

No 1 Dec. Term, 1915

Public Road

Versus

Cunnington Truss

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 23 day of
September in the year of our Lord
one thousand nine hundred fifteen,

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

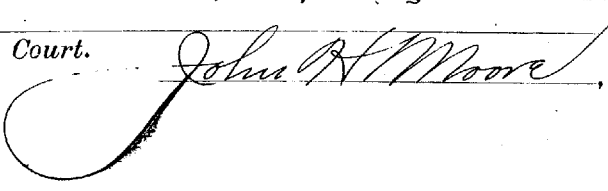
~~in said County, setting forth that a petition was
presented and viewers, appointed by said Court to view and vacate a
public road commencing at a point at or near what is known, Barmore's
old Mill in said Twp of Covington on the road leading from Frenchville
to Rolling Stone bridge to the mouth of Sandy Run in said Twp. That
said viewers reported that said road was necessary for the public and
that the same had not become useless inconvenient and burdensome and
that there is no cause for vacating the same which report was confirmed
nisi. at May SS, 1915 Your petitioners therefore pray your Hon. Court
to appoint proper persons to REVIEW the said road.~~

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 L.E. BOYER, J.S. MICHAELS, and
GEO. 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 impartial-
ity and according to the best of their judgment, 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 dis-
tance, 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.

 John H. Moore, 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, beg 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 Covington and that 3 notices thereof were posted along the route of the proposed road, that the said view would be held on the 3rd day of November, A. D. 191 5, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 22nd day of November, 191 5, at 10:30 o'clock A. M. That two viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view said viewers and daniel
Cizins of said Township,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 22nd day of November A. D. 191 5, when the following appearances were noted: Hon. Allison O. Smith and W. A. Hoger, Esq.,
for Supervisor of said Township and the petitioner; Cole
A. Haiswick for respondents

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 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

Your Viewers respectfully recommend to your
Honorable Court that said road be now
vacated as prayed for.

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 practicable 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 the reason of the location and opening 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: _____

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

WITNESS our hands and seals this 22 day of November
A. D. 1915.

J. S. Michaels
Geo. K. Steber
R. Byr.



No. 1 Dec, Sessions, 1915

ORDER

To ~~view~~ REVIEW & VACATE a road for public use in the township of COVINGTON, Clearfield County

Dec Session, 1915, read and confirmed. Vi. 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.

Pay to Court
for
9 July 1916
absolute
By the Court
W. A. Hagerty

Filed 19

Fees \$1.25 paid by

W. A. Hagerty Atty.

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	AM'T.
Geo. K. Weber	2	108	15.40
D. Michaels	3	132	21.60
M. E. Boyer	3	56	17.80
Auto. Whaling Ave			6.00

Nov. 3 1916

By the Court

Barbara Uddel 1 mile

By Hand Whaling

By the Court

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 respectively 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. 191



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 public Road leading from what is known as Barmore's Old Mill

in Covington Township ~~to~~ on the road leading from Frenchville to Rolling Stone bridge to the mouth of Sandy Run

in said Township, in the county aforesaid, will meet at ~~the house of~~ Barmore's Old Mill, in Covington Township, on Wednesday, the third day of November A. D. 1915, at one o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

L. E. Boyer,

George K. Weber

J. S. Michaels.

VIEWERS

DuBois, Pa., October 8th, 191 5.

Now, October 12th, 1915, service of the within notice ac-
cepted for and on behalf of the Commissioners of Clearfield
County.

L. C. Morris
Clear

Now, October 12th, 1915, service of the withing notice
accepted for and on behalf of the Supervisers of Covington
Township.

W. H. Hagerty
Atty for Supervisors

12/12/15

In re Road in : No. 1 December Sessions, 1915.
Covington Township. :

Notice of Hearing.

Notice is hereby given by the undersigned Viewers that they will hold a hearing in the above entitled matter to review and vacate a public road in Covington Township, at the Arbitration Room of the Court House, Clearfield, Pa., on Monday, the 22nd day of November, 1915, at 10:30 a. m. when and where all parties in interest may appear and be heard.

B. B. G. .
J. P. Michaels,
James K. K.
Viewers.

Now, November 3rd, 1915, service of the foregoing notice accepted for and on behalf of the Commissioners of Clearfield County.

L. L. Morris
Clerk

Now, November 3rd, 1915, service of the foregoing notice accepted for and on behalf of the Supervisors of Covington Township.

W. H. Agnew
as for Supervisor

To the Honorable the Judge of the Court of Quarter Sessions in and for the County of Clearfield:

The petition of the undersigned inhabitants of the township of Covington in said county respectfully sheweth that a petition was presented and viewers appointed by said court to view and vacate a public road commencing at a point at or near what is known as Barmore's old mill in said township of Covington on the road leading from Frenchville to Rolling Stone bridge to the mouth of Sandy Run in said township; that said viewers reported that said road was necessary for the public and that the same had not become useless, inconvenient and burdensome and that there is no cause for vacating the same, which report was confirmed nisi at May sessions, 1915, That your petitioners believe that said viewers made a mistake in refusing to vacate said road; that in the opinion of your petitioners it was both useless and too expensive to maintain and if said report is approved by said court will impose a useless burden on the inhabitants of said township. Your petitioners therefore pray your Honorable Court to appoint proper persons to review the said road and parts adjacent and make report thereof to the court according to law.

And they will ever pray.

James Gormont	John B Gormont Supp.
J B Shipter	Frank Gormont
James Gormont	McK Gormont
J J Gormont	M W Cole
P J Gormont	Earnest Reno
Joseph Gormont	Miles Sloanaway
Georgel Gormont	Peter Valmont

D. F. Guenot	John Calmouct
Penney & Royer	Howard Schmars
E. F. Variot	Boyd Snoway
J. S. Variot	A. F. Farwell
F. A. Mulson	Leon Hugueny
H. H. Louchet	E. F. Miller
Peter Serper	Geit Hugueny
Fred Picard	Felix Rouget
Nestor C. Frelin	Edmond Garmont
Frank Berger	Louise Gormont
Stek Bronckel	Charles Siegf
E. L. Harssey	Joseph Sayer
Charles Berger	H. H. Harssey
A. P. Valimont	Jule Bamma
Felix Roussy	Emile Rouget
Henry Roussy	Edgar Lachet
Fred. Rossey	Jochim Lachet
Louis Roussy	Louise Gormont
J. Schuler	Elmer Hugueny
W. H. Harssey	Nickel Hugueny
M. L. Rider	Olover Pluvell
J. O. Nailson	
George St. Rose	
Henry Roussy	

Dec. 1. ~~Sept~~ or Nov.

Added in from
P. Green House
in Stanley Park

Nov 23 Sept 1915

L. E. Boyer, J. S. Michaels
and G. K. W. W. W. W. W. W.
from the same place.

My 1/2 C. W. W.
S. W. W. W. W. W.
W. W. W. W. W.