

Sept

Term, 1919

In Re: Road in Huston Township

Versus

In RE: * IN THE COURT OF QUARTER SESSIONS OF
*
ROAD OF * CLEARFIELD COUNTY
*
HUSTON TOWNSHIP * No. 6, September Term, 1919
*

PETITION

TO THE HONORABLE, THE JUDGE OF THE ABOVE NAMED COURT:

The petition of PENTZ & PENTZ, Attorneys for the petitioners for the road in the above stated case and of L. E. BOYER, attorney for exceptants thereto, respectfully sets forth:

FIRST: That certain residents of the Township of Huston, County of Clearfield and State of Pennsylvania, on the 8th day of September, 1919 filed a petition in the Court of Quarter Sessions of Clearfield County, praying for the opening of a certain road, according to the petition filed as aforesaid, and praying for the vacation of another more burdensome and inconvenient highway.

SECOND: That in pursuance of said petition, your honorable Court appointed viewers on the said 8th day of September 1919.

THIRD: That said viewers, to wit: GEORGE K. WEBER
J. E. TRY and FRANK HUTTON, in pursuance of the order of Court
thereon held a view on the 14th day of October, 1919 at 9 o'clock
A. M. and subsequently, on the 24th day of October, 1919, held a
public hearing thereon in the Court House at Clearfield, Pa.

FOURTH: At the said hearing, L. E. BOYER, Esq. appeared for certain exceptants thereto.

FIFTH: Prior to the filing of the return of the viewers, to wit: On the 1st day of December, 1919, on motion of

the petitioners, the powers of the viewers were enlarged and extended to February Sessions, 1920.

SIXTH: That between the said 1st day of December, 1919 and before February Sessions, 1920, the various petitioners and other residents of Huston Township, who are to be benefited by said road prayed for, filed a promise or agreement to brush out said road and remove the stumps, in order that said road might be more cheaply and quickly constructed.

SEVENTH: That L. E. BOYER, who joins in this petition, having appeared as attorney for Frank Dillulo, et al, exceptants hereto, took all the papers pertaining to this road, prior to the beginning of February Sessions, 1920, and held the same in his office through inadvertence and without any intent of delaying or hindering the proceedings instituted to obtain said road, and that the attorneys for petitioners did not obtain said papers, until the 8th day of June, 1920, so that the order of the viewers thereon was not confirmed Ni. Si. in February Sessions, 1920, nor was the said order confirmed absolute in the following term, to wit: At May Sessions, 1920. That the said exceptants, on advice of L. E. BOYER have withdrawn all objections to said road and do not intend to prosecute any further objections or exceptions thereto.

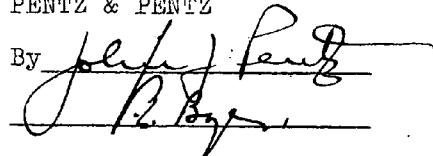
EIGHTH: The citizens and residents of Huston Township in that part affected by this road as prayed for, are greatly in need of said road, as your petitioners are informed and believe. That the road now in existence is inconvenient and is even dangerous and is exceedingly difficult of travel at all times of the year, and does not give the petitioners on the petition for the road, and other residents of that section of Huston Township, a proper and easy or convenient means of access, either to the Village of Penfield or Tyler, or to other towns in Clear-

field County and Huston Township. That the road as prayed for will be a very much better road, more convenient and will eliminate all elements of danger and will give the residents and citizens of Huston Township, an easy, convenient and safe means of access from the section of the county in which they live to all parts of Huston Township and Clearfield County.

WHEREFORE your petitioners pray the Honorable Court to confirm said roadr Ni. Si. nunc pro tunc, as of February Sessions, 1920 and confirm said road absolute nunc pro tunc, as of May Sessions, 1920, and they will ever pray, etc.

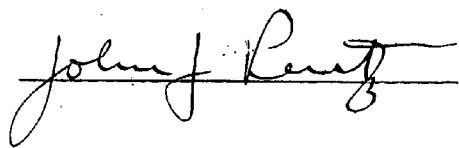
PENTZ & PENTZ

By

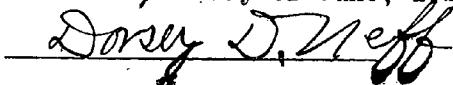


STATE OF PENNSYLVANIA
SS
COUNTY OF CLEARFIELD

Personally appeared before me, an Alderman in and for said county and state, John J. Pentz, who being duly sworn according to law, deposes and says that the facts set forth in the foregoing petition are correct and true to the best of his knowledge and belief..



Sworn and subscribed before
me this 9th day of June, 1920



ALDERMAN

COMMISSION EXPIRES JANUARY 4th, 1920

IN THE COURT OF QUARTER *
SESSIONS OF CLEARFIELD COUNTY
No. 6 September Term 1919

In RE:

ROAD OF

HUSTON TOWNSHIP

PETITION

PENTZ & PENTZ
ATTORNEYS AT LAW
DUBOIS, PA.

BALTIMORE OFFICE SUPPLY CO., BALTO. MD

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a public
Road leading from an unopened public road leading from Penfield to
Tyler, it which is known as Morning Run, about one and one fourth miles from
Penfield

in in Township to a Public Road at a point called
Ht. Pleasant, on the line between the farms of W. F. Smith and T. H. Lee

in Houston Township, in the county aforesaid, will meet at the house of born in the Union the Penfield and Tyler Road, in Houston Township, on Tuesday, the 14th day of October A. D. 1919, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

Also that the Public Hearing, required to be held in all such Views, will be held at the Court House in the Borough of Clearfield on Friday the 24th day of October at 9 o'clock A.M. at which time and place all parties interested with their witnesses may attend and will be heard.

Sent, 1919

191. Service accepted for Subpoena

VIEWERS

Subp. 26th 1919

Subp. 26th 1919
Service accepted for County Commissioners
D. C. Morris Clerk
Subp. 26th 1919
Subp. 26th 1919
Subp. 26th 1919

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY.

You are hereby notified that on Monday, the eighth day of September, there will be presented to the Court of Quarter Sessions, of Clearfield County, at ten A. M., a petition to open a public road in Houston Township, to begin at a point on the public road, leading from Penfield to Tyler, at what is known as Hornung Run, about one and one-fourth miles from Penfield; thence to extend to the public road at a point called Mt. Pleasant, on a line between the farms of W. T. Smith and W. H. Lee, at about one mile from the Penfield and Tyler road of said Township of Houston.

And also to vacate a road in Houston Township, which begins at a point on a road leading from Penfield to Tyler, known as Hill Run road, about two miles from Penfield; thence extending to a point on public road, leading from Kersey to Penfield at a point of line between lands of W. T. Smith and W. H. Lee, about one mile from the Penfield road in said Houston Township.

Now August 20 1919, service of above notice accepted.

L. C. Hornig
Clerk
for -

COUNTY COMMISSIONERS.

TO THE SUPERVISORS OF THE TOWNSHIP OF HOUSTON, CLEARFIELD COUNTY,
PENNSYLVANIA.

You are hereby notified that on Monday, the eighth day of September, there will be presented to the Court of Quarter Sessions, of Clearfield County, at ten A. M., a petition to open a public road in Houston Township, to begin at a point on the public road, leading from Penfield to Tyler, at what is known as Horning Run, about one and one-fourth miles from Penfield; thence to extend to the public road at a point called Mt. Pleasant, on a line between the farms of M. T. Smith and W. H. Lee, at about one mile from the Penfield and Tyler road of said Township of Houston.

And also to vacate a road in Houston Township, which begins at a point on a road leading from Penfield to Tyler, known as Mill Run road, about two miles from Penfield; thence extending to a point on public road, leading from Kersey to Penfield at a point of line between lands of M. T. Smith and W. H. Lee, about one mile from the Penfield road in said Houston Township.

Now August 22, 1919, service of above notice accepted.

W. L. Lonich

W. H. Pease

M. T. Smith

Supervisors of Houston Township.

To the Honorable, the Judge of the Court of Quarter Sessions of the County of Clearfield:

Alleging and
The petition of the undersigned inhabitants of the Township of Huston, in said County, respectfully show:

That your petitioners labor under a great inconvenience for want of a public road or highway in the Township of Huston, to begin at a point on the public road leading from Penfield to Tyler, at what is known as Horning Run, about one and one quarter miles from Penfield; thence to extend to a public road at a point called Mt. Pleasant, on the line between the farms of M.T. Smith and ~~W. H. Lee~~ ~~W. Rudolph~~, and about one mile from the Penfield and Tyler road, in said Township of Huston.

Your petitioners, therefore, pray the Court to appoint proper persons to view and lay out the same according to law, and to, at the same time, view and vacate a public road in the said Township of Huston, beginning at a point on the road leading from Penfield to Tyler, known as Mill Run Road, about Two miles from Penfield; thence extending to a point at public road leading from Kersy to Penfield at a point on line between lands of M. J. Smith and W. H. Lee about one mile from the Penfield Road, in the said Township of Huston, which has become useless, inconvenient and burdensome to the tax payers

Your petitioners, therefore, pray the Court that said road may be vacated, agreeably to the Act of Assembly in such case made and provided.

And they will ever pray, &c.

*x James La Rainey
x James Lernest
x Joe Moorehouse
x Geo. Pontious*

Penfield, Pa., July 14, 1919.

To the Honorable, the Judge of the court of Quarter Sessions, for the County of Clearfield, State of Pennsylvania:

We the citizens and Tax payers of Huston Township, County of Clearfield, State of Pennsylvania, Petition, that you appoint THREE (3) viewers, to view out a public road, beginning at a point on what is known as Horning Run, on the Lewis Horning farm, on the road leading from Penfield to Tyler, thence to a point on Public road between the farms of M. T. Smith and ~~W. H. Lee~~, on Mt. Pleasant, Huston Township, a distance of about One and one-half (1 ~~1/2~~) miles, and the same viewers to vacate the road now known as Mill Run hill.

Thus we pray,

H. W. Singer
S. Lee
Louis H. Lee
F. Burton Lee
Wm H. Lee
Geo. H. Lee
M. T. Smith
C. J. Lucore
W. H. Pease
Chas H. Wilhelm
James Pease

H. W. Smith
H. A. Dobson, Jr.
G. W. Harriger
Frank L. Lucore
H. R. Bifby
J. L. Neff
John Horning
G. A. Dix
J. M. Miller
A. H. Rosenkrans
J. T. Spotts
C. E. Kirk
Krisl Horning
Geo. Rosenkrans
R. V. Glass

W. C. James

Thos. J. Howell
D. J. Woodward
A. T. Wells

B. T. Postlewait
G. W. Wallace

Geo. B. Palmer
W. J. Barnard
Tom R. Bent

Char. Benson
L. E. Williams
M. J. Johnson
W. E. Robacker
W. S. Brown
James Benson

In the Court of Quarter
Sessions of Clearfield C
County. Sept. Term 1919
No. 6

In re

Road in Huston
Township.

Petition for viewers.

Same sent 5/29/9
Petition read and
Decided. Pet.
By Mr George W. M.
Bryant

are adjourned sine die
to report to next term
by the court

Singleton Bell

FILED

Sep. 5, 1919

ST. PENTZ & PENTZ
ATTORNEYS AT LAW
DU BOIS, PA.

COMMONWEALTH ATTORNEY'S OFFICE, DU BOIS, PA.

Dec. 1914 on motion of Bill Bryant attorney for petitioners
powers of viewers are enlarged and continued to
next term

By Mr. Lewis
Singleton Bell