

No. *B* Sec Sessions, 190*4*

COMMONWEALTH

VERSUS

*Private Road*  
*in*

*Boggs Twp.*

*Rec. #4 - Page 472*



Charge

*R Thompson*

WILLIAM L. SWOODE  
DIST. CLERK AUGUST 22

start  
stop

Decatur PO  
Clk. Co. Boggs Twp.  
Private Pond Conf. Absol. Feb/ 1905  
16 ft. wide.

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

2

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, Clear-  
field County, respectfully represents:

That he labors under great inconvenience for want of a  
private road to lead from his <sup>Plantation</sup> ~~dwelling house~~, 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.

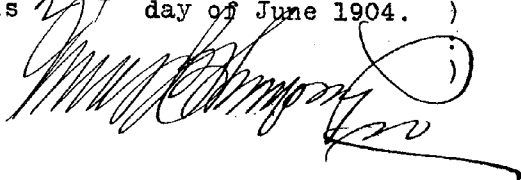
Geo Kanouff

Clearfield County, ss.

Personally appeared before me, a ~~Justice of the Peace~~  
~~Just of the Peace~~ 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



3464 &  
1488  
9121937

3 Dec 1904

Station of  
George. Hancock  
of Boggs Dambois

For

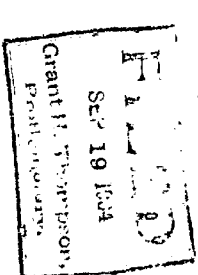
Private Road

Then Sept 19. 1904, petition  
road and cancelled and  
thereupon C. B. Almond  
donor built road but there  
are opposite present  
to report on said private  
road - Rickards way  
done -

By the Court

Almond & Smith

By



Almond

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 Kanouff, 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 Cuiwensville, 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. T. 1904 whereupon the Court, upon due consideration had of the premises, do order and appoint C. B. Alexander, Isaac Beish and Robt 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 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.

Ref. 9a  
10436  
9/14-06

## RELEASE OF DAMAGES.

Know all Men by these Presents, That ~~we~~<sup>I</sup>, 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. Kanouff at and before the ensembling and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said Geo. Kanouff 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. Kanouff having also agreed to build a strong and durable road through my property where there is now no fence or fence along which the road is to pass, I hereby remised, released and forever quit-claimed not later than the 15 of May 1905.

Witness our hands and seals this 3rd day of December A. D. 1904.

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

John G. Cole Seal

Seal

Seal

Geo. Kanouff Seal

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 \$5.00 and fence if required.  
To \_\_\_\_\_ the sum of \_\_\_\_\_

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

C. B. Alexander

G. Frank Fox

# 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 Kanouff

in Boysa Township, to Public Road the Laurel Run Shop House to Bldg from Philpsburg to Cummins ville

in Boysa Township, in the county aforesaid, will meet at the ~~house~~ of P.R.R. Depot Blue Ball, in Boysa 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.

E. 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 *Boggs* Township, to *the Public*  
*the Gravel Run School House, to take from*  
*Road leading from Philipsburg to*  
*Summersville*

in *Boggs* Township, in the county  
aforesaid, will meet at the house of *P. R. R.*

*Depot*, 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 inter-  
ested will please take notice.

*C. B. Alexander*  
*Isaac Beish*  
*Robert Shaw*

Viewers.

*Nov 19th*, 1904.

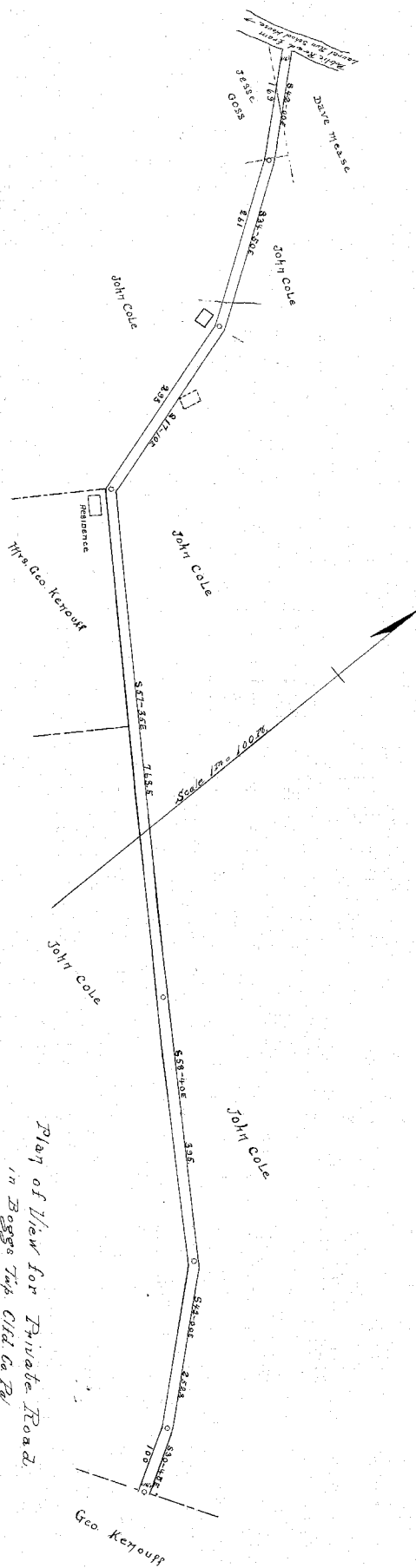


Service accepted

Nov 21, 1904

W. H. Brown  
Ch

Plan of View for Private Road.  
 in Boggs Top City Co Rd.  
 Survey and View for Geo. Harouff  
 Dec. 3rd. 1904.



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.*  
*J. Francis Goss*

How Nov 21. 1904 Return Show me the present amount  
 having said 3 hundred dollars as per  
 place to and about there.

By the Court  
 William D. Smith

Now the hearing as 1905 Return confirmed absolutely the  
 Return is correct and the order is correct. It  
 has made, and fees are kept the same in  
 Return, and order for the same binding upon the  
 Return and Return. No order to open to leave  
 with a copy. Return on order or Return  
 By the Court  
 William D. Smith

Supp. & Co.  
 9/11-1917

No 3 Dec Sessions, 1904

**ORDER**

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

Dec Sessions, 1904,  
 read and confirmed N. S.  
 Road to be opened 33 feet  
 wide, except where there is  
 side hill cutting or embank-  
 ment and bridging, there to  
 be 16 feet wide.

By the Court  
 Grant H. Thompson  
 Clerk

Filed 9 1904  
 Fees \$1.25 paid by son  
 190

NOTE.—In case of a private road, the return 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 origi-  
 nal 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 dam-  
 ages, taking into consideration the advantages as well as the  
 disadvantages of the road, they will report to that effect.

		AMOUNT.	
J. H. H. H. H.	Days 3	Miles 32	\$15.20
	Miles 32		
J. H. H. H. H.	Days 1	Miles 6	\$2.50
	Miles 6		
J. H. H. H. H.	Days 1	Miles 16	1.60
	Miles 16		
J. H. H. H. H.	Days 1	Miles 1	
	Miles 1		