

No. 3, Dec Sessions, 1904

COMMONWEALTH

versus

Private Road  
in

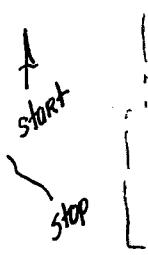
Doggs Twp.  
Rds. #4 - Page 472



Charge

R. Thompson

WILLIAM F. SWOOPH  
DEA BENT ATTORNEY



Decatur PO  
Clif. Co. Loggs Twp.  
Private road Conf. absol. Feb 6, 1905  
16 ft. wide.

Beginning at a road leading from  
Laurel Hill School to a public road  
from Philipsburg to Curwensville.

To the Honorable A. O. Smith, President Judge of the Court of Quarter Sessions of the Peace in and for the County of Clearfield

The Petition of George Kanouff, of Boggs Township, Clearfield County, respectfully represents:

That he labors under great inconvenience for want of a private road to lead from his ~~dwelling house~~ <sup>Plantation</sup>, in the Township of Boggs, to the public road leading from Laurel Run School House to the pike or public road leading from Philipsburg to Curwensville. That he is surrounded on all sides by the land of other persons and while he has had a lane for several years past, yet the party through whose land the same runs has closed the same against him, thereby shutting and closing him in and preventing him from using his property for all purposes and to have the full enjoyment and use of the same.

He, therefore, prays the Court to appoint proper persons to view and lay out the same according to law. And he will ever pray.

Geo Kanouff

Clearfield County, ss.

Personally appeared before me, a ~~Justice of the Peace~~ <sup>lawyer</sup> in and for said County of Clearfield, George Kanouff, who being duly sworn according to law, says the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Sworn and subscribed before me )  
this 24 day of June 1904. )

Geo Kanouff

W. W. Thompson

Officer

3 Dec. 1904

Officer

Officer

Examiner of

George. Knobell  
of Dogto Donabie

For

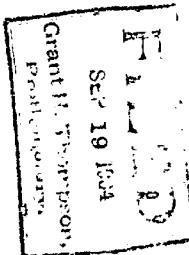
Private Rose -

These Seal 19.1904 pictures  
and seal cancellation and  
thereupon C. B. Alexander  
and Sonie Bush & Robert Bush  
are appointed receivers  
to work on and print  
Trade - Standard newspaper

from -

By the court  
William G. Smith

G.



M. W. C.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 19 day of Sept., A. D. 1904, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Boggs

George Stanouff, the petitioner, in said county, setting forth that he labors under great inconvenience for want of a private road to lead from his Plantation in the Township of Boggs, to the public road leading from Laurel Run School House to the pike or public road leading from Philipsburg to Curwensville, that he is surrounded on all sides by the land of other persons and while he has had a lane for several years past, yet the party through whose land the same runs, has closed the same against him, thereby shutting and closing him in and preventing him from using his property for all purposes and to have the full enjoyment and use of same.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Report to Dec. 1, 1904 whereupon the Court, upon due consideration had of the premises, do order and appoint C. B. Alexander, Isaac Beik, and Polk Shaw who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed to view and lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do the least injury to private property, and state particularly, whether they judge the same necessary for a ~~PUBLIC~~ PRIVATE road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose land said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated land through which the within road is intended to pass, of the time of the view, according to the 147th Rule of Court.

BY THE COURT.

Grant H. Thompson  
Clerk.

Jeff G a  
HSG  
9/14-06

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~~ <sup>thirty dollars</sup> to us respectively paid by the Geo. Kamuff 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 Geo. Kamuff 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.

Geo. Kamuff having always acted as a road viewer for many years past, and the present location of the road is now in his name, in part, along where the road is to be located, being as follows: From the north corner of the road, May 15, 1905.

Witness our hands and seals this 3d day of December 1905.

It being understood that this money is to be retained by the undersigned, Geo. Kamuff, of record by Court.

A. D. 1905.

I agree to comply with the above  
mentioned requirements as to financing  
Dec. 3rd, 1904.

John G. Cole Seal

Seal.

Seal.

15

Ges Kovoroff

Seal

## ASSESSMENT OF DAMAGES.

*The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof, as follows:*

To Jessie Ross the sum of \$5.00 and fence

To David Mease the sum of \$500 and fence if required.

To ..... the sum of

Witness our hands this 8<sup>th</sup> day of December A. D. 1904.

C. B. Alexander

G. Frank Goss

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view Private Road leading from Farm of George Kansuoff

in Boggs Township, to Public Road <sup>The Laurel Run Shelt House to</sup> leading from Philipsburg to Cumminsille

in Boggs Township, in the county aforesaid, will meet at the house of P.R.R. Dep'tt Blue Ball, in Boggs Township, on Monday, the 28th day of November, A. D. 1904, at 10 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

L. P. Alexander

Isaac Beish

Robert Shaw

Viewers.

Nov. 19, 1904.

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view *Private Road leading from the farm of George Kanouff*

in *7300s Township, to the Public Road leading from Philipsburg to Gunnsville*

in *7300s Township, in the county aforesaid, will meet at the house of P.R.R. Depot, in 7300s Township, on Monday, the 28th, day of November, A. D. 1904, at 10 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.*

*O. B. Alexander  
Isaac Beish  
Robert Shaw*

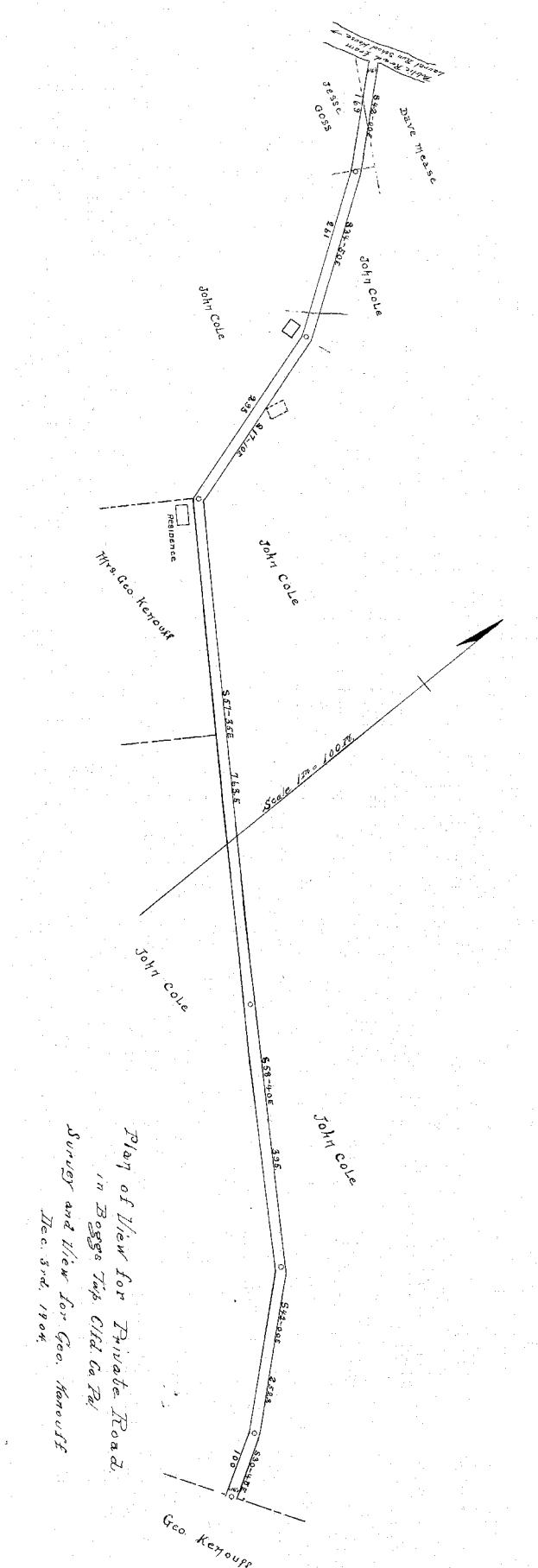
Viewers.

*Nov 19th, 1904.*

service accepted

Nov 21, 1984

Notarized  
by  
John



Survey and View for Geo. Knobell  
in Boggs Twp. Chil Co. Pa.  
Survey and View for Private Road.

TO THE HONORABLE ALLISON O. SMITH PRESIDENT JUDGE OF THE COURT  
OF QUARTER SESSIONS OF CLEARFIELD COUNTY PENNSYLVANIA.

We the under signed viewers ( Mr. Frank Goss having been appointed in place of Robert Shaw deceased ) appointed to view for the private road herein mentioned respectfully report that we gave good and lawful notice of said view to the County Commissioners, the Supervisors of Boggs Township, to the property holders along the proposed road and notices were posted all according to law.

On the 19th. day of November as set forth in the notices served two of your viewers met as appointed but owing to the absence of the Mr. Beish the other viewer, the view was postponed until Saturday Dec. the 3rd. at the same hour of which due notice was given.

, On Dec. the 3rd. your viewers met as appointed and being severally affirmed proceeded to view for said road.

We would further respectfully report that we found the petitioner Mr. George Kenouff much in need of a road from a portion of his farm to his residence through lands of John Cole, and for a continuance of said road from his residence to the public road and through lands of John Cole and others.

After determining the proper position for said road and that said road was necessary, your viewers were able to prevail upon the contending parties for and against this road to make a settlement, which settlement is shown in this report under clause for release of damages.

This matter being satisfactorily adjusted and the road being in our judgement necessary we respectfully recommend that a 16 foot road connecting points as above mentioned be granted.

A map showing courses and distances and locations of this road is herewith attached, and made a part of this report.

Witness our hands this 8th. day of December A. D. 1904.

Viewers.

{ C. B. Alexander.  
G. Frank Goss

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 damages assessed by the original viewers, except so far as the location may be changed by the viewers.

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.

Nov 3 Dec Sessions, 1904

ORDER

To view and lay out a road for private use in the township of Boggess, Clearfield County.

Dec Sessions, 1904,  
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.

By the Court  
Frank H. Thompson  
Clearfield Co.

AMOUNT.
Days 3 } Miles 32 \$15.20
Days 1 } Miles 6 \$6.62
Days 1 } Miles 5 \$2.50
Days 1 } Miles 16 \$1.60
Days } Miles .....

