Days Miles	

TO THE HONORABLE THE COURT OF QUARTER SESSIONS OF CLEARFIELD
COUNTY, PENNSYLVANIA.

Your Petitioners represent that they labor
under inconvenience for want of a public road in Huston Township,
in said County. The road to leave the Mountain Run Road at or
near Philip Kitchen's and reach the Hickory Kingdom Road at or
near Warren Shoemaker's, a distance of about a mile.

They therefore respectfully ask for the
appointment of a view to lay out said road if deemed advisable,
and as in duty bound your petitioners will ever pray, etc.

July 32, 1905.

H. K. Bowers
H. B. Keller
John Shoemaker
Geo M. Dodd
S. D. Keller
Ray Hoyt
Warren Shoemaker
Ella Conway
Harris Newell
Sam Brown
Alex. M. Brandy
Andrew Edinger
Stephen Newell
W. M. Newell
Philip Kitchen
Frank Kitchen
Peter Kitchen
Wm. Kitchen
E. B. Brandy
R. C. Brandy
A. J. Wilcox

Henry Brandy
Joseph A. Doll
Frank St. Clair
Joseph Asmus
Henry B. Rogers
Clarence H. Rogers
Philip H. St. Clair
George R. Woodward
J. H. Callahan
Stephen Hunt
W. B. Woodward
J. H. Christy
Peter Gallagher
C. E. Rohacker
H. J. Woodward
W. H. Edwards
A. B. Woodward
Ben Byler
A. H. Radebach
Stanley E. Woodward
Alfred Brown

G. W. Brown

Henry Dwyer
A. H. Watkins

M. Brown

M. G. L.

R. D. Jones

J. Smith

Louis Rosenberg

Chas Edwards

A. H. H. H. H.

W. & J. Co.

J. L. Schrieber

P. D. H. H.

Thos J. Howell

W. W. Haver

C. A. Hammond

Geo. E. Jones

P. H. Flynn

David Worl.

S. S. Gidney

A. A. Rosenkrans

