

Road

**DOCKET No.** 7

**Number**

**Term**

**Year**

**3**

**February**

**1947.**

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**Petition for Viewers to lay a**

**Public Road in Covington Twp.**

**Versus**

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

IN RE PETITION FOR VIEWERS FOR  
PUBLIC ROAD IN COVINGTON TOWNSHIP  
LEADING FROM ROUTE 879 (CLEARFIELD-  
KARTHAUS ROAD) TO DWELLING HOUSE OF  
RALPH L. SCOTT

To the Honorable F. Cortez Bell, President Judge of said Court:

The petition of the undersigned citizens and Supervisors  
of the Township of Covington in the County of Clearfield,  
respectfully represents:

FIRST: That your petitioners are tax payers, citizens  
and the Supervisors of the said Township of Covington.

SECOND: That they and others the traveling public labors  
under great inconvenience for want of a public road or highway  
to lead from the Clearfield-Karthaus Macadam Highway, known also  
as Route 879 at a point one mile east of Frenchville to the  
property of Ralph L. Scott upon which is situate his dwelling  
house, the length of said road is approximately one half mile.

THIRD: That there is no public road serving the place  
of beginning and place of ending as above set forth.

WHEREFORE your petitioners pray the Court to appoint  
Viewers to view and lay out such a public road according to law.

Respectfully submitted.

*Supervisors*

*Matthew Liegey*  
*Daniel Vallant*  
*Wayne Bunes*

Capt D Scott  
Amil Gourent  
Clem Gourent

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS

Before me, the undersigned officer, personally appeared  
Clem Gourent who being duly sworn  
according to law, deposes and says that the facts set forth  
in the foregoing petition for the appointment of viewers are  
true and corret to the best of his knowledge and belief.

Clem Gourent

Sworn to and subscribed before  
me this 18th day of January, 1947.

W. J. Bolman  
Justice of the Peace  
My Commission Expires  
January 7th, 1952

ORDER APPOINTING  
VIEWERS

NOW, *Jan 25*, 1947, the within petition presented  
and read and the following are appointed viewers *John Swallow*  
*Harry Reese Benjamin Hughes*  
for the purposes requested in the petition.

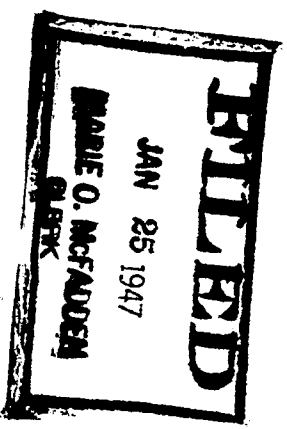
By the Court:

*Fitzgerald*

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

No 3 Feb Ad 1947

IN RE PETITION FOR VIEWERS  
FOR PUBLIC ROAD IN  
COVINGTON TOWNSHIP LEADING  
FROM ROUTE 879 (CLEARFIELD  
KARTHANS ROAD) TO DWELLING  
HOUSE OF RALPH L. SCOTT



LAW OFFICES  
CLARENCE R. KRAMER  
219 MARKET STREET  
CLEARFIELD, PA.

## 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 January in the year of our Lord one thousand nine hundred forty-seven

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

in said County, setting forth that the citizens and Supervisors and the traveling public labors under great inconvenience for want of a public road or highway to lead from the Clearfield-Karthaus Macadam Highway, known also as Route 879 at a point one mile east of Frenchville to the property of Ralph L. Scott upon which is situate his dwelling house, the length of said road is approximately one half mile.

That there is no public road serving the place of beginning and place of ending as above set forth.

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, Harry Reese and Benjamin Hughes

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

By order of the Court.

Marie O. McFadden, 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 Covington and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the 13th day of February A. D. 1947, and the hearing to be held in the <sup>Grand Jury</sup>~~Arbitration~~ Room, at the Court House, in Clearfield, Pa., on the 17th day of February, 1947, at 11 o'clock A. M. That the three viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Ralph L. Scott, petitioner; and Matthew Liegey, Daniel Vallimont and Waynes Kunes, Supervisors of Covington Township,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 17th day of February A. D. 1947, when the following appearances were noted: Ralph L. Scott and Clem Guenot, petitioners; Matthew Liegey and Waynes Kunes, Supervisors of Covington Township. All of whom were sworn, examined and cross-examined by the Board of Viewers

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 public use the following described road, to wit Beginning at a point in the Clearfield-Karthauss Macadam Highway, Rt. 879, approximately one mile East of Frenchville: and thence running North 9 degrees, 10 minutes East, along the dividing line between the properties of Mr. G. Hugeny and Anna Garmo lying on the West side thereof and the properties of Liegey Brothers, Clem Guenot and Ralph Scott lying on the East side thereof, two thousand, three hundred and eleven (2311) feet, and ending at the intersection with private roads leading to the residences of Anna Garmo and Ralph Scott.

We further find as a fact that while but one terminus is in a public road the proposed road is necessary for the use of property owners with no other outlet to the public highway, and is necessary for public travel.

We find that there are three families residing along the route of the proposed road with children of school age; the properties abutting thereon are improved, and occupied as family residences, and the only outlet for public travel, in going to market, church and the mail route.

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 Clem Guenot;  
Matthew Liegey; George and Mervin Hugney; and Annie Gormont

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 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 11th day of April  
A. D. 1947.

John Scellin Seal  
W. H. Rees Seal  
Ben Hughes Seal  
Seal



ORDER

To view \_\_\_\_\_ a  
road for Public use in the  
township of Covington  
Clearfield County \_\_\_\_\_

May Sessions, 1947,  
may 1947  
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.

July 22  
Sept 2 1897  
Conformably  
absolutely  
July 22

Filed \_\_\_\_\_ 19\_\_\_\_  
Fees \$1.25 paid by \_\_\_\_\_

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.
H. A. Reese	3	70	33.50
Benj. Hughes	2	94	24.70
John Scollins	3	112	35.60

11/4/82  
Reported to State  
**FILED**  
JAN 10 1903

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 County of Clearfield

\_\_\_\_\_ 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 County of Clearfield

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 17th day of February  
A. D. 19247.

Orry Everett Seal  
Matthew Liegey Seal  
George Hugney Seal  
Wm. Hugney Seal

Amos Gorman

Nº 3 FEB. 1947

PUBLIC ROAD IN COVINGTON TOWNSHIP  
CLEARFIELD COUNTY PA.

VIEWED AND LAID OUT FEB. 13 - 1947

By JOHN SCOLLINS ESQ.

H.A. REESE

BENJAMIN HUGHES

ANNA G. GARMO

RALPH SCOTT

ENDING

CLEM GUENOT

M.F.G.

HUGENY

N. 91° 10' E. 123.71'

LEIGEY BRO'S

TO CLEARFIELD

BEGINNING

TO KARTH AUS

STATE HIGHWAY

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

In re: Order to view and lay) No. 3, FEBRUARY SESSIONS, 1947.  
out a road for public use in:  
the Township of Covington. )

TO: County Commissioners of Clearfield County,  
Clearfield, Pa.

You are hereby notified that the undersigned Viewers, appointed by the Court to the above number and term, to view and lay out a road for public use in the Township of Covington, beginning at a point in the Clearfield-Karthaus Macadam Highway, one mile east of Frenchville, and ending at the property of Ralph L. Scott, approximately one-half mile in length, will meet at the dwelling-house of Ralph L. Scott, in said Township on Thursday, February 13, 1947 at 2:00 o'clock P.M., to attend to the duties assigned them: of which time and place aforesaid all parties interested will take notice.

And that the public hearing required by the Act of Assembly and the 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 proposed road an opportunity to be heard, will be held in the Grand Jury Room, in the Court House, in Clearfield, on Monday, the 17th day of February, 1947 at 11.00 o'clock A.M., or as soon thereafter as counsel can be heard, at which time and place all parties interested may attend and be heard.

Dated: January 30, 1947.

John Collins  
Harry Reese  
Benjamin Hughes  
Viewers.

CLEARFIELD COUNTY, SS:

Now, this 1st day of February 1947, service of the above Notice is accepted for the County Commissioners of Clearfield County.

Attest:

Ed Lubhart  
Chief Clerk.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENN'A.

In re: Order to view and lay) No. 3, FEBRUARY SESSIONS, 1947.  
out a road for public use in:  
the Township of Covington. )

To: Matthew J. Leigey, Daniel L. Valimont and Wayne Kunes, Super-  
visors of Covington Township, Clearfield County, Pa.

You are hereby notified that the undersigned Viewers appointed by the Court to the above number and term, to view and lay out a road for public use in the Township of Covington, beginning at a point in the Clearfield-Kabthaus Macadam Highway, one mile east of Frenchville, and ending at the property of Ralph L. Scott, approximately one-half mile in length, will meet at the dwelling-house of Ralph L. Scott, in said Township on Thursday, February 13, 1947 at 2:00 o'clock P.M., to attend to the duties assigned them: of which time and place aforesaid all parties interested will take notice.

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*John Collins*  
*Harry Reese*  
*Benjamin Hughes*  
Viewers.

Dated: January 30, 1947.

CLEARFIELD COUNTY, SS:

Now, this 10<sup>th</sup> day of February 1947  
service of the above Notice is accepted for the Supervisors of  
Covington Township.

*Daniel Valimont*  
*Matthew Leigey*  
*Wayne Kunes*  
Supervisors.