

DOCKET No. 6

Number      Term      Year

11

Feb

1925

Petition to vacate road in

Covington Twp near Emery Gormont Farm

**Versus**

X

To the Hon. A. R. Chase, President Judge of the Court of Quarter Sessions of Clearfield County:-

The petition of the undersigned Supervisors of Covington Township respectfully represents:-

That a certain public road in said Township, leading from a point at or near the Emery Gormont Farm, to a point at or near the Sayres Farm, in Covington Township, about three-fourths of a mile in length, has become useless, is untravelled and its maintenance is burdensome upon the Township.

Your petitioners therefore pray that viewers may be appointed to vacate said road.

And the will every pray, etc.

W. E. Bonaway  
Joseph Sayres  
A. T. Viard

SUPERVISORS OF COVINGTON TOWNSHIP.

CLEARFIELD COUNTY, : SS

A. G. VIARD, one of the above named petitioners, being duly sworn according to law, says that the facts set forth in the foregoing petition are true and correct, as he verily believes.

A. G. Viard

Sworn to and subscribed before:  
me this 10<sup>th</sup> day of January, 1925:

F. J. Dugay  
FJD:

KNOW ALL MEN BY THESE PRESENTS, That we W. C. Conaway, and Joseph Sayres, and A. G. Viard, are held and firmly bound under the County of Clearfield, Pennsylvania, in the sum of Fifty Dollars (\$50.00) lawful money of the United States, to which payment well and truly to be made, we do bind ourselves, our and each of our heirs, executors and administrators, firmly by these presents. Sealed with our seal and dated this 10 day of January, A. D. 1925.

WHEREAS a petition has been presented to the Court of Quarter Sessions of Clearfield County, by the Supervisors of Covington Township, asking for the appointment of viewers to vacate a public road in Covington Township, leading from a point at or near the Emery Gormont Farm, to a point at or near the Sayres Farm, in Covington Township, about three-fourths of a mile in length.

The condition of this obligation is such that if the above bounden, in the event that said vacation proceedings are dismissed, shall at all times save and keep harmless the County of Clearfield from costs and expenses relating thereto, then this obligation to be void, or else to be and remain in full force and virtue.

A. G. Viard (SEAL)

W. C. Conaway (SEAL)

Joseph Sayres (SEAL)

WITNESS:

11 Feb 20 1925

PETITION FOR VACATION OF  
ROAD IN COVINGTON TOWNSHIP  
LEADING FROM A POINT AT OR  
NEAR THE ENEMY GORENT FARM  
TO A POINT AT OR NEAR THE  
SAYRES FARM.

Brooklyn Feb 20 1925 within  
petition presented by  
John S. Collins & wife  
and George Schreber  
are appointed managers  
of men and horses  
to construct and repair  
the road.

NO JUSTICE TO

By the Court

Robert H. O'Dell

Robert & Agnes

HARTSWICK, ARNOLD & PLATT.

MILLER & HARTSWICK  
ATTORNEYS AT LAW  
CLEARFIELD, PA.

275-*by attorney*

To Friends & Public Read in Hartshorn

Energy  
Corporation

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Mont  
Biglerville Run

S. 6° 30' E } 100  
Jos. } Sayers.

to central for

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Draft showing location of public road in  
Corington, twp. ~~Cle~~ Clearfield Co. Pa. received from  
vacation Mar. 24th, A.D. 1925.

John Scollins }  
E. L. Billotte } receivers.  
Geo. K. Weber }  
to 100'

John Scollins }  
E. E. Billotte } inventors  
Geo. K. Weber }  
G. S.

Alphonse Couderc  
Scale  
No. 11 Feb. 1925

25 Scale  $\frac{1}{4}$  to 100

to a

TO THE COUNTY COMMISSIONERS OF CLEARFIELD COUNTY, PENNSYLVANIA:

YOU are hereby notified that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to No. 11, February Sessions, 1925, to view and vacate a certain ~~public~~ road in the Township of Covington, leading from a point at or near the ~~Emery~~ Gormont Farm to a point at or near the Sayers Farm, in Covington Township, of about  $\frac{3}{4}$  miles in length, will meet at the Emery Gormont Farm in said Township on Tuesday~~pm~~ the 24th day of March, A. D. 1925 at four (4) o'clock P. M., to attend to the duties assigned them; all parties interested will take notice.

And that the public hearing as required by Act of Assembly and Rules of Court to be held by the viewers before the filing of their report in Court in order to give all parties interested in the said road an opportunity to be heard will be held in the Arbitration Room in the Court House in Clearfield on Thursday <sup>26th</sup> Wednesday, the 25th day of March, A.D. 1925, at two (2) o'clock P. M., at which time and place all parties interested may attend and be heard.

John Seeling  
E. D. Billotte  
Ges. T. Weier  
Viewers

March 4th, 1925.

Now, March 7, 1925, service of the above Notice is accepted for the Commissioners of Clearfield County.

L. O. Morris  
Clerk

TO: A. G. VIARD, JOSEPH SAYERS and W. E. CONOWAY, Supervisors  
of Covington Township, Clearfield County, Pennsylvania:

YOU are hereby notified that the undersigned viewers,  
appointed by the Court of Quarter Sessions of Clearfield County,  
Pennsylvania, to No. 11, February Sessions, 1925, to view and  
make a certain survey in the Township of Covington,

beginning from a point at or near the .~~erry Clement Farm~~ to a point  
at or near the Hayes Farm, in Covington Township, of about  
8/4 miles in length, will meet at the Harry Clement Farm in said  
Township on ~~Wednesday~~ the 26th day of March, A. D. 1925 at ~~four~~  
(4) o'clock P. M., to attend to the duties assigned them; all  
parties interested will take notice.

And that the public hearing as required by Act of  
Assembly and Rule of Court to be held by the viewers before  
the filing of their report in Court in order to give all parties  
interested in the said road an opportunity to be heard will be  
held in the Arbitration Room in the Court House in Clearfield on  
Thursday <sup>26th</sup> ~~Wednesday~~ the ~~25th~~ day of March, A. D. 1925, at the (4) o'clock  
P. M., at which time and place all parties interested may attend  
and be heard.

John Scallion  
E. D. Billotte  
Geo. A. Weber  
V. 10. 1925

March 6th, 1925.

Now, March <sup>12th</sup> 1925, service of the above Notice is  
accepted for the Supervisors of Covington Township.

W. E. Conaway  
A. G. Viard  
Joseph Sayers

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 2nd day of February in the year of our Lord, one thousand nine hundred and twenty five

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of ~~the~~ ~~Supervisors~~  
~~inhabitants~~ of the Township of Covington, in the County aforesaid setting forth that .... a.....  
certain public road in said township, leading from a point at or near the  
Emery Gormont Farm, to a point at or near the Sayers Farm, in Covington  
Township, about three fourths of a mile in length, has become useless, is  
untravelled and its maintenance is burdensome upon the township

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 John Scollins, E. D. Billotte,

GEO. K. Weher 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 Covington, 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

24th day of March, A. D. 1925 and that the public hearing, as required by the Act of Assembly, and the Rules of Court, would be held in the Arbitration Room in the Court House, in Clearfield.

Pa., on the 25th day of March A. D., 1925, at 8:00 o'clock P. 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 Joseph Sayce and A. G. Viard, Commissioners and Joseph Valomel

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 26th day of March,

A. D. 1926, when the parties interested in the said road were in attendance:

Joseph Sayce, J. E. Conroy and A. G. Viard, Supervisors, with their counsel, John C. Arnold, Esq. A. G. Viard sworn, examined and cross-examined.

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has , become useless, inconvenient and burdensome and is therefore vacated.

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 vacating 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 damages assessed

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

Witness our hands and seals this 26th day of March, A. D. 1925.

John Bellard [SEAL]  
E. Billotte [SEAL]

Geo. K. Weber [SEAL]  
Viewers.

No. 11 Feb Term 19 25

**ORDER TO VACATE**

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 considera-

ition the advantages as well as the disadvantages of the road, they will report to that effect.

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19 Filed

Atty, ..... Fees \$1.25 paid by

Hartwick, Arnold & Platt, Atty's.