

1895 Term 1884

Sept

Term, 1884

Review of
Public Road

VERSUS

in
Kerthaus & Corrugton
Township's

Contents:

Mr.
and
vs.
Ser.
Per.
rep.
Dec.

ss. next
By the Court
J. L. Battle J.

Filed 9 Sept 1884
James Kerr
Clerk

Mitchell.

at. all upon
C. Barnaby
R. G. Reiter
Francis Genie
P. A. Mulson
J. G. Couderet
Charles Liard
James Holt
John H. Schmars
Jacob Maurer
Frank W. W. W.
J. J. Holt
Frank Werbec
Lewis P. Couderet
John Rougey

J. J. Couderet
August J. Bertho
Bl. u. Peritot
Alex. Peritot
Charles V. V.
H. B. B.

J. J. Couderet
John J. J. J.
A. Rougey
Francis Rougey
L. A. Rougey
Victor Rougey
P. Rougey
Francis Rougey
John Rougey

to the Honorable
Judges of the Court of
Clearfield County Pa

The Petition of the Subscribers
Respectfully Represents that
a road hath been lately laid
out By order of the Court
From Thorton Gense of
Karthaus Township to Garri-
mont in Covington Township
the viewers Being Mr Reed.

wood. and Robert Stewart
with Road if confirmed By
the Court will Be very injurious
to your petitioners they therefore
Pray the Court to appoint
proper persons to Review the
the said Road and Report
according to Law.

In the Court of Quarter Sess.
Held at ...

Petition for a Review
of Public Road from
Gorton Seaside in
Kearlows Twp. to
Fairmount in Burlington
Twp.

And now Sept 8.
1884 ^{E. B. Reed} ~~William Reed~~
or John W. Stone, Ferdinand
M. G. not

are appointed review-
ers to review road de-
scribed in the within
Petition and make
report of same to

Dec. Sess. next

By the Court
J. L. Battle J. J.

Filed 9 Sept 1884

James Kerr
Clerk

Mitchell.

Bill of Costs
Austrian Cost \$300

Costs on Subpeana
Ver by J B Minard.

20 m. Ferr	60
3 Servants	60

Witnesses	
J M. Condrut	50
Geo Emerick	70
J. Gennet	50

Mrs. Murrey & Gordon

Dear Sirs
You will please take particular
notice that if suit should in any
way terminate against Renard
& Wallamant the witnesses
that C. Barney called before
me to have their testimony taken.
And also went to look at the roads
we are not subpoenaed Barney
had 15 men the last time and the first
time I do not recollect

Deposition

Renard Sends Bond
for the marking of Road if
permitted

And with of John W. Minard and
 Dominick V. Gurnet
 who being bound by the according to said
 according to said doct. of page and 84.
 That at the time of the Review of said Road
 I and Dominick Gurnet agreed for the 1/2
 acre of the said River to cut down the hill
 that is you cause to buy on our own Expense
 and also to fill up the hole at the Bridge at
 5 mg. at our own Expense and also agreed
 to complete said original Road in good possible
 order for \$100.00 or hundred dollars or under
 on August 31 1888 of J. W. Minard and Dominick
 Gurnet to this day remain our promise as above
 stated and we do give good Security for the
 faithful performance of the completion of said
 Road at the price of \$100.00 or hundred dollars
 We also have made out a Contract draft of the set
 amount in which the Roads are located which draft
 we intend to present to the Honorable Court which
 draft we have made out according to the best
 of our knowledge We would further say
 that the witnesses that was in on the 14 day of Aug
 and in part of the Review the Greater Part of
 the witnesses live as own any Land in the
 vicinity of said Road and have no stake for the same
 For instance James Michener & J. M. Asher & John
 Bedlam and C. Miles from said Road
 Also August Rongey Fred Turnbull & Howard
 & Westhat Live 1/2 miles from said Settlement
 Also S. A. Candover Napoleon Candover & John
 Giffman & Gustine & Maria Live 1/2 miles from
 said Road and J. J. Wilburn and Frank M
 Grant and James Felix Live 1/2 miles from
 said Road or thereabouts
 Saw and Subscribed Before me } Over To Cross Examination
 Wm. Miller J. P. }

1
Cross Examination of J. B. Renard.
And Dominick Guenet.

- Q. To Dominick Guenet -
A. Did you examine Both the said Roads
and I did
Q. Where does the Heron Road Leave the original
Road
A. It Leaves at the Line of W. J. Miller
Q. Where does it join the original Road
A. It Comes out at the David Ashby Corner
on the Public Road Between the Line of Renard
And David Ashby
Q. Where does it follow the Public Road to join
the original Road.
A. Yes
Q. Where does this Road Strike the original
Road
A. At the N. W. Corner of J. B. Renard
Q. Then does it keep on straight to the present
School house
A. Yes it does
Q. Which of the two Roads are the Best and the
Easiest traveled and the most convenient
for the Public
A. The original Road is the Best and nearest
Road. Closed

J. B. Guenet
Dominick Guenet

Served the Union - honorably,
on the 1st November 1864 at
the 28 day of January - 1885 -
to around / 16 and 17th

Review of Public Road }
in Martins & Co. }
Towns Ship 1st }

Charlesfield County N.S.
ya Mr. C. Barron, Esq. Sheriff
Sir you will please take notice that
in pursuance of Rule of Court depositions
will be taken at my office on Monday the 31
day of August inst. Between the heirs &
of the late R. A. Hill and of the late R. A. Hill
Wm. D. Hill, Land & Sea the 26th day of Aug 1885
Wm. D. Hill, Esq.

Glensville Court. George Emrick L M
Candriel - Commick - Cennot -

In Commonwealth vs Wm. Miller, Esq. being
the commanding officer, taking the deposition
of James H. Emrick & others. Whatever you
be and appear in your proper judicial region.
Wm. Miller one of the justices of the peace in the
said County on the 31 day of August 1885 between
the hours of 9 o'clock A.M. & 9 o'clock P.M. as testified
by your knowledge in a certain action now pend-
ing before our said justice then & there to be
said wherein the view of Public Road at Barham
and Covington Township is at issue and the or-
iginal view is the P.M. and that on the part of
the original view and this you are not to
omit

Witness our hand Justice at
Glensville the 22nd day of August 1885
J. W. Miller

Justice's Costs

Band	50
3 oaths	30
Suit for 2y ¹¹	35
Fokers to P ^{ff}	
And Service	100

Service of Subj¹ & Cost

Arrived by John B. Renard	
mileage 20	60
3 Expenses	50
L M G	120
Geo Emrick	150
L. Grunat	150

The above witnesses

Were called to see

The Location of Road

Letter of George Emrick

Q Was you on the view of Both the Road

A I was over Both Roads

Q I consider the original Road as the Best and most convenient for the Public. It is the most convenient for W. S. Miller, John B. Valmont & myself. And all the other Settlers And also the Hardest in Winter on account of drift. There is Also a good Road to Go to A. Wilson that I consider the original View is the only outlet that I and S. H. Conant and the Farmers would have to Comant to the fairmont Schoolhouse. It is also the main Road.

Close.

Q Did you Examine Both the Roads

A Yes I Examined Both Roads

Q Where does the Review Leave the original

A I cannot Tell

Q How does it Come if you Examined

Both Roads you cannot Tell Where the Review Leaves the original

Am I improper Junction and not answer

Q Where does the Review Join the Public

A I decline to Answer Because I consider it illegal

Q Do you know that the Public Road this River strikes the original Road before it comes to the fairmont Schoolhouse

A It strikes the original View at the David Askey And John B. Remond Corners And Also strikes out ~~closed~~ Corners at the north west corner of John B. Remond's Corner Before it comes out at the fairmont Schoolhouse
W. S. Miller, J. P. } Close Geo Emrick

Oath of L. M. Condrick

9. No man know and have you been on
the Roads lately; laid out in Kankas and
Livingston Land Ship

c In I was on the original line to day - And I think
that if they make the Road as they agreed to do
it would be the best easiest and best Road to
keep up - And it would save the biggest portion
of the letters and more convenient and
cause the least damage to property; And would
not be subject to the winds drift or snow
and would be a direct Road to the fairmont
Schoolhouse And it would be the nearest outlet
I would have to go to any place that I have in
that vicinity And Also would say that the River
is very Bad on account of drift in the winter -

No Cross Examination
Sw And Subscribed

L. M. Condrick

Oath of J. M. Condrick

Q. Do you know and have you been on
the Roads lately laid out in Parthians and
Livingstonian and Ship

A. I was on the original line to day - And I think
that if they make the Road as they agreed to do
it would be the best fastest and best Road to
the ship - And it would suit the best portion
of the letters and more convenient and
cause the least damage to property and would
not be subject to the winter drift or snow
and would be a direct Road to the fairmont
Schoolhouse And it would be the nearest outlet
I would have to go to my place that I have in
that vicinity And Also would say that the River
is very Bad on account of drift in the winter -

No Cross Examination
Sw and Subscribed.

J. M. Condrick

Know all men by these presents that I, John W. Vallinont of the Township of Carleton Place, in the County of York, Ontario, do hereby certify that I have paid to the Township of Northan and Carleton in the sum of one hundred dollars Sanitary money to be paid to the Supervisors of the above mentioned Township or their Clerk Attorneys or their true assigns in office or their assigns to which I have and truly do be made and bind myself, heirs and assigns our heirs Executors and administrators and every of them firmly by these presents sealed with my own seal and dated the 31st day of August 1885.

The condition of this obligation is such that Whereas John W. Vallinont and Samuek Gurnot have obligated themselves to make a certain Public Road lately laid out in the Township of Northan and Carleton which Road if confirmed, agree to make said Original Road for the sum of one hundred dollars in good cashed order and to have said Road to not exceed 12 feet in width.

Now the condition of the above obligation is such that if the above named John W. Vallinont and Samuek Gurnot shall faithfully carry out and build said Road as above stated then this obligation to be void otherwise to remain in full force and virtue.

J. W. Vallinont

3 I certify that the above witnesses were by me duly qualified and examined at the time and place stated in the caption and subscribed their depositions in my presence as well in the presence of Jeff & Jeff Before Wm Miller J. R.

CLEARFIELD COUNTY, SS:

Luth. Matter

In the Court of ~~Common Pleas~~ Clearfield
County, Pennsylvania.

07

VERSUS.

*Review of Public
Road in Kachan 4th*

NO. Term, 188

And Now, to wit, the *19* day of *Aug*, in the year
of our Lord One Thousand Eight Hundred and Eighty *for*
the *Review* enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evi-
dence on the *regular* of this case.
Ex parte Rule of *Review* on *19* day's notice

James Kerr
Prothonotary
ck

To *O Mitchell, Esq.*
Att. for Review

You will please take notice that, in pursuance of the forgoing Rule, Depositions
will be taken before *Erg Miller*, or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of
Clearfield, at the office of *Erg Miller*, in the
Twp of *Kachan* in the county of
Chapen, and State of Pennsylvania, on the *30* day of
Aug, A. D. 188*5*, between the hours of *9* o'clock *9* M.,
and *10* o'clock *10* M., when and where you may attend and cross-examine.

Clearfield, Pa., *Aug 19*, 188*5*. *Murray & Gordon*

Now Aug 19 1885
on this rule
at the office of the
Prothonotary

Mr. J. B. Smith

In matter of
Removal of Pub-
lic Road in
Milton Township.

Depositions in
or of original

was

Witnessed
on 31 of August.

Clearfield County, ss:

Public Matter
of the Review
of Public Road
in Barhause
VERSUS
and Leving-
ton Township.

Quartermaster,
In the Court of, ~~Common Pleas~~ of Clear-
field County, Pennsylvania.

No. 9. Sept. Term 1884.

And Now, to wit, the 5th day of August, in the year
of our Lord One Thousand Eight Hundred and Eighty-five
the Reviewers enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evi-
dence on the Argument of this case.
Ex parte Rule of Review on 5 day's notice.

James Kerr
Prothonotary.

To Murray Gordon, Esq.,
Clearfield, Pa.

You will please take notice that, in pursuance of the foregoing Rule, Depositions
will be taken before Wm. Miller J.P., or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of
Clearfield, at the office of Wm. Miller J.P., in the
Township of Levington, in the county of
Clearfield, and State of Pennsylvania, on the 14th day of
August, A. D. 1885, between the hours of 7 o'clock A. M.,
and 9 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa., Aug. 5, 1885.

Oscar Mitchell,

Service Accepted 5 Aug 1885,
Murray & Gordon,
Attys for Original Petitioners

A. W. Hudson

Justin S. Johnson

Justin Martin

Napoleon Corbett

James Johnson

J. W. Mitchell

W. J. Barker

J. W. Sullivan

J. J. Johnson

August Rogers

Frank Johnson

August Johnson

Frank Johnson

August Johnson

Frank Johnson

August Johnson

Frank Johnson

L. A. Goodrich

Ala. B. H. H.

Sept 9 1884

Path of Justice Marine

Q. Is it not the case that the original road was laid out in
 1871 and the new road was laid out in
 1872 and the new road was laid out in
 1873 and the new road was laid out in
 1874 and the new road was laid out in
 1875 and the new road was laid out in
 1876 and the new road was laid out in
 1877 and the new road was laid out in
 1878 and the new road was laid out in
 1879 and the new road was laid out in
 1880 and the new road was laid out in
 1881 and the new road was laid out in
 1882 and the new road was laid out in
 1883 and the new road was laid out in
 1884 and the new road was laid out in
 1885 and the new road was laid out in
 1886 and the new road was laid out in
 1887 and the new road was laid out in
 1888 and the new road was laid out in
 1889 and the new road was laid out in
 1890 and the new road was laid out in
 1891 and the new road was laid out in
 1892 and the new road was laid out in
 1893 and the new road was laid out in
 1894 and the new road was laid out in
 1895 and the new road was laid out in
 1896 and the new road was laid out in
 1897 and the new road was laid out in
 1898 and the new road was laid out in
 1899 and the new road was laid out in
 1900 and the new road was laid out in

Closed

Corroboration

Q. Is the survey and Baldhill Road superior than
 the road where the original road is laid out
 A. No I think not
 And Subscribed 3 Justin Marier

I Certify that the above witnesses were duly
 examined and examined at the time and
 place stated in the Affidavit and Subscribed
 their depositions in my presence Before
 Wm. J. Miller Justice of the Peace at French
 ville August 14th 1885
 Wm. J. Miller

Depositions of Samuel M^cCloskey, produced
sworn & examined by me at my Office on
Saturday Sept. 5th 1885 between the hours
of 9 A.M. & 9 P.M. by virtue of a rule issued
out of the Court of Quarter Sessions for the
examination of witnesses in a Cause con-
cerning a Public Road in Northam & Cor-
ington Townships to No. 9, Sept. Sessions
1884.

S. F. M^cCloskey, Sworn, Says:-

I was on
a main of a road from Francis Green
to Fairmount School House in Coring-
ton Township, on the 19th January 1880.
We made a report of our road to Court.
We filed the ~~first~~ report in the Northam
starys Office. (Report attached to papers
shown witness) That is my signature
and this is the report of the road we
located that day. This report is in ac-
cordance with what we did that
day on the ground. We began at
the same spot where it was said
the other parties began and end-
ed at a Township road leading
to Fairmount School House.

7.4.51
We commenced

I do not know where the other pits
ended except what I was told. The end-
ed probably 50 or 60 rods or may be more
than that from where we were told the
other part of runers ^{P. 4. 51.} ~~ended~~ ended,
ended not the same land corner. Where we
ended was in a Township's road in
use. The road we were in is on good
dry ground and a low easy grade -
I think a $2\frac{1}{2}^{\circ}$ grade. There was prob-
ably some 16 rods of our course that may
rise to this degree. I rose over the ground
of the original run. It is a road
that will be an expensive road to
make. There is one hill on it. I
tried the grade on and it rose 9
degrees. On this hill there were some
40 rods of which that will rise from
5 to 9 degrees or perhaps more. There
is part of the ground that is wet,
one place it crosses a deep gully
that is probably 60 or 70 feet wide
and very deep. I do not know whether
the road crosses this gully or
whether it goes around, but John
Steno had begun to fill up this
gully. I can't tell the relation dis-
tances of the views, as I did

not measure this other road.

There is just this about the view
where they located the road: - I would
not locate a road there at all un-
less it were in an extreme case,
or it would be a hard road to keep
up on account of snowing.

The ground where we located is
on good dry ground. I have heard
the 6" exception made to the view,
and it is not true. The road is
on good dry ground, and I do not
know any person that the road
does not suit. The original view
and the views run the same
course and distance for the first
84 rods, and then instead of turn-
ing down the hill partly on wet
ground we turned a little to the
left instead of going to the right
toward Volin's house & we kept
on good dry ground and easy grade
and is in my judgment the best
road for the parties living along the
road. I can't estimate the difference
in the cost of these two roads.
Wm. E., by C. Gordon Esq.

The public is present on just the
setters in the neighborhood, I am

not well acquainted there. There are
no settlements along the route origi-
nally traced except Volinmont. I
saw this place across the hollow.
There may be other persons living on
the other sides of Volinmont but if there
are I do not know. Gano's son
I think on the other side of the hol-
low & can't get into this road on
account of the hills. I don't know
whether the other route is shorter. But
taking the new road that would
have to be built the original route
in my opinion would be longer,
on account of the review striking
the township road. I did not mea-
sure the distance from where we en-
tered to where the other view is ended.
I did not measure this, but I walked
over it. It may be a quarter of a mile.
The roads are a good piece apart. I
can't tell the distance, and the
only place where they run in com-
mon is the first 84 rods.

If the grades on both roads had
been the same we might have
reported the original road. But I
think the review quite the better

teller. My principal objection
to the original road was on ac-
count of the grade and the ground.
I do not think it is possible to,
reconstruct the grade on the original
view. I examined this carefully,
my compass is graded and I
used it on this hill on the original
view to the new grade.

S. J. McClosky.

I hereby certify that the above named
witness was duly examined by me at
the time & place stated in the Caption
and subscribed his deposition in my
presence.

Frank G. Harris,
N. P.

CLEARFIELD COUNTY, SS:

Quarter Sess.

In the Court of ~~Common Pleas~~ of Clearfield

County, Pennsylvania.

In the Matter
of the Review of
Road in East
Hans Township
versus
Township

NO. 48 Sept Sess Term, 1884

And Now, to wit, the 31 day of August, in the year
of our Lord One Thousand Eight Hundred and Eighty five
the Petitioners for Review enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evi-
dence on the argument of this case.
Ex parte Rule of Reviewers on, 3- day's notice

James Kerr
Prothonotary.

To Murray & Gordon Esqs

You will please take notice that, in pursuance of the forgoing Rule, Depositions
will be taken before J. S. Hanish M. D., or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of
Clearfield, at the office of J. S. Hanish M. D., in the
Borough of Clearfield in the county of Clear-
field, and State of Pennsylvania, on the 5th day of
Sept., A. D. 1885, between the hours of 9 o'clock A. M.,
and 4 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa., Aug. 31, 1885

Served us by Copy
8/ Aug 85
Murray & Gordon
Atty for original Petitioners

Oscar Mitchell
Atty for Petitioners
for Review

No 9. Sept. 35.
1884

See the
Public Road in
Hardscrabble & Georgetown
Ips.

Deposits on Post
of Revenue.

<u>Costs</u>	
Amount withdrawn	\$2.00
A. J. McCarty	1.36
	\$3.36

Butcher.

Subpeona
 of A. J. J. J. J.
 Road in K. J. J.
 & J. J. J. J.
 C. J. J. J. J.

Bill of Witnesses and
 the Service of the same

28 m. Sir	84
4 Services	60
Sirpal G. J. J. J.	50
Flomtime Renard	50

Master's Costs 3.50

Cheshire County N.H.
The Commonwealth of Pa. To Florence
Renard Wm J Miller Tarpole Gurnet - And
L Brown & Co. Florence Renard Greeting
Tarpole Gurnet -

We Command you and
Each of you that Setting aside all manner of
Business And Expense Whatsoever you be And -
Appear in your proper persons before Wm
Miller One of the Justices of the Peace in & for the
Said County of Cheshire At his office in French
On Monday the 3rd day of August 1885 Between the
Hours of 7 of the Clock A.M. and 12 O'clock M. of said
day to Testify your Knowledge in & Testify Review
Public of Road in the Township of Wartham And Covington
Townships And This you are not to omit under the
Penalty of one hundred pounds Each Witness our
Said Justice At Frenchville the 28th day of July
A.D. 1885

Wm Miller

Depositions of Witnesses produced Sw or aff.
And Examined at the office of W^m Miller one of the
Justices of the peace in & for said Co of Clearfield
At Frenchville on the 3^d day of August 1885 Between
the hours of 7 of the clock A M & 7 o'clock P M of said
day in obedience to the Rule of Court And doth is
here to attached to be read in A Cause depending in
said Court in Which Review of Public Road in
Karthans & Covington Township - vs Peff. & vs
the deft-

1st A oath of Juratim Menard

Q - Do you know And have you been on the
Original View and the Review of Road lately laid
out on Karthans & Covington Twp.

A - yes I have been on both of the Views of said
Roads I think the original View where it was
laid out is convenient for all the settlers in said
vicinity which they have all signed ^{the Petition} except one man
And that man has a number one Road to go to
his place The original View is the most conveni-
ent and useful And the shortest And Best And
warmest Road for to go to the farmment School It
intersects the Big Barren Road And the Frenchville
Road Also intersects the Big Run Road that leads
to the Bank of the west Branch of the Susquehanna
River which is the only Road we have to haul on

13
25- Our from first Page - Timber or Lumber
So Cut it to market - And it is also intended
to Give us an outlet to Hartmans Station the
only Market we have in the vicinity

I Cross Examined by C. Barrow
Have you or have you not - Run on Both
The Roads -

A. I Have I examined Both vias very Close
And one Road will not Cost more than another or
At Least I will make one as the other and make
no difference in the price of ^{making} said Roads

Cross Examination Closed

In and Subscribed } " Florian Renaud
Before me at Frenchville }
this 3^d day of August 1886 }
Wm Miller J.P.

Clearfield County Pa

I the undersigned Laipale Girard A Resident
in the vicinity of the above mentioned roads do
hereby Give my whole consent to the above stated
facts set forth in the foregoing affidavit of Florian
Renaud and say that the words contained in
such affidavit are in all particulars the same
and means the same as if I had spoken them
myself In and

Subscribed Before me } Leopold Girard
this 3^d day of August }
Wm Miller J.P. }

Oath of Christian Brown

Q Will the original Survey Give you an outlet
 To the fairmont School house at A point where
 It intersects the Frenchville & the Big Barren Road
 Ans It will Give me an outlet It will Also Give me
 George Emmerick ~~and~~ outlet Also Give an outlet
 To L M Condrit An outlet to his place and the
~~and the~~ fairmont Schoolhouse And on the other
 hand if the Road was put in the place of the Rivier
 & Emmerick & L M Condrit would have no Road at
 All - Whereas the original View would Also Give us a good
 Chance for an outlet to Harthans Station the Best and
 only market we have to take our produce

Closed

Question Was you on the original or the Rivier of said
 Road

Ans I was not over the Roads But I know by the
 Draft laid down before me and the knowledge of
 I have at the time I was along when the Road was laid
 out to Go to the Harthans Station that would intersect
 the original View of said Road

Saw and Subscribed Before Christian Brown
 on this 3 day of August 1885 }
 Wm. Miller }

Clearfield County SS

I Certify that the above or within witnesses were
specially qualified. And Examined at the time &
place stated in the caption and subscribed
their depositions in my presence Before W^m Miller
At August the 3 1885

Justice of the Peace

Clearfield County, ss:

In the matter

Review

VERSUS
of

Public Road in

Kearthaus Cornugton 1/2

In the Court of ^{Quarter Sess} Common Pleas of Clear-
field County, Pennsylvania.

No. 9. Sept Term, 1885.

And Now, to wit, the 16 day of July, in the year

of our Lord One Thousand Eight Hundred and Eighty ¹⁰

the Remonstrants enter a Rule to take the Depositions

of ancient, infirm and going witnesses, to be read in evi-

dence on the ^{argument} of this case.

Ex parte Rule of Remonstr. on 5 day's notice

James Kerr

Prothonotary.

To Oscar Mitchell, Esq.:

Atty for Review

You will please take notice that, in pursuance of the foregoing Rule, Depositions
will be taken before Wm Miller, or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of

Clearfield, at the office of said Justice of the Peace, in the
Township of Cornugton, in the county of

Clearfield, and State of Pennsylvania, on the 27 3 day of

July, A. D. 1885, between the hours of 7 o'clock a M.,

and 7 o'clock P M., when and where you may attend and cross-examine.

Clearfield, Pa., July 16, 1885. Murray Gordon

Atty for Remonstr

Now July 16. 1885 served ac-
cording to this rule for Review
for review. Oscar Mitchell

Atty for Reviewers.

No 9 Sept 1884

But the matter of the
renewal of Public Road
in Dorroughan & Jacton St.

Rule of Reversion

From July 25 "1885;
It is hereby agreed
to change the time
for leaving stops;
from 10 Aug 3 "1885
between same hours
for same place.

For Reversion
for Reversion
for Reversion

ms

Chargfield County S.S.

Juneville July 22 1885 A C Barry the Within named
Ref for review of said within mentioned Road &
John B. Revere & J B Pall amount shifts in said
Case we hereby agree that on account of some of
the witnesses within or named in Suppenna cannot
be procured or be present on the 27th day of July
we do agree and appoint the 30 day of August
1885 Between the hours of 7 o'clock A.M. & 8 o'clock
P.M. to meet at the same place mentioned in the fore-
going Rule in July 1885 I hereby accept-
Seymour as above stated.

In Re Roads

in

Karlsruhe Cornington
Tops



In the 2. S. Clearfork County Pa

No 9 Sept Sep 1884 Review of
No 5 March Sep 1884,

These views and reviews coming on to be heard upon exceptions and remonstrances to each, we have concluded after examination, that the exception to the report of the reviewers which alleges and which is supported by the report that the review fixes different termini from that of the original road must be sustained upon the authority of Road in Lower Merion 8 P Smith 66, Road in Piqueney & Phila 384, West Chester Road 2 Rawle, 421, To the exception against the report of the reviewers upon the original view in No 5 March Sep 1884 it might be replied that it is too late not having been taken within the time prescribed by the Rules of Court this would be sufficient. But in addition to this the testimony shows that the road as laid out intersects a road that has long been in public use although not laid out under the act of assembly which leads to the railroad at Karlsruhe and is an available outlet for the people trading at that point. It also crosses a road long used by the people for hauling their timber to the river. In this section of this state it must be ever remembered that this is an important public use, and as much so as any public road ever can be when duly laid out in accordance with law. We are not satisfied with the allegation that the reviewers did not lay out the road as to grade within the provisions of the act of assembly. The weight of testimony upon that point would indicate to our minds that the only excessive grade is within the exception stated in the act of assembly. Upon the whole therefore we sustain the report of the reviewers upon the first view and accordingly

enter the following orders viz. Now 9th Nov 1885, the
4th exception to the report of reviewers in No 9
Sept Sep 1884 is sustained and the report set aside
and the same day viz. 9th Nov 1885, it is ordered that the
exception filed to No 5 March Sep 1884 be reversed
and report confirmed absolutely

By the Court
D. L. K. L. S.

P. J.

Ms 9 Sep 58 1884

Road

via

Corington ~~St~~ Mathews
Group

Specimen of the Road

In the Court of Quarter Sessions of
Ileearfield County.

To the Honorable the Judges of the
Court of Quarter Sessions of Ileear-
field County.

We the undersigned, persons appoin-
ted by the within order of Court, to re-
view the road within mentioned and parts
adjacent, respectfully make this a-
mended report which is in accordance
with what was done by viewers:

That all the viewers being present at
the review of the said road, and parts ad-
jacent, and having all been first severally
sworn or affirmed, in pursuance with the
within order, we did review the same and have
laid out and do return for public use the
following road to wit: Beginning at a post
on the line of Florin Henri's land, said to be
the point where the original viewers began and running
along the line between lands of William
J. Miller and Charles Beard north eight-
ty-six and a half degrees west eighty-four
perches to a white oak grub; thence through
land of said Charles Beard south fifty-nine
degrees west eleven perches to a black
oak; thence south sixty-six degrees west
twenty-two and five tenths perches to a post
by Beard's barn; thence north eighty-six de-
grees west crossing the line of Beard into
John Remot's land thirty-six and five tenths
perches to a white oak; thence through land
of John Remot and land of David Ashley's
est. south forty-five degrees west twenty-

four and eight tenths perches to a black oak; thence through land of the same south seventy-two degrees west sixteen perches to a chestnut; thence north eighty degrees west five perches to a post; thence north sixty degrees west five perches to a post; thence north forty-eight degrees west seven and two tenths perches to a black oak; thence north seventy-three and a half degrees west thirteen and five tenths perches to a chestnut; thence south eighty-seven and three quarters degrees west twenty-five and three tenths perches to a post; thence north seventy-eight degrees west ten perches to a post in ^{an} old private road; thence through the same along said road north thirty-seven and a quarter degrees west sixteen perches to a post on line of John Renot; thence along the line between said Renot and David Askeys heirs north eighty-seven and a half degrees west sixty perches to a post in the Township Road leading to Fairmount School House, Not far from where it was said the original viewers came to the said Road.

Which said road as above described and reviewed and laid out is necessary in the opinion of said reviewers for a public road. Witness our hands this 28th day of February A.D. 1885.

~~Witness our hands this 28th day~~

~~day of March A.D. 1886~~

S. J. M. Clary
Francis Wright
John Yothers } newers

Julia 14 Mar 1888

To the Hon. Judges of the Court of Chancery
We the undersigned persons, appointed by the
Annexed Order of Court to view the Road therein
mentioned Respectfully report.

That having, given notice of the time, and
place of meeting, according to the act of assembly,
and being all present at the view of the ground
proposed for the said road, and having all been
sworn, or affirmed, in pursuance of the said Order,
we have viewed, and laid out, and do return the following
viz. Beginning at a Post, on the line of Florin Keni's
land, and running along the line between lands of William
J. Miller and Charles Veard, north eighty six and a half
degrees west. Eighty four perches to a Black Oak. Thence through
land of the said Charles Veard, south fifty nine degrees
west. Eleven perches to a Black Oak. Thence south sixty six
degrees west. Twenty two and five tenths perches to a Post by
Veard's Barn. Thence north eighty six degrees west. Crossing ^{the} line
of Veard into John Kenot's land. Thirty six and five tenths perches
to a White Oak. Thence through land of John Kenot, and land
of David Askey's estate south forty five degrees west. Twenty
four and eight tenths perches to a Black Oak. Thence through
land of the same. South seventy two degrees west. Sixteen
perches to a Chestnut, north eighty degrees west. five perches
to a Post. North sixty degrees west. five perches to a Post.
Thence north forty eight degrees west. Seven and two tenths
perches to a Black Oak. North twenty three and a half
degrees west. Thirteen and five tenths perches to a Chestnut.
Thence south eighty seven and three quarters degrees west.
twenty five and three tenths perches to a Post. Thence north
seventy eight degrees west. ten perches to a Post in an old
private road. Thence through the same, along said Road

north thirty seven and a quarter degrees west sixty perches to a Post on line of John Renot. Thence along the line between said Renot and David Askejs heirs north eighty seven and a half degrees west sixty perches to a Post in the Township Road leading to Fairmount School-House.

Which said Road as aforesaid laid out; we are of opinion is necessary for Public Use. A Plot, or draft; of which, is herewith annexed.

And we are also of opinion that no person, or persons, through whose Land the said laid out Road passes, is entitled to any damage.

Witness our Hands the 19th day of
January 1885.

S. J. McClosky
John Yuthers
Francis Bignot } Viewers

FLORIN GENIE

WILLIAM, T. MILLER

CHARLES VIARD

VIARD'S HOUSE

MILSON'S HOUSE

KARTHAUS

TOWNSHIP

JOHN RENOT

DAVID ASKEYS

ASKEYS

HEIRS

JOHN RENOT

ROAD TO FAIRMOUNT

Can
L.B. BERRY'S
OWNER

CLEARFIELD COUNTY, SS:9

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 9th day of Sept, A. D. 1884 before Judges of said Court, upon a petition of sundry inhabitants of the township of Karthaus & Livingston, in said county, setting forth that a road had been

lately laid out by order of Court from Florin Run of Karthaus Twp. to Hammonk in Livingston Tp. which road if confirmed by the Court will be very injurious to your petitioners they therefore pray the Court to appoint proper persons to view the said road and

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Make Report to Dec SS next whereupon the Court, upon due consideration had of the premises, do order and appoint Willard Reed, Geo. W. Howe, & Ferdinand Mignot 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 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 least injury to private property, and state particularly whether they judge the same necessary for a public or 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 lands 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 the 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 lands 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.

James Kerr
CLERK.

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 the _____ at and before the enrolling and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease 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. 188 .

+++++
[L. S.]
+++++

+++++
[L. S.]
+++++

+++++
[L. S.]
+++++

+++++
[L. S.]
+++++

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 _____ the sum of _____

To _____ the sum of _____

To _____ the sum of _____

Witness our hands this _____ day of _____ A. D. 188 .

NOTE—It is noted in *Private Flood*, the release may be expected in favor of the petitioner for said road.

Also—Viewers with authority to take the number of days employment set the amount with damages assessed by the original viewers, extend so far as the location may be claimed 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 the effect.

Mr. Graham { Days 2 ... Amount.
Miles 4 ... \$4.40

J. Margaret { Days 2
Miles 5 450

S. J. McElhenny { Days 4
Miles 29 18.90

Bonne Landt { *Doris Edwin Caruso*
Hills 1

Ernest - Remond { Days 1
Miles

28 July 885 the clerk will not

Bridges made them 2 days for business
these costs are very small, compared
by this County. Having been

for an application for a

the or the pellemens a

By the Court

Exceptions Filed 5 June 1885

No. 70665 Session, 1884

THE UNIVERSITY OF CHICAGO

Advise and Lay out a Road

For *Public* use in the township

of _____
Clearfield county.

and now Dec. 15th 1888

S. J. McCloskey, Prince of Wales

instead of Miland Reef

of the house and Jordan
and Murgin and He

part is barely contain
with 2.5 lb. Sess.

Nov 11/27

1041nd Court
A-2-1nd

28 July 1985

back a net being in a c

due with the Great
North Tower
Filed 7 July 1888

Fees \$1, paid by *Walden Road*

May 1885. Continued to argument Court and now 23 July
upon request again Continued to Sept Sep 1885-

Pestiviam

Pf

Qath of Francis Mignot-on his Cross
Examination

Qr Has C Barmany Got his Residence in the Vicinity
of Said Roads? Ans No he does not Reside in
that Vicinity? And I think the original Road would
be the Shortest Road to the fairmont School house

Closed

Francis Mignot

Qath of G W Stelare

Qr ist Was you on the Ground of Both of Said Roads
Ans I was on Both of Said Roads that was Laid out
in Covington and Parthans Township And
I think the Reven Road is the Best Road And the most
Convenient for the Settlers in that Vicinity? And I think
It Could be made for 1/3rd Less than the original road
would cost- And I think the original Road would be too
hilly to make A Good Road the Reven Road would be
the Easiest 1st kept up after made And It would be the Sh
ortest Road to the Township Road ~ Closed

Cross Examination

Q Does not the Reven damage the Astry Prop
erty? Ans It does not- But I think the original
Road is the Shortest to the fairmont-School house

Closed

G. W. Stelare

Page 7th A

Path of August Henry

Q 1st Was you on the view of Both Road in dispute
Ans - I was over Both of said Roads And I think
The River Road is the Best And the Cheapest to be
made And the nearest point to come out to the Town
Ship Road - And would cost at Least $\frac{3}{4}$ fourths Less
than the original Road would cost And more
convenient for all the Settlers in that Vicinity that
Leads to the fairmont Schoolhouse Closed

Cross Examination - Closed

A. Hugueny

Path of Alexander Berthot

Q 1st Was you on Both of the Roads in dispute
Sally said out in Barthans and Covington Top
Ans - I was over Both said Roads And I think the
River Road is the Best Situation for A Road
And the most convenient for the Settlers in said
Vicinity And think could be made for $\frac{3}{4}$ fourths
Less than the original Road And the Least Expense
to keep up after made And the nearest to the Township
Road Leading to the fairmont Schoolhouse - Closed

Alex Berthot

Path of - Frederick Penbel

Q 1st Do you know the Ground the original view
and the Review of said Roads in dispute
Ans - 1st I do know the Situation of said Roads

Path of Injanney Continued
 it would cost to make the original Road
 Closed — In and Subscribed by T. Crispney

Path of James Fretlin
 Q. 1st Do you know the Grounds on which
 said Roads are laid out on —
 A. Yes I do — the Rivier Road is the best and
 most convenient Road for all the Settlers
 in that vicinity there is a Big difference
 in the making of said Road. it would
 cost at least $\frac{2}{3}$ the third Less to make the
 Rivier Road than it would cost to make
 the original Road Closed
 In and Subscribed by James Fretlin

Path of St. Alban Canton
 Q. 1st Do you know the Grounds where said
 Roads are laid out —
 A. I do know and I think the Rivier would
 make the best Road and would make a
 difference of ten per cent in making the two
 Road. the original Road would be too steep
 for it to carry the heavy thing like a Load
 and I think the Rivier is the ~~best~~ ^{most} ~~convenient~~ ^{convenient} Road to
 come out the ~~main~~ ^{main} Road leading to the
 government Schoolhouse and I think the Rivier
 would benefit the Ashby farm in the
 crossing it and the original Road would
 be the easiest kept up after made
 Closed
 In and Subscribed by N. Gordon, J. Bradstreet

129 Answer to Frederick Stenbell Continued
I think the River Road is or would make the
Best Road now bridging to the Dan and Wanda
Cost $2\frac{1}{3}$ Less than the original one would. And
is more suitable for all the inhabitants in that
vicinity And is the shortest Road to the fair
mount Schoolhouse. Closed. Subscribed
and undersigned

With of J. V. Mulson

Q Do you know the situation of said Roads
and do you know the Ground the Roads are laid out
I think the River Road is the best Road
and I think the original Road would cost
about $\frac{1}{3}$ more than the River would cost
the River Road would be the most convenient
for all the settlers in that vicinity I think the
original Road would be the shortest
Road to the fair mount Schoolhouse. Closed.
no Cross Examination
Subscribed and A. V. Mulson

With of J. V. Mulson

Q Do you know the Grounds that the River
and original view of said Roads are laid
out on

A Yes I do know the Ground and the situation
of said Roads — I think the River Road
is the best Road for said Road. Best Road
for the settlers in that vicinity And the cheapest
Road to make it would cost at least $\$750.00$
less to make the River Road than
Carried over

P_i

says I have been on both of the Roads on the original
Road and also on the Rivering from the point where
it was round the River Road. Figgins and Brice
were the original owners with the exception of that
the River Road Station: the original Road at the
point of Millers Lane and this through Chas. Yegard
Land and through part of David A. Miers Land
and down through the public Road. Between the
Point of Miers and the public Road the public Road was
followed and Road to the Fairmount Schoolhouse when
the original one ends. And it find the record for the
But Road Light Grade being a lot higher and no
ridges and also find that the River Road has been
made and Evidence were that the are fourth of what the
original one and more convenient for the public
Also is that if the original road was made it would
never make a Good Road on account of being so hilly
No Cross Examination } See and Subsequent
Re-examine Wm. Miller } H. Conduct.

Charles B. Smith
J. A. H. H.
Charles V. V. V.
Peter A. M. M.
L. P. M. M.

Chamfield County ss. I, J. D. Woodman
 of said County do hereby certify that the within named witness
 were by me duly sworn according to Law before
 the Court and on the day and year mentioned
 in the aforesaid Bill of Complaint. Witness my hand
 and seal the day and year above mentioned.
 Wm. S. Millington

Clearfield County, ss:

In the matter of
George W.
of a public
road in
VERSUS
Leovington &
Karlhaus
Townsships.

Quarter Sess.
In the Court of ~~Common Pleas~~ of Clear-
field County, Pennsylvania.

No. 9 Sept. Sess Term, 1884.

And Now, to wit, the 3d day of July, in the year
of our Lord One Thousand Eight Hundred and Eighty five
the Petitioners enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evi-
dence on the argument of this case.
Ex parte Rule of Petitioners on 5 day's notice.

James Kerr
Prothonotary.

To Murray Gordon, Esq.

You will please take notice that, in pursuance of the foregoing Rule, Depositions
will be taken before Wm. Miller J.P., or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of
Clearfield, at the office of Wm. Miller, in the
Leovington Township, in the county of Clear-
field, and State of Pennsylvania, on the 14th day of
July, A. D. 1885, between the hours of 7 o'clock A. M.,
and 9 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa. July 3, 1885.

Geo. Mitchell
Atty for Petitioners

July 3rd 1885: service accepted
Murray & Gordon
Atty for Respondents

No 9 Sept 85

County Down 888.
No 9 Sept 888. 1884

Read in
Cunningham
Lup

Read in West
Lancashire
Lancashire

Mitchell.

Deposition of Witness, Produced & sworn to
 And Examined at the office of Wm Miller one of
 the Justices of the Peace in and for the said
 County on the 11th day of August A.D. 1885 Between
 the hours of 7 o'clock A.M. and 9 of the Clock P.M.
 of said Day In Obedience to the Rule of Court
 And notices hereto Attached to be Read in ~~and~~
 A Cause depending in said Court in which
 River of Public Road in Warthan St. Cornington
 Townships Plff And. Is Dep.

1st. An

Q. At the Of John Feathers.
 you 1st was you on the view of the Road.
 An. I was

The Reason we put the Road where it
 is laid out is an account of the heavy Trade
 And the most convenient and the cheapest
 Road to make. Closed

Cross E. in

Q. Was you one of the Owners on
 said Road -

An. Yes I was I am acquainted
 with the Ground where said Road
 is laid out - it was called on to see how
 much it would ~~be~~ over

Page 2 A Brought over

Cost to make said Road. And I think it could be made for \$125 = one hundred and twenty five dollars that is the River Road.

A qu did I or did I not with Damme Grant offer to make and complete the original Road for \$100.00 one hundred dollars

Ans. I do not Recollect of you saying so - I say does not the River injure the Ash farm A great deal Am. I think it would be about fifty dollars damage to Ashy

Q. Is not the River the Longest Road

Am. I cannot tell exactly But I think the original Road is the Longest

Q. Does not the Snow drift a great deal where the River is laid out

A. I think it does

Q. Do you know ^{that} the original Road Give an out Let to Put to the Big River Road to Put the Water to the River Bank

Ans. Yes it would intersect said Big River Road

Q. Would it not Also Give John B. Calamant ^{the farm on the river} an out Let Am. Yes it would Give him a Road

Q. Has C. Karmay any Glazed Land in the vicinity of said Road

Am. I think he has more Glazed or improved

Pages - A Path of August Rougey

Q. 1st Was you on the original & River of said Roads - Am. I was on Both said Roads -

And I found that the River would make the Best Road and could be made a great deal cheaper than the original Road at least one fourth less

than the original Road - And I think the River would be the most convenient for the settlers in said vicinity and easier kept up when made ~~road~~ ^{or}

And the Shortest to the Township Road

Closed

Cross Examination

Q. 1st Which of the two Roads is or would be the nearest to the fairmont School house

Am. I cannot tell which would be the nearest

Closed

Path of W. F. Ashy

Q. 1st Was you on Both views of said Roads

Am. I was on Both views I think the River would make the Best Road And the easiest made and

would cost at least one third less than the original Road would cost And the easiest kept up when made

And the nearest point to the fairmont School house And the most convenient for all the settlers in that vicinity

Closed

Thus the A. & R. say

15- A Path of S. N. Goudreau

Q. Was you in the View of the Review Roads

A. I was over Both of Said Roads And I think the Review is the Best And the Shortest to Come out to the Township Road that Leads to the fairmount School house And over Bridging to the road. And I think it could be opened for at least 4 ft for this I did that what the original Road would Cost. And the Review would be the most convenient for all the Settlers in that vicinity And the Least Expensive to keep up after made. Closed.

S. N. Goudreau

Path of Francis Mignot

Q. Was you in the View of the Review Roads

A. I was over of the Review

Q. What was the Reason that a Review of Said Roads was ordered. Ans. the original Road did not suit an account hills Roadbeds And the Surveyor Mcloskey said that he could not make any Dig out of the original View an account of the Slopings of the Grade of Said Road. Closed.

Cross Examination

Q. How much would Cost to make the Review Road

Ans. I cannot tell I have no Idea what it would Cost

Q. Did I not that is did not John Renard offer to cut the hill down in the Renard & Gumbel place at their own Expense Ans. yes I have him offer to do that Carried over to P.

32- A

Q. Has C. Barrow his Residence in Said Vicinity Where Said Road is Laid out

Ans. he has not Cross Examination Closed.

Path of James Michaels

Q. Was you in the View of Both of Said Roads When they were laid out

A. I was over Both of Said Roads And I think the Review would make the Best Road and the nearest to the public Road that Leads to the fairmount School house Also Said Road could be made for over 1/2 Less than what the original Road would Cost in the original Road to the bridge And I think the Review is the most convenient for the Settlers in Said Vicinity And the Review would be the easiest Road kept up after made. Closed.

J. W. Michaels

Cross Examination

Q. Does the Road damage the Shipley Property

A. I do not think it does

Q. Which is the nearest Road to the fairmount School house

Ans. the original Road would be the nearest Road to the School. Closed.

Q. Would not the Review Cut off B. Volant out of the Road to his place

Ans. no it dont Cut him out

Road in Covington & Markham.

The Court would order a review.

Schuylkill Falls' Road
& Buira 253.

A review is a matter of
discretion of the Court.

Road from Strasburg & Yeates 33.

A review can only be ordered
on petition and it may be or-
dered as to a portion of the
route only.

Hellertown Road 5-W & S. 202.

We ask that if the Court
be of opinion that the original
view be legal that we be per-
mitted to petition for a re-
view on the first week of Court
of the adjourned Sept. Sess, be-
lieving that the Court will not
reminis the worst road to be a
adopted on account of an over-
sight of the reviews failing
to adopt the road in their re-
port leading to the point at
the end of the original view at
Fairmount School house.

Oscar Mitchell.

Atty for petitioners
for a review.

Ms 9 Sep 88 MSK

Good Mr. Lee -
widen shear
beds further.

9 Nov 1988 application
presented - numerous
diatomids

By Mr. Towns
202 Kuby
of

In the matter of } eto 9 Sept 1854
the review of a }
Public Road in }
Covington Township }
and Karthaus' bk }

Exceptions filed by
Murray Gordon Atty for
J. B. Vaddelin & Ed. Ploman Senie
and others.

- 1st - The substitution of viewers was without notice to the attorneys of the original application.
- 2nd - The reference back to the viewers was without notice to the attorneys of the original application, and was irregular.
- 3rd - The report prepared by the attorney for the Petitioners is not in harmony with the report prepared by the viewers.
- 4th - As appears by the report and draft the road laid out is not between the same points as the original view and in fact one terminus is about one hundred and thirty (130) rods distant therefrom.
- 5th - The report is not in accordance with the order to view.
- 6th - The road as laid out is not the best road for the accommodation of the people of the vicinity or the travelling public, but is laid out on bad ground and so as to be in the interest of one or two private parties.

Essexfield Verily, 1885

Personally appeared before me John B. Vallinut who being duly affirmed according to law says the facts set forth in the foregoing Hth and both exceptions are true and correct as he verily believes

Affirmed & subscribed

April 1st 1885 before me

J. B. Vallinut

James Kerr

Ch. 9 of 1885

by the matter of
: Review of Public
road in Conington
and Harthaus, Mass.

Exceptions

Filed 5 June 1885

1146

pag 4. - it would Give A general anti-t to all of the -

Settlers in the vicinity, it also runs to intersect the old

Road that goes to the river at the mouth of Big Run as it

is generally called while the new would ably give an

outlet to a few persons while the original run would

make a very good and convenient Road and part-

is already made & traveled } Low and Subscribed

Frank Grant

P5. Brought Over in NB. It was one of the men that chained
 the Road on the River and Charles Veyard was the
 head man in chaining said Road and when we came
 to the corner at the Askey farm my father J B Kneand asked
 Veyard if our Askey was alive whether he thought he
 would let them run the Road through his place in
 that shape in reply he said no that it was not the right
 place to lay out the Road that it ought to run along the
 line between him & Moulson and follow the line ^{straight} through
 David Askey farm and would be of less damage while if the
 Road would run according to review would be of a good
 deal of damage to the Askey farm closed
 in and subscribed } Ezerio Renee
 Being present no objections }

Apr 32 — Path of Dominion & Grout
 Ques Do you know the Ground and Situation of the Road
 in dispute?
 A — I do - I think that the original view of said Road
 is the most use for the Public in general it would also
 be the most convenient for travel in winter Season
 on account of the snow drifts, Also for the scholars going
 to and from the fairmont School while on the review it
 would be quite difficult to travel on account the snow
 drift in the winter Season it ~~is~~ ^{was} the original Road
 view would be the most convenient on account it wo
 uld intersect the Bagoun Road and the Township
 Road leading from the fairmont School house to the
 Big Barren Over

Page 6

Path of Justin Guenet

Q. do you know the ground and Location of the original and Revised of the Roads in dispute?
A. I do - I know that the original Road would be the most convenient for all the Settlers in the vicinity of Sand Road and the most convenient for the Public in general and that would be the only out-Let that I would have to travel and get out on the old Township Road and the only out-Let to send my children to School - It would be the nearest and most convenient for all the inhabitants and would be a good Road to travel and the Road is partly made already and the part of said Road has been made and traveled as long as I can recollect it would also intersect the Big Run Road and also intersect the Big Basin Road and the Townsville Road leading to Clearfield
Not objected to by Sept - } Justin Guenet

Apr 23 - y

Path of Ernest Rineard

Q. do you know the Ground where the Roads in dispute are laid out?

A. - I do I think the original road would be far the Best Road and most convenient for the Settlers and the public in general and the closest and nearest to the fairmount School and would also intersect the Big Run Road and also the Township Road leading to Big Run I also know that part of said Road is already made and traveled as long as I can recollect and that Road would be the only Road that would lead to the River for hauling Timber & Over

87 A B is brought over — that would also be the
only Road that we would have to get our timber
to the River the aforesaid Bagman Road is the same
Road that C Barry Risenid for his own Travel to
or for his ^{own} use when he sold Land to J B Valmont and
I think that to start at A Point where the original line
and the River started and run according to the old
Original Survey was placed would make the shortest
by ^{1/2} mile
Road and the Best Road And I would say that Part
of said Road has been made and used for A Long
Time and All the Road on the original line is as Good
if not better in grade except about five Rods which would
Grade about 75 — which would be easily cut down I say
that this is Steeper places & Larger hills going from Iron
Hill to Charfield than what this is on the original
Survey & was one of the men that carried the chain at
the time of the river Charles Veyard was at the head of
said river in the Possession of J B Renard who as
had Veyard if David Askey was alive whether he thought
he would let them run through his place in that shape
and he replied no — that it was destroying Askey's place
it runs in A triangular shape through the Askey farm
in A zig zag shape and only leaves a narrow strip of
and next to the line of J B Renard — I think that it would
be at least \$100.00 dollars damage to the Askey farm — I
would say the original Survey gives an entitlement for the whole
of Public — see & subser } Dominique Guenot

Page 8. Oath of J B Runand.

Apr 63 -

Q Do you know the Location of Both the Roads
in dispute.

A. I do I have traveled over Both the original & Revised
of said Road and I think and am sure that the Or-
iginal view is the best and most convenient for
all the inhabitants and public in general it starts
at the same point as the Revised and makes A Shorter
Road by ^{an} $\frac{1}{2}$ mile Shorter to go to the Fairmont School house
which would be the nearest and warmest Road for the Sch-
lars to get to school on account of the snow drifts in the
winter season it also gives us a Road to haul our timber
to the river on the Big Run Road which Road has
been in use over 35 years for that purpose and that
is the only Road for the Settlers to get their timber to the
River Bank and in case of the Revised was confirmed
would leave us without the use of said Road? I would
also state that the original view is ~~on~~ better Grade and
better Ground and of more public use this is only
about 5 Rods that runs to ~~you~~ which would be easily cut
down and part of said Road is already made & traveled
over 30 years for the public use of all the Settlers in the vicinity
~~and~~ that is all the outlet we have to get to the Fairmont
School - I was present when the Revised Run of the Road
in company with Ernest Runand Samuill G. Gurnot &
Charles Veyard who said it was A Shame to Cut up the
the Askey farm in such a shape - It was not the right
over

Brought over NB- place to have the Road brought to
 Run Between him A Justin Manson And Strait Through
 the Askey Lands in the River it runs in a triangle shape
 through the Askey place in A zig zag shape leaving only
 A narrow strip of land Between the Road & my line -
 which would be of very little use to Askey I think it wo
 uld be at least \$150000 damage to the Askey farm
 In and Subscribed } J. B. Fenno

Agre

Path of J B Valmont

2

do you know the Location of the Roads in dispute

2

I was on the part of the river as far as the A
 skey place And that view would cut me & others
 out of A Road altogether While on the original find
 would Give A general in and outlet to the pub
 lic in general - it is an good solid ground and there
 is no place on said Road that could not be traveled
 And the Shortest And Better Road for winter and
 for School purposes I would say that the Road would
 intersect the Bag run Road so that we could get our tim
 ber to the River Bank which view would let us without
 A Road entirely In & Subscribed } J. B. Vallisont

Charfield County Sd

I do hereby Acertify that the foregoing Depositions
were by me taken at my office on the 18th day of June
A & Between the hours of 9 of the Clock in the forenoon
And 9 o'clock P M According to the Rule of Court. Each and
Every of Said Witnesses were by me Lawfully Sworn &c
in the presence of Ref & Def. And no cross Examination
made Witness my hand & seal the 18th day of June 1885
Wm. Millett Jr

Jan 1888 Served the ~~Western~~ Subjearina

Personally each of the Within mentioned witnesses

So answers

42 m. Serv

126

13 Remand

Further Cost

Subj - \$ 70

oath - - 80

150

2,20

150

570

2# 100 w

Subj

Further

13 Conaway 2,4

Remand 2,4

Remand - 2,4

Remand - 2,4

13 Remand 2,4

Answer Time 56

Remand 2,0

\$316

Clearfield County, ss:

Review of
Public Road
in
Conington Twp

L. S.
In the Court of Common Pleas of Clear-
field County, Pennsylvania.

No. 7. Sept 1884.

And Now, to wit, the 8 day of June, in the year
of our Lord One Thousand Eight Hundred and Eighty four
the Remonstrants enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evi-
dence on the argument of this case.
Ex parte Rule of Remonstrants on 5 day's notice.

James Kerr
Prothonotary.

To Oscar Mitchell, Esq.:

Atty for Review

You will please take notice that, in pursuance of the foregoing Rule, Depositions
will be taken before Wm L. Miller Esq, or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of
Clearfield, at the office of Wm L. Miller Esq, in the
Township of Conington, in the county of
Clearfield, and State of Pennsylvania, on the 18 day of
June, A. D. 1885, between the hours of 9 o'clock A. M.,
and 9 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa. June 8, 1885. Murray Gordon
Atty for Remonstrants

now June 8, 1885 service accepted on
this rule Reviewers.
Oscar Mitchell
Atty for Reviewers.

Ms. 7 Sept 1852

In the Matter of
Reverend
Charles B. Radin
Defendant

Rules

Ms. 7

To The Honorable Judges of
The Court of Quar. Sess. Elfd. Co.

The undersigned citizens of
Cornington township respectfully repre-
sent that the road lately laid out by
the reviewers from S. E. corner of
Wm. L. Miller's place to N. W. corner of
J. B. Reno's place, should not be con-
firmed for the following reasons:

First, As laid out more damage
is done to private property than by the
original view.

Second, As laid out the road is in-
tended for only private persons and not
to benefit the public.

Third, The road as laid out by
the reviewers is not necessary. They
therefore pray the Court to reject
the report of reviewers and confirm
the original report and they need
ever pray etc.

Fourth, The review does not start
and end at the same points as
the original view.

C. B. Vallmon
T. J. Holi
A. V. Mullen
Wm. Miller

Wm. Maurer
John Bonar
H. Maurer
C. B. Bonarway

Miles S. Conway	August P. Vallinont
amited. huger	L. H. Vallinont
Isabel Flood	Florian Renor
Dominique Guenot	John B. Renor
Adelaide Flood	Justine Guenot
L. A. Flood	Em. Herstein
Laurence Flood	Michael Crofer
J. F. H. Schmar	Sam. ...
R. Kanady	H. F. Kanich
Thomas Lambert	E. A. Kanich
R. J. Maurer	Jm. B. Politz
H. H. Vallinont	C. Schiavo
H. Holt	Anders M. ...
Earnest Renor	H. ...
Frank Guenot	J. S. Briel
Geola Guenot	G. W. Stroup
J. P. Mignot	Emil Mignot
J. ...	...
J. Schmar	John B. ...
E. L. Lousley	L. M. Condrict
A. Vincent	
Christian Brown	
J. H. Reiter	
R. L. Reiter	
off ...	
Alvin Schmar	
Felix Lousley	
H. ...	

No. 2. Sept 5th 1844

In matter of Return
of Public Road in
Borington 3rd.

Remonstrance.

1844

P. 1 A Depositions of Witnesses produced. Sw & affirmed
And Examined at the office of W^m Miller one of the Jus-
tices of the peace in and for the County of Champaign
on the 18th day of June 1885 Between the hours of 9 of the clock
A.M. and 9 o'clock P.M. of said day in obedience to the Rule
of Court And Notice hereto attached to be read in A cause
Depending in said Court in which Review of Public
Roads is Plff., And vs Covington, Trsf., Deft. =

Oath of Clarence Ginn

Q. Do you know where the Road is laid out by the Review,
And the Situation of the Same

A I do know that review is a great deal more dan-
ger to Property in general than the original view it runs
through the David Askeys farm in a triangle form
And spoils the place and on the original view it would
do no damage to Askey - And I think it would be
more convenient to all the Settlers to have the Road be
where the original Survey called for. It would then
Give A Road to W^m J Miller John Valenant Justin
Ginnot Francis Ginnot L M Condint George Emrick
C Barnay John Bertrand, While the review would
only be for the Benefit of Justin Mulson & Charles
Byard - The original view would intersect the old
Road to go to the mouth of the Big River at the west -
Branch of the Sangamon River and Give an outlet
to all the inhabitants - Over

Brought over Path of J. Genie

Page 11. It would also be more convenient for the child
when to go to the fairmount School it would be a warmer
road and easier. As the road on the river is all the
time drifted shut with snow so that the scholars -
can hardly get to school in the winter season the road
would be about one and a half mile shorter than the river.
I think the original view would make a very good
road for the use of the public the ~~grade~~ on said road
is not as steep as it is from Frenchville to Clearfield in
^{many} places the river starts at the same place but does not
come out at the same point - In and Subscribed

} Thomas Genie

Path of M. B. Conway

you do not know the situation of the original view
of the old road in dispute

A. I do - I went over both of the roads the original & the
river. I think the original survey would be the best and
most convenient road for the settlers and the inhabitants
also it would be better for the scholars in attending
school the original road would be warmer and not
so liable for the drift of snow while on the river it
is subject to the drifting of snow which is difficult for the
children to attend school in the winter season it also knew
that the original view would intersect the old road that
has been used over 30 years to go to the mouth of Big run at
the river over

G. W. St. Clair
J. W. Michaels
John Yethers
J. D. Schnars
Joseph Cross
Fortunat Renaud
S. Mousier
Philip Holt
C. E. Schnars
M. H. Buchanan
W. E. M. M.
Samuel D. St. Clair
C. D. Thompson
Serdon Realey
Wm. J. Kelly
Wm. H. Schnars
~~Ch. Barney~~

W. J. M.
Danell Co.
Neddes Kelly
Mesly McGovern
Julien Beass
John W. Brides
H. J. Condriet
Germaine Barret
W. J. Kanady
E. J. Boner
Reubin Holt
Alix Conoway
J. A. Leount
Emil Bollophen
H. M. Gibson
S. P. Bronaell

W 9 Sep 55 884

Brack

in

Conington Meadows

July

Charles Vincent
 James B. Singer
 Francis Wignot
 Henry Bentot
 Alex. Berthot
 A. Hugueny
 Nick Fontenay
 Charles Viard
 Francis Viard
 Oliver Le Gother
 James G. Holt
 R. S. Holt
 Joseph F. Reiter
 Nicolas Martell
 Frank Verbeek

Justin Esipagney
 Lewis E. Gaudriat
 Francis Leguey
 John Viviot
 Amos Le Royer
 Justin Mariani
 Frank Vainchet
 Peter Plubel
 Tule Beass

Joachim Lachat
 Francis Leguey
 W. G. Reel
 John Reel
 Wm. Kunes
 John D. Smith
 Myron F. Gaudriat
 J. Schubel
 H. M. Henry

Alex. Hugueny
 Charles Berthot
 Charles Hugueny
 Fred. Plubel
 James B. Singer
 having signed the original
 wrongly informed
 Edmund Ward
 Jacob Maurer
 George Watt
 J. H. Hudson
 F. J. Gaudriat
 Le Royer
 Francis Royer
 Louis Leguey
 a Dolphe penot
 Antoine Geter
 G. B. Royer
 J. Plubel
 F. J. Gaudriat
 Alfred Viard
 James Hugueny
 James D. Leguey
 August V. Mulson
 P. M. Mulson
 Paul Gormont
 John B. Gormont
 John B. Mulson
 Salomon Smith
 Joseph Smith
 Benjamin Thomson
 Thomas Thompson
 John D. Smith
 A. B. Gaudriat
 having signed the original
 wrongly informed
 John McReiter
 Frank Miller
 J. D. Gaudriat

That the road as reviewed passes by Charles Viars house and near August Mulson's house and gives them a good outlet and also passes Mr. S. Miller's share, that the road as laid out by the first view will never make a good road on account of having a long and steep hill on it, that it passes over a ravine that is over 30 feet deep, that there are two bridges on it beside the one passing over the ravine, that the road is swampy where it crosses the ravine, that the road as ^{re}viewed road is a good grade solid ground and no bridges, that your petitioners believe that ^{first view} said road is not needed for public use as it is too steep for the public to travel over and that it leads from a private residence on the hill which is not even in the vicinity of a public road or where one could be made and is no benefit to the public and should not be granted by the court.

Your petitioners therefore pray that the court will refuse to grant the road as originally laid out or the road as reviewed but if either of the two roads the reviewed road

In the Court of Quarter Sessions
of Bedford Co.

In the matter of the public road
in Covington & Hart House Townships
leading from Horie Bennie in Hart House
Township to Fairmount School house,
or to intersect public road at or near
said school house in Covington
Township.

To the Honorable, the judges
of said Court:

The petition of the
undersigned citizens of said town-
ships respectfully represents that:
the original view as laid out leads
from the private residence of Horie
Bennie to a public road at or near
Fairmount School house, that said
road leads by no dwellings at all
but passes within about 20 rods
of John Reno's house and that
said Reno has now a public
road ~~now~~ about the same distance
from his house which gives him
a better way out than the public
road now asked for would give
him, that it passes a short distance
from J. B. Fairmount shanty, but Fair-
mount could have a better route out
on the river though a little farther,
that the original view passes no
way near anyone else's house and