

DOCKET No. 6

Number Term Year  
2 SEPT SS 1932

Petition for public road in

Huston Twp

Versus

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  
habitants 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 <sup>nearly</sup> 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

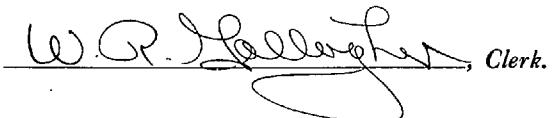
and therefore, praying the Court to appoint proper persons to view and lay out the road  
between the points mentioned, whereupon the Court upon due consideration had of the premises,  
do order and appoint from and among the County Board of Viewers EARL G. BOOSE ESQ.

J. E. FRY, AND GEORGE K. WEBER.

who have been duly appointed by the Court and filed their oaths of office and are duly 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 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. Q. 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, 1932, and the hearing to be held in the Arbitration Room, at the Court House, in Clearfield, Pa., on the eleventh day of July, 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.

Grand Jury  
parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the eleventh day of July A. D. 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.

*Bell O'Laughlin & Webb*  
For the Petitioners.

*Frank Furtach*  
For Supervisors of Huston Twp  
*L. C. 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.....  
in .....Huston..... 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 of.....July,..... 1932, at, two.....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 Monday,.....the eleventh..... day of July,..... 1932, at nine.....o'clock A. M.

Earle G. Boose

J. E. Fry

June 30th.

1932.

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 this, 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. 1932.

George

Seal

J. E. T. Jr.

Seal

John B. Tibor

Seal

Seal



BY THE COURT

And now, the 24th day of January, 1932, the within petition read and considered,  
whereupon  
the court appointed viewers to view the premises and report to the  
Court.

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

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Public Road in Huston  
Township.

PETITION TO SUPPLY A ROAD  
IN HUSTON TOWNSHIP.

FILED

JUN 27 1932

W. R. GALLAGHER  
CLERK

**BELL, OLAUGHLIN & SILBERBLATT**  
ATTORNEYS AT LAW  
KURTZ BUILDING  
**CLEARFIELD, PENNA.**

The Tuttle Law Print, Publishers, Rutland, Vt.

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.

*John C. Clegg*  
John C. Clegg  
John C. Clegg

*A. R. Chase*  
A. R. Chase  
A. R. Chase

Frank Maholz  
Joe Melo  
Giuseppe Minelli  
Vito Gango  
Charles M. Hinkley Jr.  
Arthur McKinley  
Frank Guido  
Harold Walker  
Herbert Walker  
Henry J. Wantz  
Fred. W. Boleson  
Melton Dean  
John H. Giovannick  
John D. Miller

Emilie Hukle  
Steve Laski  
Joseph Patrioli  
James Lesner Bi  
David Walker  
Thomas Walker  
Tommy Guido  
Sam Peters

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS

Before me the Prothonotary in and for said County, personally  
came John Silinsky and ~~Stephen A. Silinsky~~, <sup>one</sup> 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. R. Gallagher :  
Prothonotary

MY COMMISSION EXPIRES  
FIRST MONDAY OF JANUARY, 1936

John Silinsky