

DOCKET No. 6

Number	Term	Year
2	SEPT SS	1932

Petition for public road in

Huston Twp

Versus

X

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 27th day of June
in the year of our Lord one thousand nine hundred
32

A. R. Chase P. J.
Judge of the same Court: Upon the petition of sundry in-
RESIDENTS
Advocates of the Township of HUSTON

in said County, setting forth that An old private road
Running from the village of Tyler to Bell Hollow, which has been
maintained by the residents of that vicinity for the period of 20 or
more years, is now narrow, poorly maintained and at times ^{nearly} impassible.
That the maintainance of this road has worked a hardship on the residents
of Bell Hollow, who have had to maintain this road themselves

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 EARL G. BOOSE ESQ.
J. E. FRY, AND GEORGE K. WEBER.

who have been duly appointed by the Court and filed their oaths of office and are duly quali-
fied 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 petitioners 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.

W. R. Hollenback, 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 three notices thereof were posted along the route of the proposed road, that the said view would be held on the eighth day of July, ^{Grand Jury} ~~1932~~ ¹⁹³² A. D. ~~1932~~ ¹⁹³², and the hearing to be held in the ~~Arbitration~~ ^{Grand Jury} Room, at the Court House, in Clearfield, Pa., on the eleventh day of July, ~~1932~~ ¹⁹³², at 9.00 o'clock A. M. That all of the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Messrs. W. J. Lanich, L. W. Thomas and B. F. Wilhelm, the Supervisors of Huston Township.

parties in interest. That the hearing was held in the ^{Grand Jury} ~~Arbitration~~ Room, in the Court House, at Clearfield, Pa., on the eleventh day of July A. D. ~~1932~~ ¹⁹³², when the following appearances were noted: Morris Silberblatt Esq., of counsel for the petitioners, and of the petitioners, John Silinski, Harry Stefano and others interested.

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 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 ----- use the following described road, to wit~~ Beginning The Supervisors of Huston Township having advised the Viewers on the day of the view that they were willing to agree for themselves that if the landowners who are the petitioners in this case, would be willing and desired to work out on the said private road themselves, the aggregate amount of road taxes assessed to them by the taxing authorities of Huston Township, yearly, that the Supervisors would exonerate them of payment of said road tax, and in addition would allow them the use of a township road scraper to work out on the said road the said amount of road tax so exonerated. At the hearing, after a discussion of the offer, by the petitioners themselves, and conference with their counsel, they agreed to accept the said offer and asked that the Viewers make such recommendation to the Court. The Viewers do therefore recommend to the Court that the Supervisors of Huston, beginning with the present fiscal year, and continually hereafter, be authorized to exonerate the taxpayers of road tax in Bell Hollow, of all road tax assessed to them, upon condition that the said taxpayers expend upon their said private road, the said aggregate amount of money or work done to that amount in maintaining their road, and also that the Supervisors be authorized to permit the said taxpayers to use one of the road scrapers of the township on the said road while doing said work, without charge therefor, this arrangement however not to affect the existing rights of landowners over whose lands the said private road is layed out, and who are not petitioners for this view or who were not present at the hearing.

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

Re; Petition to View and) Of September Term,
Lay out a Public Road) 1932.
in Huston Township.) No. 2.

.....

To the Petitioners, the Supervisors of Huston Township and the
Commissioners of Clearfield County;

You and each of you are hereby required to take notice
that upon petition of divers citizens of Huston Township,
setting out that an old private road leading from Tyler to
Bell Hollow, in said Township, maintained by residents of
that vicinity is narrow, poorly maintained and at times
nearly impassable, and praying that the court appoint viewers
to view and lay out a public road between the said two points;
the Court has appointed the undersigned as Viewers for said
purpose. The Viewers will hold the view on Friday, July 8th,
1932, meeting for that purpose at the Post Office in Tyler,
Pa., at two o'clock in the afternoon. The public hearing will
be held in the Grand Jury Room in the Court House at Clearfield
Pa., on Monday, July 11th, 1932, beginning at nine o'clock in
the morning, at which time and place all parties interested
will be heard.

June 30th, 1932.
DuBois, Pa.

Earle G. Boose
J. E. Fry
Geo. K. Weber
Viewers.

Now, June 30th, 1932, the above notice served upon us and
copy of the same delivered, and service of the notice is
hereby accepted.

Will D. Laughlin & Alva H. Cull

For the Petitioners.
Paul J. [Signature]

For Supervisors of Huston Twp
L. E. Morris

For Commissioners of Cfld. County.

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 to lay out as a Public..... Road leading from the village of Tyler..... inHuston..... Township, to Bell Hollow..... in Huston..... Township, in Clearfield County, aforesaid, will meet at the Post Office in the Village of Tyler..... in Huston..... Township, on Friday the eighth day ofJuly..... 1932, attwo..... 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., onMonday..... theeleventh..... day of July..... 1932, atnine..... o'clock A. M.

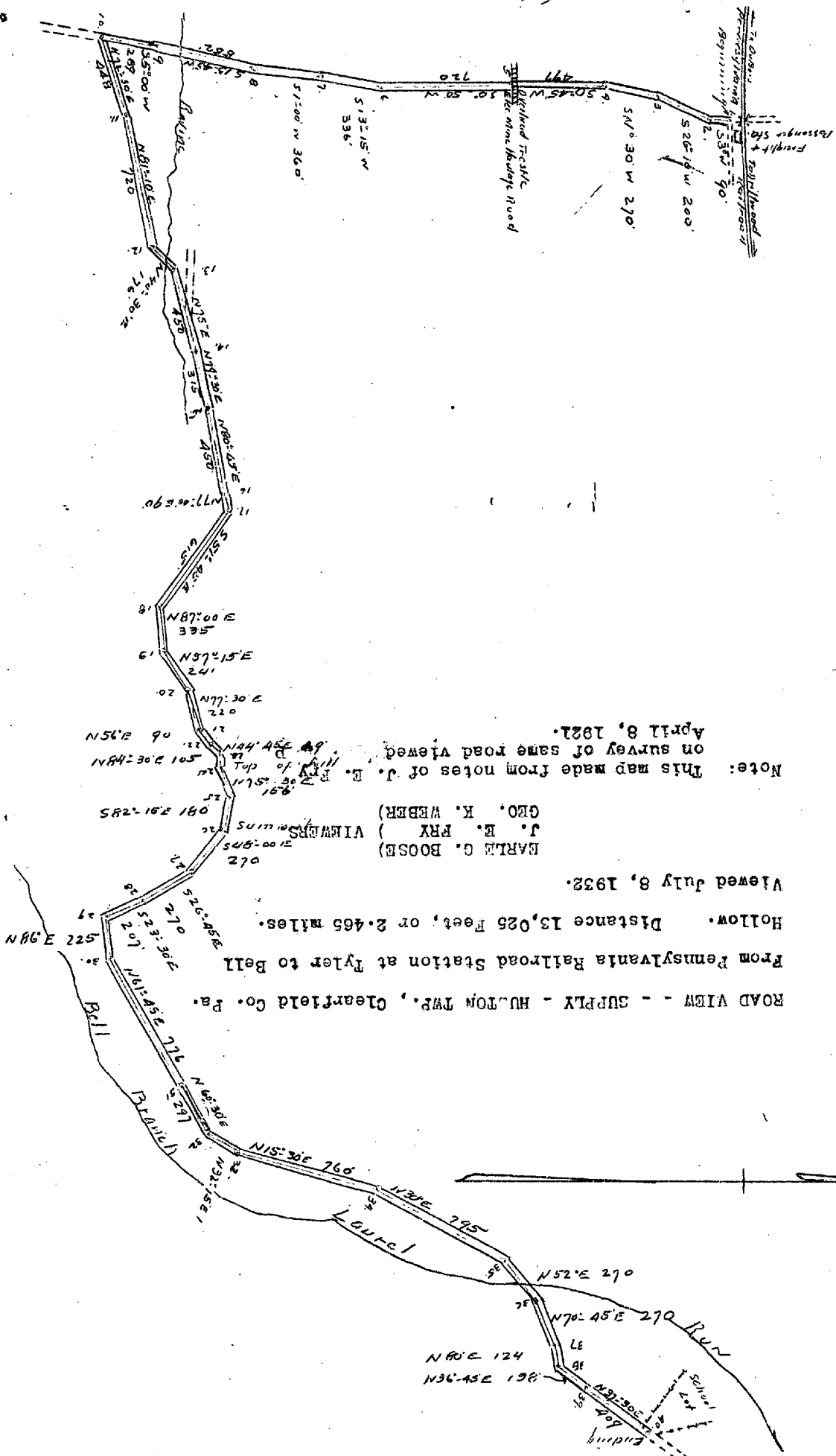
June 30th. 1932.

Earle G. Boose

J. E. Fry

Geo. K. Weber

Viewers.



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

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

WITNESS our hands and seals this twelfth day of July,

A. D. ~~192-~~ 1932.

James H. George
J. E. Fry
Geo. B. Weber

Seal

Seal

Seal

Seal

No. 2 Sept. Sessions, 1932

ORDER

To view _____
road for _____ Public _____ use in the
township of _____
Clearfield County _____

_____ Sessions, 19____,
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.

Now Left SS 1530

rec'd & confirmed
By the Court

APB Chase

Now Sec SS 1530
Confirmed and sealed
By the Court

Filed _____
Fees \$1.25 paid by _____

Bell O'Laughlin & S. Berblatt

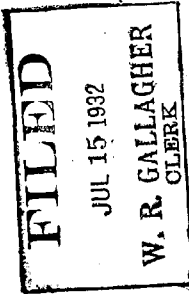
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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	AMT.
Earle G. Boose	4	82	\$38.20
J. E. Fry	3	47	\$27.20
Geo. K. Weber	2	54	\$20.40



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 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 respectfully 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. 192____.

Seal

Seal

Seal

Seal

no. 2. 22-1-10-1

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

Re:
Public Road in Huston
Township.

PETITION TO SUPPLY A ROAD
IN HUSTON TOWNSHIP.

FILED
JUN 27 1932
W. R. GALLAGHER
CLERK

BELL, O'LAUGHLIN & SILBERBLATT
ATTORNEYS AT LAW
KURTZ BUILDING
CLEARFIELD, PENNA.

The Tuttle Law Print. Publishers, Rutland, Vt.

And Now, ~~May~~ ^{June 24} 1932, the within petition read and considered,
whereupon
Paul A. Boora and George K. Weber
are appointed viewers to view the premises and report to the
Court.

BY THE COURT
[Signature]
P.J.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA

Re: Public Road in Huston Township

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

The petition of the undersigned, residents of the village of Bell Hollow and adjoining villages, respectfully represents:

(1). That there is an old private road running from the village of Tyler to Bell Hollow; which road has been maintained for twenty years or more by the residents of that vicinity.

(2). That the said road is narrow, permitting only one-way traffic, and has been poorly maintained and at times of the year becomes nearly impassable.

(3). That this private road has been used considerably by the people of Tyler, Bell Hollow, and adjoining villages, and connects the village of Tyler with the village of Bell Hollow, and is also a connecting link to camps beyond Bell Hollow.

(4). That the maintenance of said road has worked a considerable hardship on the residents of the village of Bell Hollow, who have had to maintain this road themselves.

Wherefore, your petitioners pray that the Court appoint the proper persons as viewers to view the premises and lay out a public road between the said points, according to law, and they will ever pray.

[Handwritten signatures]

[Handwritten signatures]

Frank Mahoney
 Joe Velti
 Giuseppe Mucilli
 Vito Longo
 Charles M. Gindy Jr.
 Pithus McKinty
 Conrad Guido
 Harold Walker
 Herbert Walker
 Harry J. Smith
 Fred W. Tolson
 Eldon Dean
 Joe H. Binnick
 J. B. Binnick

Andrew Muske
 Steve Seduski
 Angelo Battisti
 James Lesnerki
 David Walker
 Thomas Walker
 Tony Guido
 Sam Peters

STATE OF PENNSYLVANIA :
 : SS
 COUNTY OF CLEARFIELD :

Before me the Prothonotary in and for said County, personally
 came John Silinsky and ~~Stephen A. Silinsky~~, ^{one} of the signers to
 the foregoing petition, who being by me duly sworn according to law
 depose and say that the matters set forth in said petition are true
 and correct.

Sworn and subscribed before :
 me this 16th day of May 1932 :

W. P. Gallagher
 Prothonotary

MY COMMISSION EXPIRES
 FIRST MONDAY OF JANUARY, 1936

John Silinski