

ROAD

DOCKET No. 6

Number Term Year

8 MAY SS 1931

Petition to vacate road

in Huston Twp.

Versus

X

In re: Road in Huston Township,
known as WINTERBURN ROAD

In the Court of Quarter Sessions
of Clearfield County

No. May Sessions, 1931

*
*

TO THE HONORABLE THE JUDGE OF THE ABOVE NAMED COURT:

The petition of the undersigned, Supervisors of the Township of Huston, County of Clearfield and State of Pennsylvania respectfully represents:

That all of the undersigned are Road Supervisors of the Township of Huston, County of Clearfield and State of Pennsylvania and they respectfully represent to your honorable Court that a certain road heretofore laid out and existing for a long time past, known or called the Winterburn Road, leading from Winterburn, Huston Township, Clearfield County, Pennsylvania, up over what is known as McGrainer Hill to a point above or near Sabula, part of which said road, beginning at a point about one-fourth of a mile East of State Highway Route 555 where said Winterburn Road crosses said State Highway and thence extending Westerly to a point where the said road again crosses the said Highway No. 555 at or near the barn of J. B. Hoyt about two and one-half mile West from where the Winterburn road crosses said Route 555, has now become useless, inconvenient and burdensome, by reason of the construction by the State Highway Department of Pennsylvania of an improved concrete highway through the said Township of Huston.

Your petitioners therefore respectfully pray your honorable Court that the said road may be vacated agreeable to the Acts of

General Assembly of the Commonwealth of Pennsylvania in such case made and provided.

And they will ever pray, etc.

L. W. Thomas
J. C. Kirchner
W. J. Lanich

State of Pennsylvania
ss:
County of Clearfield

Personally appeared before the undersigned, a Justice of the Peace in and for said County and State, L. W. THOMAS, J. C. KIRCHNER and W. J. LANICH, who being duly sworn according to law, depose and say that the facts contained in the foregoing Petition are true and correct.

Sworn and subscribed before me
this 4 day of April, 1931

J. C. Kirchner Jr.

L. W. Thomas
J. C. Kirchner
W. J. Lanich

O R D E R

NOW, day of April, 1931, the foregoing Petition of the Supervisors of the Township of Huston, having been duly presented to this Court, setting forth that the road described in said Petition, or the portion thereof, has become useless, inconvenient and burdensome, NOW, THEREFORE, this Court do order and appoint and Viewers to view the said road set forth in said Petition to be vacated, and to consider and judge whether the same has become useless, inconvenient and burdensome and to make report thereof to this Court at the next term thereof, to wit: September Sessions 1931.

BY THE COURT

P.J.

In the Court of Quarter
Sessions of Clearfield
County
No. 8 May Sessions, 1931

In re: Road in Huston Town-
ship, known as WINTERBURN
ROAD

P E T I T I O N

June 18th 1931

Carl Bone et al
vs. Huston
Twp. and the
Clearfield miners
to name and report
By the court.

John Blaine

H. H. FENNIGER & BRENTZ
ATTORNEYS AT LAW
DU BOIS, PENNA.
APR 27 1931

GEO. W. RALSTON
CLERK

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 30th day of November in the year of our Lord one thousand nine hundred thirty one

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of HUSTON in said County, setting forth that a certain public road in the township of Huston leading from Winterburn Huston Twp. up over what is known as McGrainer Hill to a point above or near Sabula part of which road beginning at a point about one-fourth of a mile East of State Highway Route 555 where said Winterburn road crosses said state highway and thence extending westerly to a point where the said road again crosses the said highway No. 555 at or near the barn of J. B. Hoyt about two and one half miles west from where the Winterburn road crosses said route 555, be vacated as the same had become useless, burdensome and inconvenient by reason of the new State Highway

and therefore, praying the Court to appoint proper persons to view and 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 John Scollins Esq. Ed Billotte and H. P. Dowler

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

RETURNABLE TO FEBRUARY TERM, 1932

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, ^{to No. 8 May Sessions, 1931} have 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 three notices thereof were posted along the route of the proposed road, that the said view would be held on the 31st day of December A. D. 1931, and the hearing to be held in the ~~Arbitration~~ ^{Grand Jury} Room, at the Court House, in Clearfield, Pa., on the 4th day of January, 1932 at 10:00 o'clock A.M. That three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view: W. J. Lanich, L. W. Thomas and August Wilhelm, Supervisors of Huston Twp. J. Blake Hoyt, Mrs. Nellie McCloud, W. H. Overdorf, R. E. Johnson and W. W. Milliron.

parties in interest. That the hearing was held in the ~~Arbitration~~ ^{Grand Jury} Room, in the Court House, at Clearfield, Pa., on the 4th day of January A. D. 1932, when the following appearances were noted: John J. Pents, Esq., for petitioners; John C. Arnold, Esq., for protestants. W. J. Lanich, L. W. Thomas, August Wilhelm, Supervisors; J. B. Hoyt, L. W. Smith, M. J. Townsend, and W. W. Milliron, in behalf of the Winterburn Land Co. All sworn, examined and cross-examined by counsel and your Board.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is occasion for a road as desired by the petitioner, and that the same is necessary for a private 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 private use the following described road, to wit Beginning at its intersection with the public road leading from Winterburn to (Penfield) and State Highway Improved Route No. 555, about 1/4 mile East thereof; thence along lands of John E. DuBois and Robert Johnson South 44 degrees, West 100 feet; thence still thereby South 22 degrees 30 minutes West 50 feet to a post; thence along lands of Percy Clyde, Robert Johnson and Thos. Delong South 9 degrees 15 minutes West 472 feet to a post; thence along lands of Percy Clyde and DuBois Hunting Club and Meadow Brook Club South 0 degrees 45 minutes; West 400 feet to a post; thence along lands of Edw. Hauck and Percy Clyde South 10 degrees, 15 minutes West 200 feet to a post; thence still thereby South 18 degrees 30 minutes West 125 feet to a post; thence still thereby South 45 degrees 45 minutes West 100 feet to a post; thence still thereby South 77 degrees 30 minutes West 300 feet to a post; thence still thereby South 68 degrees West 228 feet to a post; thence still thereby South 52 degrees 30 minutes West 250 feet to a post; thence still thereby South 75 degrees 15 minutes West 333 feet to a post; thence still thereby South 85 degrees 30 minutes West 200 feet to a post; thence South 89 degrees 30 minutes West 250 feet to a post; thence still thereby North 85 degrees 30 minutes West 873 feet to a post; thence by lands of Edward Hauck, Winterburn Land Co. and Percy Clyde South 78 degrees 15 minutes West 512 feet to a post; thence by lands of Winterburn Land Co. and Percy Clyde South 86 degrees 30 minutes West 50 feet to a post; thence still thereby South 55 degrees 45 minutes West 150 feet to a post; thence still thereby South 76 degrees 15 minutes West 296 feet to a post; thence still thereby North 85 degrees West 200 feet to a post; thence still thereby North 86 degrees 45 minutes West 308 feet to a post; thence still thereby North 66 degrees 45 minutes West 50

PETITION TO RE-VIEW

No. 8 May Sessions, 1931

ORDER

To view review
a road for public use in the
township of Huston
Clearfield County

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.

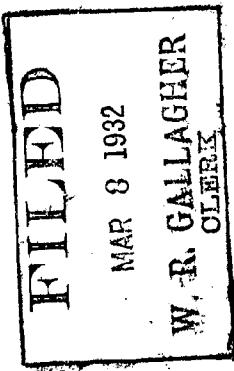
	Days	Miles	M.T.
H. P. Dowler	2	80	\$19.00
E. D. Billotte	3	164	\$50.70
John Scollins	4	196	\$39.80

May 2 Sessions, 1932
read and confirmed Ni. Si. Road to be
opened 33 feet wide, except where there
is side hill cutting or embankment and
bridging, there to be 16 feet wide.

By the court
A. H. Blaize

Now left 8.5 feet
confirmed aforesaid
By the court
A. H. Blaize

Petition filed by W. R. Gallagher
Filed
Fees \$1.25 paid by



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 _____

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 respectfully by reason of the location and opening of the said road, so that neither we nor any af 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. 192 _____.

Seal

Seal

Seal

Seal

feet to a post; thence still thereby North 64 degrees 30 minutes West 450 feet to a post; thence still thereby North 70 degrees 30 minutes West 550 feet to a post; thence still thereby North 85 degrees 30 minutes West 475 feet to a post; thence still thereby South 81 degrees 30 minutes West 650 feet to a post; thence still thereby South 69 degrees 15 minutes West 312 feet to a post; thence by lands of Percy Clyde, Charles Berkey and Winterburn Land Co. North 86 degrees 45 minutes West 300 feet to a post; thence by lands of Chas. Berkey and Winterburn Land Co. North 73 degrees 30 minutes West 100 feet to a post; thence still thereby North 56 degrees West 200 feet to a post; thence still thereby North 45 degrees 45 minutes West 630 feet to a post; thence along lands of Chas. Berkey North 41 degrees 30 minutes West 300 feet to post; thence along lands of Samuel Berkey, now Chas. Berkey, North 54 degrees West 100 feet to a post; thence along lands of Chas. Berkey North 72 degrees West 560 feet to a post; thence still thereby North 52 degrees 15 minutes West 100 feet to a post; thence still thereby North 39 degrees West 400 feet to a post; thence still thereby North 51 degrees 15 minutes West 250 feet to a post; thence North 62 degrees 30 minutes West 200 feet to a post; thence still thereby North 75 degrees 30 minutes West 935 feet to a post; thence still thereby North 69 degrees 15 minutes West 200 feet to a post; thence still thereby North 74 degrees West 100 feet to a post; thence still thereby North 78 degrees 30 minutes West 400 feet to a post; and thence along lands of Nellie McCloud and Chas. Berkey South 86 degrees 30 minutes West 190 feet and ending on State Highway Route 555.

We further find that in proceedings had to No. 8 May Sessions, 1931 that the aforesaid road formerly a public road was returned for vacation by the Board of View. No person appearing to oppose the vacation, which Return was confirmed Ni. Si at September Sessions, 1931.

That on November 30, 1931, upon petition of W. H. Overdorf et al an order for re-view having been issued to the undersigned Board acting as Re-viewers; upon re-view and re-hearing your Board finds that there is occasion for said road as a private road for the use and accomodation of property owners abutting thereon, to be kept and maintained as a private road as provided by Act of Assembly.

Your Board concurs in the Report of the Board of Viewers and agrees that that portion of said Road, Beginning at its intersection with State Highway Route No. 555, and thence along lands of Nellie McCloud South 58 degrees West 153 feet to a post; thence thereby South 30 degrees West 437 feet to a post; thence still thereby South 54 degrees 45 minutes West 300 feet to a post; thence still thereby South 55 degrees 30 minutes West 430 feet to a post on lands of J. B. Hoyt; thence along lands of J. B. Hoyt South 85 degrees West 355 feet and ending in State Highway Route No. 555, has become useless, inconvenient and burdensome and therefore recommended for vacation as originally prayed for.

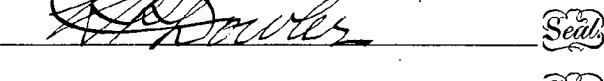
All parties interested desiring to be recorded as satisfied with the foregoing Return, it was agreed that no damages be assessed or awarded.

00000 No damages assessed or awarded

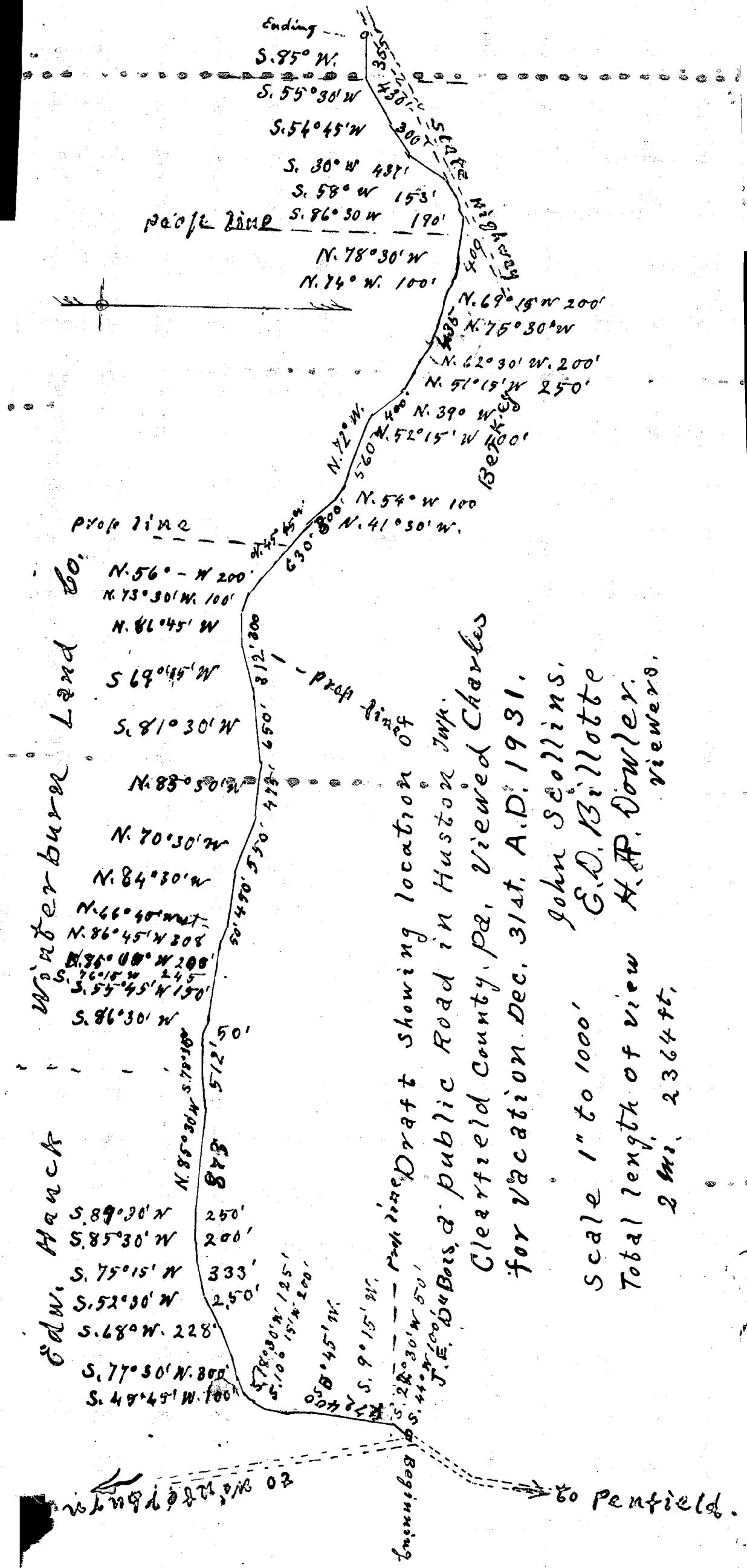
and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 24th day of February
A. D. 1932


J. H. Beckard 

E. S. Billotte 

K. D. Davies 

J. B. Hoyt.



IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

In re: Vacation of Public Road | Re-View
in Huston Township. | No. 8, May Sessions, 1931.

TO: The 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 Road, or assess damages, leading from Winterburn, in Huston Township, over McGrainer Hill to a point near Sabula in Huston Township, beginning at a point about one-fourth of a mile East of State Highway Route 555 where said Winterburn Road crosses said State Highway and thence extending Westerly to a point where the said road again crosses the said Highway No. 555 at or near the barn of J. B. Hoyt about two and one-half miles West from where the Winterburn road crosses said Route 555 in Huston Township, in the County aforesaid, will meet at the Barn of J. B. Hoyt in Huston Township, on Thursday, the 31st day of December, A.D. 1931, at 2:00 o'clock P.M., to attend to the duty assigned them, of which time and place, all parties interested will take notice.

And the public hearing in the matter required by the Act of Assembly, and the Rules of the said Court, to be held by the Viewers, will be held in the Grand Jury Room of the Court House, at Clearfield, Pennsylvania, on Monday, the 4th day of January, A.D. 1932, at 10 o'clock A.M., or as soon thereafter as counsel can be heard.

W.W. Seecin
E.D. Bilekko
K.P. Dowler

Viewers

December 18th, 1931.

AND NOW, this 21st day of December, 1931, service of notice of the aforesaid proceedings received, and service thereof is hereby accepted for the County of Clearfield by copy.

L.C. Morris
Clerk.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

In re: Vacation of Public Road | Re-View
in Huston Township. | No. 8, May Sessions, 1931.

TO: J. C. Kerchner, W. J. Lanich and L. W. Thomas, Supervisors of Huston Township, 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 Road, or assess damages, leading from Winterburn, in Huston Township, over McGrainer Hill to a point near Sabula in Huston Township, beginning at a point about one-fourth of a mile East of State Highway Route 555 where said Winterburn Road crosses said State Highway and thence extending Westerly to a point where the said road again crosses the said Highway No. 555 at or near the barn of J. B. Hoyt about two and one-half miles West from where the Winterburn road crosses said Route 555 in Huston Township, in the County aforesaid, will meet at the Barn of J. B. Hoyt in Huston Township, on Thursday, the 31st day of December, A.D. 1931, at 2.00 o'clock P.M., to attend to the duty assigned them, of which time and place, all parties interested will take notice.

And the public hearing in the matter required by the Act of Assembly, and the Rules of the aforesaid Court, to be held by the Viewers, will be held in the Grand Jury Room of the Court House, at Clearfield, Pennsylvania, on Monday, the 4th day of January, A.D. 1932, at 10 o'clock A.M., or as soon thereafter as Counsel can be heard.

John Federid
E.D. Rillotte
H.P. Drower
Viewers

December 18th, 1931.

AND NOW, this 22nd day of December, 1931, service of notice of the aforesaid proceedings received by copy, and service thereof is hereby accepted for the Township of Huston.

L. Thomas
August Wallbely
W.P. Lanich
Supervisors.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

To Hon. A. R. Chase, the President Judge of the said Court:-

Your undersigned petitioners who are citizens of the said County of Clearfield and are landowners in Huston Township would respectfully represent:-

That by a petition filed in this court by the Supervisors of Huston Township praying that a certain public road in said township described in said petition as "leading from Winterburn Huston Township Clearfield County, Penna., up over what is known as McGrainer Hill to a point above or near Sabula part of which road beginning at a point about one-fourth of a mile East of State Highway Route 555 where said Winterburn road crosses said state Highway and thence extending Westerly to a point where the said road again crosses the said Highway No. 555 at or near the barn of J. B. Hoyt about two and one-half miles West from where the Winterburn Road crosses said Route 555", be vacated as the same had become useless, burdensome and inconvenient by reason of the construction by the Highway Department of Pennsylvania of an improved concrete highway through the said Township of Huston.

That the Court appointed viewers to view and vacate the said road with order to report at the September Term of the Quarter Sessions Court of Clearfield County, of 1931, and that the Viewers did view and vacate the said public road and made report accordingly to the September Term for 1931, of the said Quarter Sessions Court.

That the vacation of said public road will work great damage and inconvenience to your petitioners.

Your petitioners therefore pray that the Court appoint viewers to re-review the said road and make report thereof to the February Term of 1932 of the said Quarter Sessions Court of Clearfield County as is by law in such case made and provided and they will ever pray.

W.H. Overdorff
C.E. Berkey
Winterburn Land Co.
By W.H. Williams, Atty.

CLEARFIELD COUNTY,)
Pennsylvania.) SS

W H. Overdorf one of the above subscribed petitioners being duly sworn according to law deposes and says that the facts set forth in said petition are true and correct.

W.H. Overdock

Sworn and subscribed before
me the 30th day of November
1931. *[Signature]*

May 22 1931
NO. 8
FEBRUARY 22, 1932

THE QUARTER SESSIONS COURT
OF CLEARFIELD COUNTY, Pa.

PETITION FOR RE-VIEW OF PUBLIC
ROAD IN HUSTON TOWNSHIP.

Now, Nov 30th 1931 the
within petition read and by
the Court considered and the
Court does appoint
John Schell, Ed. Belloth.
J. H. Powers 2nd
Petitioners to view
and report to the Court at
REVIEWED.

NOV 30 1931 the Court,
GEO. W. RALSTON, *G. W. Ralston*,
CLERK *J. H. Powers* P/J.

150 paid by *W. H. Overdorff*

CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa., in and for said County, on the 27th day of April in the year of our Lord, one thousand nine hundred and thirty one

A. R. CHASE

By the Honorable ~~Washington Bell~~, President Judge of the said Court: Upon the petition of sundry ~~Supervisors~~ ~~inhabitants~~ of the Township of Huston, in the County aforesaid setting forth that a certain road for a long time past, known or called the Winterburn road, leading from Winterburn, Huston Township, Clearfield County, Pa. up over what is known as McGrainer Hill to point above or near Sabula, part of which said road, beginning at a point about one-fourth of a mile east of State Highway Route 555 where said Winterburn Road crosses said State Highway and thence extending Westerly to a point where the said road again crosses the said High No. 555 at or near the barn of J.B. Hoyt about two and one-half mile West from where the Winterburn road crosses said Route 555, has now become useless, by reason of an improved concrete highway through the said Township of Huston

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers EARL G. BOOSE, Esq. J. E. Frye and GEO. K. WEBER who have been duly appointed by the said Court on the County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; 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 the place where they would meet, to view 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 QUARTER SESSIONS OF THE PEACE, IN AND FOR THE COUNTY OF CLEARFIELD, PA.

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, beg leave to report as follows:

That notice of the time of the 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 three notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the 11th day of May, A. D. 1931, and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the ~~Arbitration~~ ^{Grand Jury} Room in the Court House, in Clearfield,

Pa., on the 14th day of May A. D., 1931, at 9.30 o'clock A. M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view Lewis Thorac and W. J. Banich and J. C. Kirchner, Supervisors of Huston Township, and Charles Berkop, Edw. Hoyt and other citizens of Huston Township.

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 14th day of May, ,

A. D. 1931, when the parties interested in the said road were in attendance: the Supervisors of Huston Township, above named, and with them, John J. Pertz Esq., of the law firm of Pertz & Pertz, their counsel, and there was also present Robert Johnson, a citizen of Huston Township. No person appeared to oppose the petition to vacate. Several letters were received from citizens of Huston Township approving the proposed vacation.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome and they therefore return the same for vacation.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY,

Re; Vacation of Public Road : Of May Sessions,
in Huston Township. : 1931.
: No. 8.

To the Supervisors of Huston Township and the Commissioners
of Clearfield County, Pa.

You and each of you will please hereby take notice that upon petition of the Supervisors of said Huston Township, the Judge of this Court has appointed the undersigned as Viewers, to view and vacate that part of the public road in said Huston Township, commonly known as the Winterburn Road leading up over the McGrainer hill, beginning at a point about one-fourth of a mile east of State Highway Route No. 555 where the said Winterburn road crosses the said State Highway No. 555 and thence extending Westerly to a point where the said road again crosses said Highway No. 555, at or near the barn of J. B. Hoyt.

The Viewers will meet to view the road, on Monday, May 11th, 1931, at 1.30 o'clock P. M. at the barn of said J. B. Hoyt, and will meet for the public hearing in the matter in the Grand Jury Room of the Court House at Clearfield, Pa., on Thursday, the 14th day of May, 1931, at 9.30 o'clock, at which times and places you may attend and be heard.

Emmett Bause
J. B. Hoyt
Geo. K. Ulmer

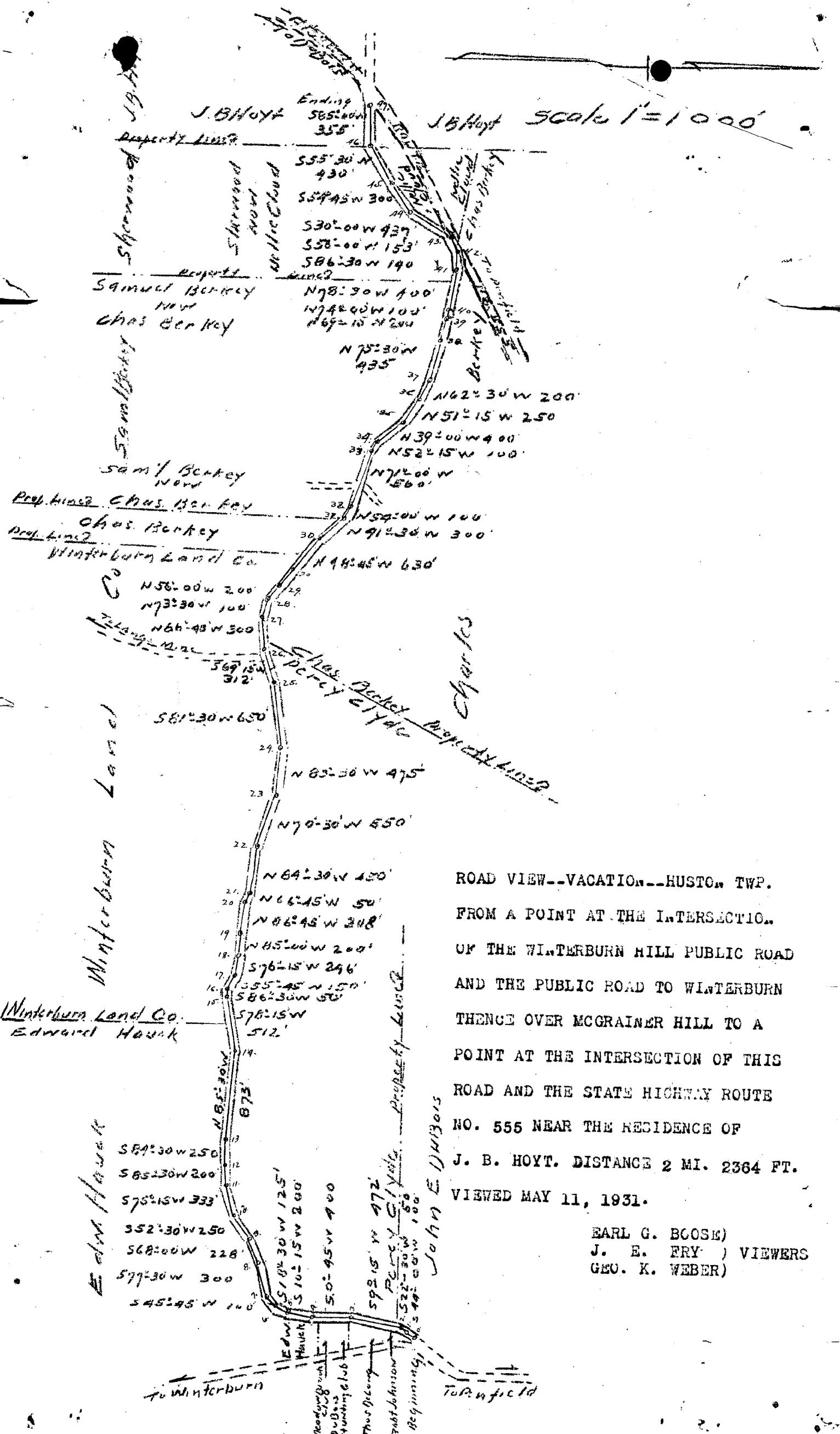
April 30, 1931.

Viewers

Now, May 1, 1931, service of notice of aforesaid proceedings received by copy and service thereof is hereby accepted.

P. J. Doherty
Attys. for Petitioners.

D. C. Morris
Clerk for the County Commissioners



ROAD VIEW--VACATION--HUSTON TWP.
FROM A POINT AT THE INTERSECTION
OF THE WINTERBURN HILL PUBLIC ROAD
AND THE PUBLIC ROAD TO WINTERBURN
THENCE OVER MCGRAINER HILL TO A
POINT AT THE INTERSECTION OF THIS
ROAD AND THE STATE HIGHWAY ROUTE
NO. 555 NEAR THE RESIDENCE OF
J. B. HOYT. DISTANCE 2 MI. 2364 FT.
VIEWED MAY 11, 1931.

EARL G. BOOSE)
J. E. FRY) VIEWERS
GEO. K. WEBER)

Road Viewers' Notice

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate a part of a certain Public Road leading from Winterburn in Huston Township, over McGrainer hill to a point near Sabula

in Huston Township, ~~as~~ beginning at a point about one-fourth of a mile east of State Highway Route No. 555 where said Winterburn Road crosses said State Highway and thence extending westerly to a point where said road again crosses the said Highway No. 555 in Huston Township, in Clearfield County, aforesaid, at or near the barn of J. B. Hoyt. will meet at the barn of J. B. Hoyt

in Huston Township, on Monday, the eleventh day of May 1931, at 1.30 o'clock, P. M. to attend the duty assigned them, of which time and place aforesaid all parties interested will take notice.

The Public Hearing in the matter required by the Act of Assembly, and the Rules of the aforesaid Court, to be held by Viewers, will be held in the Grand Jury

Room of the Court House at Clearfield, Penna., on Thursday the 14th day of May, 1931 at 9.30 o'clock A. M.

Earl G. Beane

J. E. Fry

April 30.

19. 31

Geo. K. Weber

Viewers.

No. 8 May Term 19 31

ORDER TO VACATE

NOTE.—In case of a ~~p~~ 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	Miles	Amt
GEO. K. Jochr	2	47	19.70
J. T. Fry	5	54	42.90
Earle G. Boage	3	42	26.70

Now Sept Sessions 1931

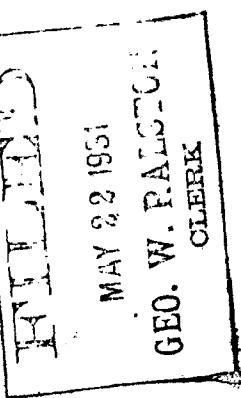
read and confirmed Ni. Si.

By the Court
J. M. Chaffey
Sessions 1931.

confirmed absolute.

By the Court.

W. F. Allis
Sessions 1931. P. J.



Filed to attorney
19

Fees \$1.25 paid by

[Signature] *W. F. Allis*

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacation of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from:

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up of the said road; we, the undersigned Viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof, as follows:

No person having appeared to either oppose the vacation of the road or to ask damages on account of its vacation, the Viewers found that no damage has been incurred or would be incurred by said vacation and therefore no damages have been awarded.

and we herewith return releases obtained, and copy of the notices.

Witness our hands and seals this

day of , A. D. 19

Emmett Powers [SEAL]
R. B. Tracy [SEAL]
George K. Weber [SEAL]

Viewers.