

DOCKET No. _____

Number	Term	Year
1	May	1922

petition for Road in Huston Twp

Versus

X

TO THE ROAD SUPERVISORS OF HUSTON TOWNSHIP, CLEARFIELD COUNTY, PA.

You are hereby notified that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a Public Road leading from a point in the Public Road leading from Winterburn to Home Camp, and North of the Blanchard Farm, on the Blanchard lands, at a place called Hickeyville in Huston Township thence extending Southerly to intersect a road leading from Home Camp to The Penfield Road, at a point about _____ miles East of what is known as the "Reservoir" of the City of DuBois, which said point is in the Township of Huston, in the County aforesaid, will meet at the place of beginning at Hickeyville, in Huston Township, on Tuesday the 11th day of April 1922, at 8:30 o'clock A.M., to attend to the duty assigned them. And that the required Public Hearing will be held in the Court House in the Borough of Clearfield, said County and State on Thursday the 13th day of April 1922 at ten o'clock A.M., at which times and places you may attend if you so desire.

DuBois, Pa. March 30th 1922

Mark Sullivan
J. E. Fry
George Weber
Viewers

Now March 31/1922 service of this notice is accepted for the
Road Supervisors of Huston Township

Paul & Paul
Atty & Supervisors

TO T.R.WEIMER, JESSE E. DALE and J.R. FARREL COUNTY COMMISSIONERS
of CLEARFIELD COUNTY, PENNSYLVANIA.

Notice is hereby given that the undersigned Viewers appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and Vacate a Public Road leading from a point in the Public Road leading from Winterburn to Home Camp, and North of the Blanchard Farm, on the Blanchard Lands, at a place called Hickeyville in Huston Township, thence extending Southerly to intersect a Road leading from Home Camp to the Penfield Road, at a point about _____ miles East of what is known as the "Reservoir" of the City of DuBois, which said point is in the Township of Huston, in the County aforesaid, will meet at the point of beginning at Hickeyville, in Huston Township on Tuesday the 11th day of April 1922 at 8:30 O'clock A.M., to attend to the duty assigned them. And that the required Public Hearing will be ehld in the Court House in the Borough of Clearfield on Thursday the 13th day of April 1922 at ten O'clock A.M., at which times and places you may attend if you so desire.

DuBois, Pa. March 30th 1922

Frank Sullivan
J. E. Fry
George Wagner
Viewers

Now March 31st 1922 service of this notice is accepted for the Commissioners of Clearfield County,.

L. C. Harris
Clerk

of road is entirely in the Twp of Huston and is about 2 miles in length. of the usual width of a township road, and which said road is too steep for travel and is of a higher grade than that allowed by law, and runs through the woods and no person lives along said road, and there is no improved land thereon and said road is absolutely useless, burdensome, inconvenient and dangerous.

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 20th day of February in the year of our Lord one thousand nine hundred twenty-two

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Huston

in said County, setting forth that that a road has long since been laid out leading from Home Camp to Winterburn, a part of which said road, to wit: Beginning at a point in the Twp of Huston on the road leading from Home Camp in Union Twp to Winterburn, North of the Blanchard farm, on the Blanchard lands, at a place called Hickeyville; thence extending Southerly to intersect a road leading from Home Camp to the Penfield Road; which said point is about

miles East of what is known as the "reservoir of the City of DuBois, which said point is in the Twp of Huston, and which piece and therefore, praying the Court to appoint proper persons to view and ^{practically} 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 Frank Hutton, Esq., J. E. Fry and George 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

Huston and that four notices thereof were posted along the route of the proposed road, that the said view would be held on the 11th day of April

A. D. 1922, and the hearing to be held in ~~the Arbitration Room~~ at the Court House, in Clearfield, Pa., on the 13th day of April, 1922, at 10 o'clock A. M. That

all the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view H.A. Bennett and W.M. Payne
Supervisors of Huston Township

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 13th day of April A. D. 1922, when the following appearances were noted: H.A. Bennet and W.M. Payne Supervisors of Huston Township who were sworn, the testimony taken

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired ^{to be vacated} by the petitioner, and that the same is not necessary for a Public road. ~~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 vacation the following described road, to wit~~
Beginning at a point in the center of the Public Road leading from Home Camp in Union Township to Winterburn in Huston Township thence South 35°30' E. 200 feet to a post; thence South 35°45' East 405 feet to a post; thence South 42° East 341 feet; thence South 28° East 200 feet; thence South 6°20' East 300 feet; thence South 17°40' East 149 feet; thence South 28°20' East 163 feet; thence South 45°15' East 146 feet; thence South 64°15' East, 200 feet; thence South 71° East, 375 feet; thence South 87°15' East, 360 feet; thence North 78° East 187 feet; thence North 89°30' East, 137 feet; thence South 63°15' East, 64 feet; thence South 24°30' East 38 feet; thence South 21° West 59 feet; thence South 56°15' West 478 feet; thence South 37°40' West 111 feet; thence South 9°30' West 180 feet; thence South 17°45' East 206 feet; thence South 6°30' West, 100 feet; thence South 23°45' West 200 feet; thence South 17°45' 400 feet; thence South 13° West, 300 feet; thence South 6°30' West 200 feet; thence South 6°45' East 173 feet; thence South 9° West 572 feet to center of Public Road leading from Home Camp to the Clearfield and Penfield Pike a total distance of 6233 feet.

Your viewers find the grade of said road to be very steep in places; that there is apparently little or no travel over it, in fact except in the first five hundred feet, there was no evidence of any vehicle have passed over it this season, the road was scrapped during the summer of 1921, the scrapings have grown up in grass and show the marks of no traffic. There is no farm or other improvement along it nor any settlement near either termini whom it might accomodate and

the evidence showed it was not used and would not be used only by persons living along Andersen Creek above Home Camp in going to Winterburn. Your viewers are of the opinion that the Township of Huston should be relieved from the burden of maintaining this road and the liability incident thereto

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 preserve 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 view-ers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows:

~~and we herewith retained and copy of the notices~~
WITNESS our hands and seals this 17th day of June

A. D. 1922

James Miller
James Miller
James Miller
James Miller

A. D. 1922

Witness our hands and seals this

all damages that may arise to us respectfully by reason of the location and opening of the 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.

sum of one dollar to us respectively paid by the road located by the viewers, under the annexed order, passes for and in consideration of the

RELEASE OF DAMAGES

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 EMPLOYED	AMOUNT
Geo. Weber	11/23/27	15.10
J. E. Fry	21/2	28.20.15
Frank Hutton	21/2	28.20.15

ORDER

No. 1, May Sessions, 1922

To view road for public use in the

township of Clearfield County Penna.

May Sessions, 1922

read and confirmed N. S. Road to be opened 33 feet wide except where there is side hill cutting or embankment and bedding there to be 16 feet wide

My Mr. Clerk
Singularly

Sept. 20, 1922
Confirms absolutely

My Mr. Clerk
Singularly

Filed 19

Fees \$1.25 paid by

Pentz & Pentz, Attys.

FILED

APR 18 1922

GEO. W. RALSTON
CLERK

TO THE HONORABLE, THE JUDGE OF THE COURT OF QUARTER
SESSIONS OF THE COUNTY OF CLEARFIELD:

The petition of the undersigned respectfully represents:

That they are citizens and tax-payers of the Township of Huston. That a road has long since been laid out leading from Home Camp to Winterburn, a part of which said road, to wit: Beginning at a point in the Township of Huston on the road leading from Home Camp in Union Township to Winterburn, North of the Blanchard farm, on the Blanchard lands, at a place called Hickeyville; thence extending Southerly to intersect a road leading from Home Camp to the Penfield Road; which said point is about _____ miles East of what is known as the "reservoir of the City of DuBois, which said point is in the Township of Huston, and which piece of road is entirely in the Township of Huston and is about two miles in length, of the usual width of a township road, and which said road is too steep for travel and is of a higher grade than that allowed by law, and runs through the woods and no person lives along said road, and there is no improved land thereon and said road is absolutely useless, burdensome, inconvenient and dangerous.

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

And they will ever pray, etc.

<u>H. G. Bonnett</u>	<u>Penfield Pa</u>
<u>Wm. Rogers</u>	<u>" "</u>
<u>M. J. Johnson</u>	<u>" "</u>
<u>L. H. Ouerstuck</u>	<u>" "</u>
<u>E. E. Robacker</u>	<u>" "</u>
<u>J. R. Burkett</u>	<u>" "</u>
<u>C. F. Singer</u>	<u>" "</u>
<u>R. W. Danner</u>	<u>" "</u>
<u>P. M. R. H. H.</u>	<u>" "</u>
<u>F. B. Lee</u>	<u>" "</u>
<u>Wm. H. Lee</u>	<u>" "</u>
<u>Thos. W. Glass</u>	<u>" "</u>
<u>Thos. DeLong</u>	<u>Winterburn</u>
<u>J. M. Harrison</u>	<u>Penfield</u>
<u>Wm. A. DeLong</u>	<u>" "</u>
<u>Henry L. Litchfield</u>	<u>" "</u>
<u>Frederick L. Litchfield</u>	<u>" "</u>
<u>J. B. Litchfield</u>	<u>" "</u>
<u>E. A. Schmitt</u>	<u>" "</u>
<u>C. J. Thompson</u>	<u>" "</u>
<u>Wm. L. Litchfield</u>	<u>" "</u>
<u>A. S. Howard</u>	<u>" "</u>
<u>James Pease</u>	<u>" "</u>
<u>John Bundy</u>	<u>" "</u>



A. O. Chambers

Jos. T. Spotts

C. O. Timlin

Pennfield Pa

Pennfield Pa

Pennfield Pa

STATE OF PENNSYLVANIA

SS:

COUNTY OF CLEARFIELD

Personally appeared before me, a Notary
Public in and for said County and State, _____
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 be-
lief.

Sworn and subscribed before me
this day of February, 1922.

1 May 88 1422

IN THE COURT OF QUARTER
SESSIONS OF THE COUNTY
OF CLEARFIELD

In re: Road
in Huston Township

PETITION OF CITIZENS
AND TAXPAYERS.

20. Being 1992 elections need
and therefore are 1 inch
wide by 1/2 inch and 1/4 inch
wide are placed for
make report to court
as provided by law

My M. Gaud
Houston, PA

17 PENN. PENITZ & PENITZ
ATTORNEYS AT LAW
DUBOIS, PA

BALTIMORE OFFICE SUPPLY CO., BALTIMORE, MD.