

*road*  
No. 2 Sept. SESSIONS, 1912

COMMONWEALTH

VERSUS

*Private Road  
in Conestoga Twp*

Charge

X  
JAMES H. KELLEY,  
DISTRICT ATTORNEY.

To the Honorable the Judge of the Court of Quarter  
Sessions of Clearfield County. Penna.-

The petition of Lewis Royer respectfully  
represents that he is the owner of about sixty seven acres of  
land situate in Covington Township Clearfield County Penna  
adjoining land of Joakim Latchet and F F Coudriet .-

That he labors under great inconvenience for want of a  
private road to lead from his dwelling house located on said  
plantation to the public highway there being no outlet from  
his plantation to the public highway at the present time except  
over private ground .- He therefore prays your Honorable  
Court to appoint viewers to to view and lay out a private  
for him from a point, on the Township road leading from  
Clearfield to Karthaus, on the line between Joakim Latchet and  
F F Coudriet lands to his dwelling house on his said farm or  
plantation

And he will ever pray &c

*Lewis Royer*

*Notary Public*

*Leffler*

*Notary of my for Jeff*

*Soon according to law says this from the  
court I have signed this for before the court  
from 0th page he below to facts & form  
in foregoing public to be free*

*Soon Retained*

*6pm on the 6 Aug } Notary*

*1912*

*John H. Royer*

*Da*

Mr. & Mrs. Wm

Robert J. Powers  
Plan in English  
Country.

FILED
MAY 16 1912
JOHN H. MOORE
CLERK

John May 16th / 912

Master Faber

Dear dear Constance!  
Dear Thompson ~~Dr. P.~~  
Woodward & J. MacMunn  
and G. M. Gill are ap-  
pointed referees to view  
the said premises and  
make report at next  
Term. At the Court  
of Revision & Appeals

John May 16th / 912  
Master Faber

1.25 min by air

Stamps

# ROAD VIEWERS' NOTICE

**NOTICE IS HEREBY GIVEN** that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a private Road leading from a point on the township road leading from Clearfield to Karthaus

xxxxxxxxxxxxxx-xxxxxxxxxxxxxxxxxxxxxx

in Covington Township to dwelling+house of Lewis Royer.

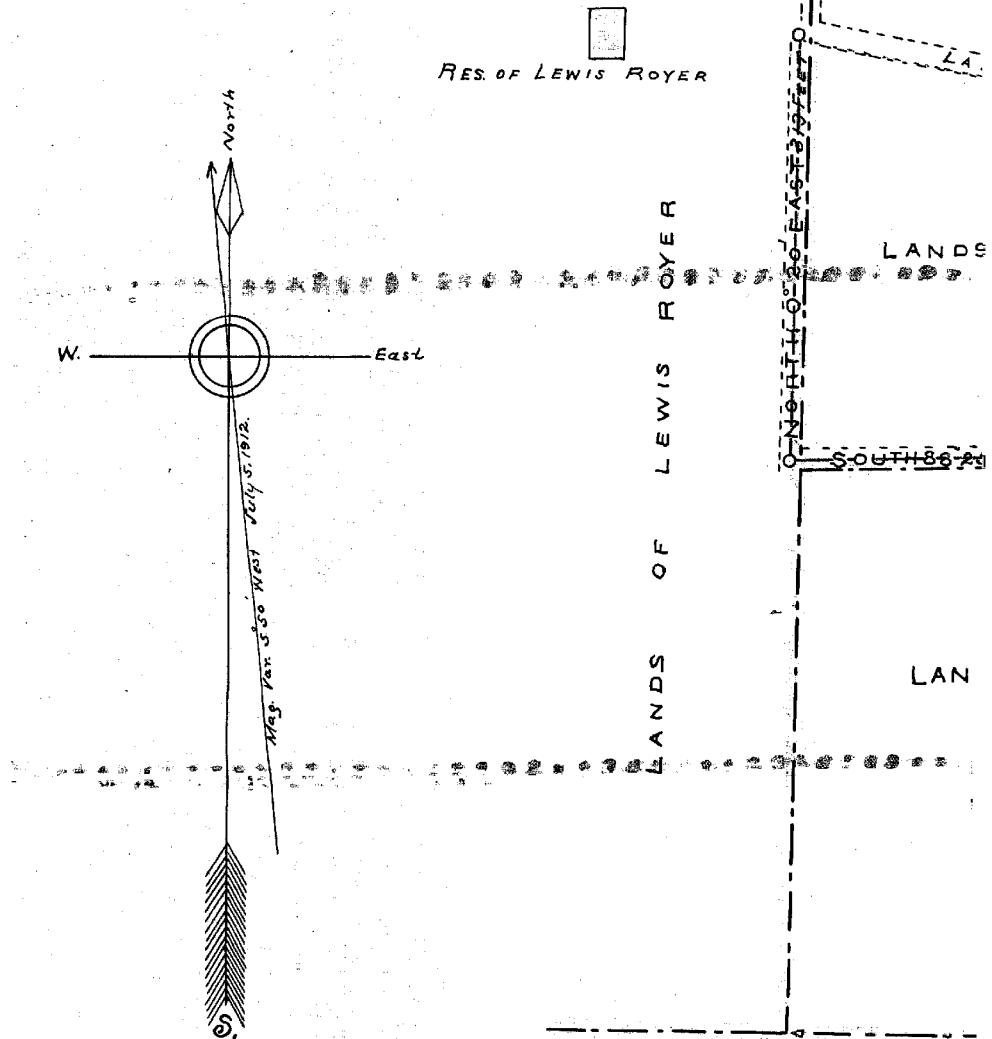
in Covington Township, in the county aforesaid, will meet at the house of \_\_\_\_\_, in Covington Township, on \_\_\_\_\_, the 5th day of July A. D. 1912, at 11 o'clock A M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

H. S. Harrim  
W. G. Giel  
Hugh R. Woodward

VIEWERS

June 25<sup>th</sup>, 1912.

now June 24th 1912 - "service" of notice  
of will then whereby accepted.  
H. H. Boudreault



SURVEY for PRIVATE ROAD

IN COVINGTON TOWNSHIP.

JULY 5TH, 1912.

Scale 100' one inch.

VIEWERS.

H. B. WOODWARD.  
H. S. MacMinn, C.E.  
J. W. Gill.

ROAD TO CLEARFIELD

RES OF HENRY PLUBELL

Res. of F.F. Coudriet

Barn  
Shed

Berryard

OF F. F. COUDRIET

GENERAL SONS OF COUNTRY

WEST 309 FEET

OF TWO JOAKIM LATCHET

THAN  
NORTH 3°36' EAST - 328 FEET

NORTH 13° EAST 56 FEET

NORTH 37°40' EAST 64 FEET

LANE IN USE FOR MORE  
NORTH 20' WEST - 348 FEET

ROAD TO KARTHAUS

# 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 eighteenth day of May in the year of our Lord one thousand nine hundred twelve,

ALFRED O. SMITH

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

in said County, setting forth that Levin Doyer is the owner of about six hundred acres of land situated in Covington Township, Clearfield County Pa., adjoining land of Julius L. Moore and F. F. Courtier. That he labors under great inconvenience for want of a private road to lead from his dwelling house located on Salil plantation to the public highway at the present time crossing over private ground.

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 W. F. Woodard, W. McVine and J. T. Gill

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 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 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.

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:

*J. J. Coudriet*  
*John Cudriet*  
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 ~~GOVINGTON~~ and that notices thereof were posted along the route of the proposed road, that the said view would be held on the Fifth day of July,

A. D. 1912, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the day of , 1912, at o'clock A.M. That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view Lewis Royer,

E.F. Coudriet, Joakim Latchet,

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the day of A. D. 1912, when the following appearances were noted:

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 Private 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 Private use the following described road, to-wit: Beginning In a public road leading to Clearfield, and to Karthaus,

near the residence of Henry Plubell,

Thence following a private road or lane, twenty four feet in width,

along the line separating the lands of

North twenty minutes west, five hundred forty eight feet,

Thence, through the lands of Joakim Latchet, North thirty seven degrees forty minutes east, sixty four feet,

Thence North thirteen degrees east, fifty six feet.

Thence North three degrees thirty five minutes <sup>east</sup>, three hundred twenty eight and one half feet, onto the lands of F.F. Coudriet, said private road or lane having been many years open and in use for entrance and exit of former and present settlers, from said lane the present survey passes South eighty eight degrees twenty five minutes west,

three hundred and nine feet, wholly on the lands of F.F. Coudriet, with a width of sixteen feet, along the line of lands of said Joakim Latchet to the lands of Lewis Royer, the petitioner,

Thence North twenty minutes east, three hundred thirteen feet, wholly on the lands of said petitioner along the land line of said Coudriet to a point near the residence of the said Lewis Royer,

A total distance of sixteen hundred eighteen and one half feet, (1618').

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 M. F. COUDRETT

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 \_\_\_\_\_ day of \_\_\_\_\_

A. D. 191 \_\_\_\_\_

Hugh B. Woodward   
J. H. Maginnis   
J. W. Gill 

## ORDER

To view a road for use in the township of Clearfield County

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.

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 A.M.T.
1	2.5 7.50
2	53 15.30
1	62 11.20
	34.00

Session, 19/2, read and confirmed by Si. Road to be opened ~~16~~ feet wide, except where there is side hill cutting or embankment and bridging, there to be ~~16~~ feet wide.

By the Comt. of Alfonso J. Smith  
Clearfield County, Pa.  
John H. Moore, Clerk  
Filed

Fees \$1.25 paid by —

## 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



Frenchville July 5<sup>th</sup> 1912

Mr W. A. Hegarty

Attorney at Law Clearfield

Dear Sir

Reflecting on the matter about  
Lewis Royer private Road Lewis  
is poor & will give him 16 ft  
on my own land along Zacket  
line free gratis & had offered to  
give him my eight feet free but  
Zacket wanted fifty Dollars then  
to give him 16 ft \$30 Dollars but  
now & will give him 16 ft for  
Nothing Very Respectfully your  
truly F H Coudriet  
along Zacket line where the  
ribers laid it out