

No.

19, *HCNY*

Public Road

N

versus

Penn Va Greenway
Township

The

For

Contents:

of *Penn*



File

Fees \$1.75

W. H. Bennett & Co.

Depositions of witnesses produced sworn
& affirmed and Examined by me at the
Office of J. E. McKennock Clearfield Pa
between the hours of 9 O'clock A.M & 9 P.M.
on the 30th day of August A.D. 1884
by virtue of the annexed Rule of Court
of Common Pleas and notice
hereto attached for the Examination
of Witnesses in a certain Cause depending
in said Court ~~in which~~ In Re Petition
of Citizens of Greenwood and Penn Twp^s vs. Reff. and
Petition for Road in said Twp^s and Dist^s—

S. F. McKloskey produced and sworn
I live in Cresskillville am a Surveyor
I am acquainted with the location of the
Road in Greenwood and Penn Townships
and of the proposed new Road in question
here. I laid out the proposed new
Road I was one of the Viewers I am
acquainted with the location of the
Road beginning at the Hill Road
and running by way of Spencer
hill School house and Gun Belts
and intersecting the River Road
below Hoyts Mill. I made a
survey of this Road last week
by running the actual courses and
distances of the Road. I also took

the grade on this road at several places. I made a survey of the hill road from the junction of the East Road to the intersection of the West or Houser road by running the actual Courses & distances I also made a survey of the West road by taking the Courses and distances of said road. I ran from the Hill road to its intersection with the River Road I also made a survey of the River Road from the intersection of the West to the East Road I took the grade of the West Road in several places and have the measurements of all these Roads Map show witness Marked Exhibit A. This map represents the surveys I have just mentioned and is drawn to a regular scale about 20 perches to the inch. From my notes of survey, the Road designated as the Hill Road in testimony and on the map as the road to Curriersville is a main thoroughfare leading from Curriersville to all the up

River County Burnside New
Washington Cherry Tree and other
places. The distance from the in-
tersection of the proposed new
Road with the hill Road to Hoyt's
Bridge by way of the East Road
is 3 miles and 56¹¹⁰/₁₀₀ Perches. The East
Road is a pretty good Road and
was in pretty good condition
when I went over it having recent-
ly been worked upon. It is a
very crooked Road and runs
through cleared land the greater
part of the way. I took the grade
of this road at 5 different places
where the hill was steep. The
first place I tried the grade
it was 8¹/₂ degrees the next place
I tried it was 8¹/₂ degrees the
3rd place was 9 degrees 4th place
was 5¹/₂ degrees and the 5th place
it was 7¹/₂ degrees. These points
are designated respectively from
the River toward the hill Road
and so marked on the map.

From the intersection of the new Road
with the hill Road by way of the
West Road to the River Road the

distance is $611\frac{7}{10}$ perches. By the same route to the Grist Mill¹⁸ is $875\frac{7}{10}$ perches or 2 miles and $235\frac{7}{10}$ perches. This is a pretty hilly road ~~too~~ there are some pretty heavy grades on it. I tried the grade of this road, ~~and~~ at one place it was 6 degrees at another place $7\frac{1}{2}$ degrees. I took the grade at another place it was either 7 or $7\frac{1}{2}$ degrees. This road was not in very good condition some parts were in good condition and some parts were not good. The distance of the proposed new Road from the hill road to the river Road is 995 perches and to the Mill it is 1 mile $146\frac{7}{10}$ perches. The heaviest grade on the new Road is in the last two courses near the hill Road and will not exceed 5 degrees. The lower part of the Road the grade is easier ~~about~~ ~~think~~ it will exceed $2\frac{1}{2}$ degrees. From the intersection of the proposed new Road with

the hill road to the East Road
 is 190 or 200 Rods. The nearest point
 between the East Road and the pro-
 posed new Road is 110 Rods by
 scale. The distance from the proposed
 new Road to intersection of West
 Road by the hill Road is 60 $\frac{1}{10}$
 perches. I was one of the victims on this
 Road as it was located. It would
 not be a very expensive Road
 to make it is a side hill cut
 most of the way most of it is
 light and none of it that I would
 consider heavy. My recollection is
 that there are no large rocks
 to interfere with the making
 of the road as located. I did
 not pay any attention to the timber
 on Mt Bell I was looking for a
 road. The greater part of the proposed
 new road from the Coal Bank
 up, is located on a wagon Road
 which was open when the view
 was made. When we reached Mr
 Johnsons field where the short turn
 is in the new road we left the
 wagon road and ran on higher
 ground in order to get a better

grade I think the last 2 courses are located partly on the wagon Road Map Marked Exhibit A offered in evidence and made a part of the testimony in this case

Cross Exam

My map shows the distance between the western road and the proposed new road to be 60 to 70 feet. My map does not show the location of Eli Johnson's Coal bank on the proposed new road. I do not find any one living on the proposed new road from the point where it intersects the hill Road to the point where it intersects the River Road. The proposed new Road runs partly through D. Hoyt's land, Guir Bell's land and Eli Johnson's land. My Map does not show the distance between the point where the proposed new Road intersects the hill Road and the point where the Eastern Road intersects the hill road. My Map does not show

the distance between the points where
the proposed new road intersects
the Pine Road and the point where
the Eastern Road intersects the Pine
Road. My Map does not show
the location of the school house
on the Eastern Road. My Map
does not show the distance by
a measurement on the ground
between the nearest or the farthest
point of the Eastern Road and
the nearest or farthest point
of the proposed new Road.
My does not show either
the distance by measurement
on the ground between the
nearest or farthest points
of the Eastern Road and the
nearest and farthest points
of the western road. If it had
been measured on the ground
the distance would be greater.
My Map does not show where
D. W. Hoyt lives. I do not think
it would cost over \$1.00 per
Rod to make the proposed
new road through probably
it would cost more and

less. I have not made any
road for a long time. Along
the Easton road from the point
where it intersects the Hill Road
down past the school house &
past Dr Hoyts property the road
bed is staly but below that
point towards the River it is
a good County Road it was
in good condition but it is
very steep. The proposed new
road runs through woods
most of the way nearly all the
way. It is not more than $\frac{1}{2}$
Mile from ^{the point where the} proposed new
road intersects the Hill Road
to where Eli Johnson lives
The Character of the ground is
steep and hilly between the
Hill Road and the River Road
and the Easton & Weston Roads
I do not know whether the
timber was good or bad
If the timber to be cut down
was to be wasted it would
be a damage to a man
but if it was cut up and
taken away it would not

so much damage. I do not
 think that making a road
 through timber land by which
 the wind gets into it would
 make any damage to him.
 A Road made through
 timber land would be
 more wet as it would
 not have the same chance
 to dry as one made through
 cleared land. I don't know of
 more than 3 Roads between Bell
 ville and Lumberville that leave
 the hill Road and go to the River.
 I think that the proposed new
 Road is a public necessity;
 I never said to any one of the
 viewers that if anybody had
 been there to object to the men
 that I would not have reported
 in favour of the road. I don't
 know whether I said there that
 day that the road was of no
 use to any one by Eli Johnson.
 The Eastern & Western Roads will
 accommodate the Publice Traveling.
 I traveled the Eastern Road 15
 Years or more. I traveled over

the Hoon Road 15 or 20 years ago
I cant tell how many persons
live betw the Eastern & Western
Roads. The proposed new Road is
a greater benefit to Eli Johnson
and Dr Hoyt than any other
persons in the neighborhood
or any other individuals
Re Direct

I reported in favour
of this new road as a Public
necessity and I have not changed
my mind yet. This road in
my opinion would make a
better road than either of the
Roads now open an easier
grade and more direct.
This new Road would be the most
direct rout for the People
in the neighborhood of Hill
Road and that vicinity to
Hoyt's Mill it would be a
direct continuation of the
Public Road leading from
Marion in Ferguson Township
to Hoyt's Mill on through to
Penrville & the Champion Hills
Settlement. The only reason I have

for saying that the new Road
would benefit Dr Hoyt more
than others is that it would
open up a better road for
reaching his Mill from the
Grapvion Hill settlement
Re Cross & C

I do not know
whether the Grapvion Hill
people go to Hoyt's Mill or
not. There is a grist Mill
at Pennville in operation
and there is a grist Mill
at Lumbh City. When we
laid out this proposed new
Road we did not vacate
either the Eastern or Western
Road these roads are there
and are used by the public
S. J. McClosky.

David Hoyt Affirmed that
he lives in Penn Township
on the River Road about $\frac{1}{4}$
mile below the intersection
of the East Road. I have lived
where I now reside about 8
years but have lived in that

Neighbourhood about 40 years
I am well acquainted with and
have traveled all the roads shown
on the map I have been over
the route of the proposed new
road I do not consider it all
together an expensive road to
make taking the improvements
already made in Greenwood
Township. The road is already
made to within a few Rods
of the Penn Township line so
that it can be driven with
a wagon. I don't think it
would cost over \$150 per Rod
to build the whole road through
I have examined the route of this
road through Grier Bells timber
lands and find that to build
a road bed 12 ft wide would
only necessitate the cutting
of 2 chestnuts that would make
telegraph poles 1 small Red
Oak 3 white Oaks 1 Maple
and 6 Hemlock 5 of the hemlock
are small and 1 is a good
sized tree 24 large Stumps

showing that the timber is principally cut on the route. The opening of this road might cause a few trees to die along the sides of the road. I think the advantages arising from the opening of this road through Mr Bells land would offset the damage to the timber. This road would be much more beneficial in winter than summer because people needing coal could get it on the line of this road. The other roads are blocked up by snow drifts much of the time during the winter so that the people have difficulty in getting through. The grade on the East Road part of the way is heavy. You cant haul a full load up this road and do the team justice some men do. Yesterday a man did haul a full load up but hurt one of his horses so that he could not take his wagon home from the mill.

his load consisted of 23 Bush
of Rye and 16 Bush of wheat
which would be 2248 lbs he told
me that he hurt his horse by
pulling him. I am the Miller at
Hoyt Mill we have had a large
trade at our Mill in the pass
from the Champion Hill section
There has been a Mill at Penn
since I was a boy and not
a season but what it was
run part of the time they have
no water power and have
introduced steam power I
cant say what effect this
Mill will have on our trade
in future we have always had
a large custom at our Mill
in the summer because we had
more water than most of
our neighbours Mills - The distance
to Cummerville by the proposed new
road would be about $7\frac{1}{4}$ Miles
And by way of Lumberville it is
9 Miles and by way of the last
road it is 9 Miles. This proposed
new Road would open up a direct
route and on a good grade from

Hoys Bridge to the town Hebron
and the new Coal fields South
west of Pennville. I have 95 acres
of land in Penn Township. I am
not opposed to this road I consider
it as much of a public necess-
ity as ~~the~~ any of the other
roads in Penn Township.
My children go to school at
Spencer Hill School House,
by way of the East Road.

Mr Eli Johnson has come to our
mill by way of both the East
and West Road and during
the winter he came to mill
by way of a saw log Road down
the draft near the site of the
proposed new Road.

Cross Examined

It is further
around from my place by the
proposed new Road to the school
House than it is to go by the
East Road. For school
purposes the proposed new
Road is no advantage to
me whatever. I have seen
lots of drifts on the hill Road.

Last winter one year ago thisst
Road was not blocked by
snow as it was an open route
I have used the East Road for
nearly 40 years I own the Mill
property. The proposed new road
is a particular benefit to me
noy lives on this proposed new
road. There are 6 Roads from the
Hill Road between Bellville and
Lumbury that lead from the
hill road to the river and 3 of
them go into Lumbury.

Starting from Morrow to go to
Cummerville the great bulk
of the travel does not pass
by my mill. I don't get the
great bulk of grist from
the Grandpion Hill Country
since the steam mill has been
built at Pennells. My Mill
is a water mill and was built
in 1844. Since the East Road
was built they have been
hauling from my mill over
it and also over the Western
Road. If the Road was built

the other side of the River must of necessity cross there and it is a disadvantage to them to go around several miles to reach a point on the hill Road to go to Punsville or Curmeville. I consider it would be an advantage to me. I think it would be a benefit to the Public. The people along the River need Coal and if the road is opened they can get it from Mr Johnson. It would also be a benefit to Mr Johnson and the People in his section to get to the River and also a benefit to people coming to My Iron Mill. A part of the East Road is very steep and there is a good many roads in the County that are very steep Cross E.

It is a great benefit to me and my son to have this road made it is also a great benefit to Eli Johnson also I have traveled the Eastern Road

and all the roads since 1846
I have been able to do my hauling
and my business on this Road since
I lived there. There is no
body living on this new Road.
I think a private road from the
hill road would answer Mr Eli
Johnson just as well as a public
Road but it would not answer
the Public as well. If there was
no Coal Bank there there would
be no Public necessity for this
Road. What I mean is that
this road would be a Public
benefit without the Coal Bank
but a still greater benefit
to the Public as there is a coal
Bank on it. The Eastern Road has
accommodated the traveling Public
for 28 or 30 years and the
Western Road the same.

John P. Hoyt

Mr. C. Hoover Affirmed testifies
I live in Greenwood Township along
the Hoover Road about 1 mile from
the Hill Road. I have been along

according to the order of Court 16
feet wide it would not take
more than a dozen ~~or~~ good
trees from Mr Bell. From the coal
Bank towards the River there is
about 40 Rods of this new road
made I think. Above the Coal Bank
there is about 60 or 70 Rods made
I have coal under my land.
The only objection to the Eastern
Road is to its heavy road.
Eli Johnson and others would
be greatly benefited by this
proposed new Road because
they could get coal from Mr
Johnson by having a shorter
distance to go ^{than} to other banks.
The load hauled up the Eastern
Road by Mr Dunworth which I
spoke of was not an extraor-
dinary load for a road of good
grad. The day he hauled the
load spoken of the road was
muddier than usual on ac-
count of being newly thrown
up ~~over~~ the grade being at
that point about 7 degrees
Re Direct

The bulk of the Coal was got
last winter from G. Hartstone back
When the East Road is blocked up
in the winter we have to go by
Bellville to the Coal Bank over 4
Miles this is the reason that I
said it would be an advantage
to Eli Johnson and others
D. W. Hoyt.

J. P. Hoyt Affirms

I live in Greenwood Township
near the Mill. I have lived there
since 1846. I am acquainted with
a part of the location of this
proposed new road no part
of it passes through my land
I was with the viewers when they
located this road through
Grier Bells land. I don't think
the opening of this road would
do much damage to his timber
as I don't think there is much
timber near the site of the road
Our Bridge is the only Bridge
is the only one between Mahaffey
and Lumberton and when the
River is high people from

the route of the proposed new Road. I was over it on last Saturday. I drove over this road as far as the Coal Bank track before last. I got a small load of coal. The road to the Coal Bank is now open for waggoning the greater portion of the way on the river where it is not on the river it is just at the one side of the river. The greater portion of this road will be easy to make a little of it will be more difficult to make. I think that a man could take the job of making this road as roads are usually opened could make good wages at \$1.50 per Rod for the entire Road. I examined that part of the Road passing through Green Hills timber and saw very few trees that would have to be cut. I was surprised to find so few there were a great many stumps where timber had been cut. I own a farm in Greenwood

Township. I think that it would be a great advantage to the traveling Public to have this road opened especially in the winter it would also be a great advantage in the summer to have the road with a good easy grade to get out onto the Ridges. It would be an advantage to me to get Coal also to get out in the winter when the other roads are drifted shut my road is often drifted shut and there is very little travel on it in the winter. The People on the other side of the River haul a great deal of Coal from Hartshorn & Kesters Bank and have to go by Bellville it is about 4 miles from Hoyts Bridge by the Rafferty Road and it is further by the other Road to Hartshorn Bank. Kesters Bank is about $\frac{1}{2}$ mile nearer. By the proposed new ~~bank~~ Road it is about

1 Mile to Johnson's Bank
This new Road would be about
on a direct route from Hoyt's
Bridge to the new town of
Hephurnia and the Champion
Hills settlement. There is a
good many people in Pennville
and vicinity who haul coal
from Johnson's bank and use
it because it is a better
quality of coal than Kesters
or Hartsbours. The road past
my place is a roundabout
Road to the River it comes
out on the River Road near
Frampton Bells fields. I am
acquainted with the East
Road by the Spencer School
House it is hilly an steep
in some places and is a
bad road to drift in the
winter and both the Hoover
and the East Road drift-
full and no effort is
made to open them after
they are drifted. I never knew
the Supervisors to open them
There are others that would be

~~beneficia~~
~~besides~~ Mr Johnson

beneficia besides Mr Johnson
they would travel it for the
purpose of getting and for
other purposes besides
Cross Creek

This road to the
Coal Bank has not been
opened up a year yet it
is not on the grade of the
proposed New Road at all
This road to the Coal Bank is
not as good as a public
Road some of it would
have to be changed if a
Public had to be made
Most of this Coal Bank road
runs with the lay of the
ground with the exception
of a small portion of it
and is in some places
about the width of a wagon
track. This road below the Coal
Bank would have to be changed
to make it a Public Road
Outside of getting coal and
when my Road is blocked
I would have no use for this

Road. I cant say whether this Road would drift or not I dont think it would I have seen the Roads in the woods drifted but not so that it could not be traveled. There are 4 Roads between Bellville and Lumburg leaving the hill Road and going to the River Mr Hoyt and Mr Johnson are benefitted more by this new Road than any other persons in that vicinity. The Eastern Road has been there as long as I can mind and has been used by the traveling Public.

W. C. Harris

Chas Helper sworn testifies I live near Pennville and am acquainted with the location of this proposed new Road I was one of the viewers. I considered at the time that it was a public necessity and considered it so yet. I had some experience in building Roads

I consider a man can make good round wages making that Road at \$1.75 per Rod I will take a contract and bind myself to make it at that price. That Road if made will be a benefit to the Public the People of Pennville and the Granphior Hill settlement as well as the people of Ferguson Township. It would open up a direct Road from over the River by way of Hoyts Bridge to the Ridge Road and Pennville. There is now no Road of easy grade between these points. When the Rail Road is completed to Pennville and Hepburnia they will be the nearest Market for Pork and produce from that section.

Cross Ex

I live about $1\frac{1}{2}$ or 2 miles from this proposed new Road where it intersects

the hill Road. I came up
the hill on the East Road
with 5 or 6 hundred pounds
on my wagon and my team
was almost exhausted when
I got to the top. I don't know
of any one hauling more
than 5 or 600 lbs up that
hill it might have been
done but I don't know of
it. There is no body living
on this new Road. I think
this road is a Public necessity
I don't think that Dr Hoyt
or Eli Johnson are benefited
more than other persons by
the opening of this new road
I have traveled the Eastern
Road 3 or 4 times a year
when I could get through
some times I could not get
through on account of the
drift

Charles Helper

Eli Johnson Affirmed & states
I live in Greenwood Township
since 1852. I am acquainted
with the location of this new

Road it runs from the corner of one of my fields to the River. The road is now open to within the River Township line and no part of the Road open is more than 66 ft from the Centre line of the location of the new Road except about 10 Rods next to the Penn Twp Line and that may be 25 feet at the Penn Twp line. The trees have been cut down and most of the stumps blown out for about 160 Rods. I have a Coal Bank open along this Road and have made a fair wagon Road to the Coal Bank ~~a team~~ we have hauled 30 Bushels of Coal from this Bank we never tried how much we could haul. I sell a good deal of Coal at Lumbuckly Bellville and Pennville and to persons living along the River Road. The new Road if opened would be the main

outlet for this trade. I consider
 this Road a Public necessity
 the Public will use it more
 to the Coal Bank than I do I
 have the road already made
 for my own use and made
 it at my own expense
 The object in getting this Road
 is to get an easy grade
 and direct route from the
 River Bridge to Pennville
 I cant see how it would
 be more benefit to me
 than to the Public. I know
 the East Road I drew the pe-
 tition for the men on that
 Road. I consider it a hard
 Road too steep to haul full
 loads. I dont consider a team
 could haul more than $\frac{1}{2}$
 a load up it. I consider
 it a middling bad road for
 drifting. I think the new Road
 would not be liable to drift
 I would like to take the Contra-
 ct of building this Road at
 \$1.50 per Rod. I dont think the
 opening of this Road through

Green Bells Timber would be ~~be~~
much damage if I owned
the land I would consider
it an advantage to have the
road. I don't know of much
opposition to this road in Greenwood
Township. The majority of the
Remonstrators in Penn Township
live in Pennell and the North
west part of the Township
Cross Ex.

I wrote the petition
for this road I circulated
the petition. F. D. Johnson one
of the Petitioners is a brother son
of mine. Isaac Kester lives
nearly 2 miles from my place
John R. Derrick lives nearly 2
miles from my place. J. Asel
Johnson one of the petitioners
is my brother son. A. B. Tate
lives a little over 4 miles from
my place he lives in Greenwood
Twp. Jas Tate one of the petitioners
lives 4 miles from my place
E. J. Johnson one of the petitioners
is my own son by W. Bell

one of the petitioners is son of
Franklin Bell We sell the
Coal family receives the
money for the coal I think
this Road is a public benefit
It might be more benefit to us
for a short time than it
would be to others in the com-
munity we made the road
to the Coal Bank last fall
I take the bulk of my
grist to Hays Mill and
I take some of it to Pinnell
I took some to Lumberville
but did not get good flour
and I quit going there
There are 4 Roads between
Belleville and Lumberville
I don't consider any of them
good roads The Pinnell and
Lumberville Road is a good
road this road the Lumberville
Road makes 5 Roads all
the Roads are hilly except
this Lumberville. The portion
of the road from the hill Road
to the Coal Bank is a timber
Road. We have blow out the stumps

and trees on the line of the
survey as returned to Court
last Summer

Elah Johnson

I hereby certify that the above
Witnesses were duly qualified
and Examined by me at the
time and place stated in
the above Caption and that
they signed their depositions
in my presence

D. Connelly J.P.
Court

Clearfield County, ss:

In Re Exceptions to
Report of Viewers of
Public Roads in
Greenwood Penn
Lawns life

Quarter Session
In the Court of Common Pleas of Clearfield
County, Pennsylvania.

No. 19 Term, 1884

AND NOW, to wit, the 11 day of August, in the year of our
Lord one thousand eight hundred and eighty-four, the
Petitioners enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evidence
on the Argument of Exception in this case.
Ex parte Rule of Petitioner on 10 day's notice.

James Kerr
Prothonotary.

TO S. V. Wilson, ESQ:

You will please take notice that, in pursuance of the foregoing Rule, Depositions will
be taken before David Connolly, 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. F. McKinnick, in
the Borough of Clearfield in the county of
Clearfield and State of Pennsylvania, on the 30th
day of August, A. D., 1884, 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., Aug 11, 1884

Service accepted Aug 11
1884 and personal service
waived.

S. V. Wilson Atty for Exceplants.

J. F. McKinnick
Atty. for Petitioner

Oct 19 Young Dec 1884

Bank of California to
Report of the
Committee on
the State of the
Bank of California

Additional

Real Estate

Cost

Produce

Black Iron Ore 2.81

Wheat

Chas. Miller

Wm. C. Miller

Wm. C. Miller

Wm. C. Miller

Wm. C. Miller

Wm. C. Miller

Wm. C. Miller

Wm. C. Miller

Wm. C. Miller

Wm. C. Miller

Dec 20 Dec 1884

1.72

1.90

1.90

1.90

1.36

1.90

1.90

1.90

1.90

1.90

1.90

1.90

1.90

1.90

1.90

To the Honorable the Judges of the Court of quarter sessions
of the peace in and for the County of Cleasfield
The petition of the undersigned inhabitants of the Townships
of Penn and Greenwood in the said County respectfully
sheweth that your petitioners labour ^(under) great inconvenience for
want of a road or highway to lead from a publick road at
the corner of E Johnsons field to intersect the river road at or near
Sloans rock your petitioners therefore humbly solicit the Court
to appoint proper persons to view and if they see fit to lay out
the same according to law

Calah Johnson
Jerrin W. Shope
W. C. Hoover
F. D. Johnson
M. A. Johnson
Jonathan Risk
E. L. Popmore
M. W. Read
E. Wall
A. W. Spencer
J. L. Kester
C. J. Johnson
Henry F. Yeager
G. W. Spencer
George B. Calhoun

J. P. Hoyt
D. M. Hoyt
George Ulrich
J. A. Johnson
B. L. Kester
John B. Derrick
J. M. Chester
D. F. Mcbracken
Isaac James
James A. Murr
Perry Atkins

No. 19 Jan'y 2, 1884

Puttion for a Public
Road in Greenwood
Maine 2000

Shedden 1st Feb'y 1884
Petition read and

of J. W. Blackley
~~Shedden~~

of J. W. Blackley
over this
an application pursuant to the
report to March 1884
by the Court
at 100

Dec'd 1st July 1884

Wm. H. Blackley
~~Wm. H. Blackley~~

And now 13th March 1884. Order enlarged to May Session
By the Court
at 100

To the Honorable the Judges of the
Court of Quarter Sessions of the Peace
for the County of Bedford. -

The petitioners Citizens and Tax
payers of the Townships of Penn and
Greenwood in the said County Beg.
to represent to your Honorable Court
that a Public Road was lately laid
out and confirmed *Ad. Si.* Leading from
a point on the Curranville ~~and Cherry~~
two road known as the "Hill Road"
to a point on the River road near "Hound
Rock" - About one ^{and} one fourth miles long.

That a Remonstrance was extensively
circulated against the said Road and
signed by some of us under a misunder-
standing of the following facts viz First
that it would be an expensive road to
make and only beneficial to a few individ-
uals. Second that it would do great
damage to the timber lands of Green Bell.

Since Exceptions were filed and the facts
more carefully inquired into we beg to
urge upon your Honorable Court the
fact that the cost of opening the
said Road will be less than one third
the amount represented by its opponents
and the damage to Green Bell comparatively
little. That of the future developments
now in progress at our neighborhood are
continued this road will be part of

a direct Highway and the only
 feasible one from The Maroon and
 Chest Creek Region to The Cranston
 Hills and the line of the S.W. R.R. Union
 and open up by an easy grade and direct
 route via of Hays to Bridge a section
 of country and wagon trade heretofore
 entirely cut off. Your petitioners truly
 believe that the proposed road if
 confirmed by your Court will fill a
 need long felt by the traveling public
 and they therefore urge upon your
 Honors the confirmation of the same
 and they will ever pray &c

James Johnson	John P. Hays
John S. Johnson	D. M. Hays
David McCracken	Marion Sharpe
G. W. Campbell	James Frampton
Geo. Thompson	W. M. Robinson
Wm. Johnston	D. H. Johnson
B. J. Saville	Thomas McCall
Wash. H. Lee	B. H. Kester
S. M. Johnson	M. J. Johnson
J. A. Barrett	William Ross
J. A. Barrett	H. M. Hamilton
	Ed. Wiley
M. S. Spencer	J. W. Looker
J. P. Hume	E. L. Peckmore
A. Moore	A. M. Spencer
Ed. Moore	J. Hume
Kathleen Moore	Charles Helper
Frank Hamilton	Michael Lightner
W. W. W. Flynn	E. J. Spence
Lewis Johnson	W. C. Currier

A. C. Williams

Perry Antons
Ch D Johnson

George W Dickey

Job D Curry

Joshua Newcomer

B. L. Duhl

Isaac H. Will

F. H. W. Clark

A. E. Johnson

Benny G. Meager

D. C. Johnson

W. E. Passmore

John H. H.

Abram Hess

Latmor Hess

Clark Arthur

Clark Johnson

Abram Spencer
Hardman Hiltzner
E. J. Johnson

James J. Hiltzner

M. W. Johnson

Black H. Hiltzner

A. H. Newcomer

Amos B. Tate

C. B. Hiltzner

W. E. Hoover

Daniel. Matter

Isaac M. Hester

Amos H. Hester

John H. Hiltzner

J. A. Passmore

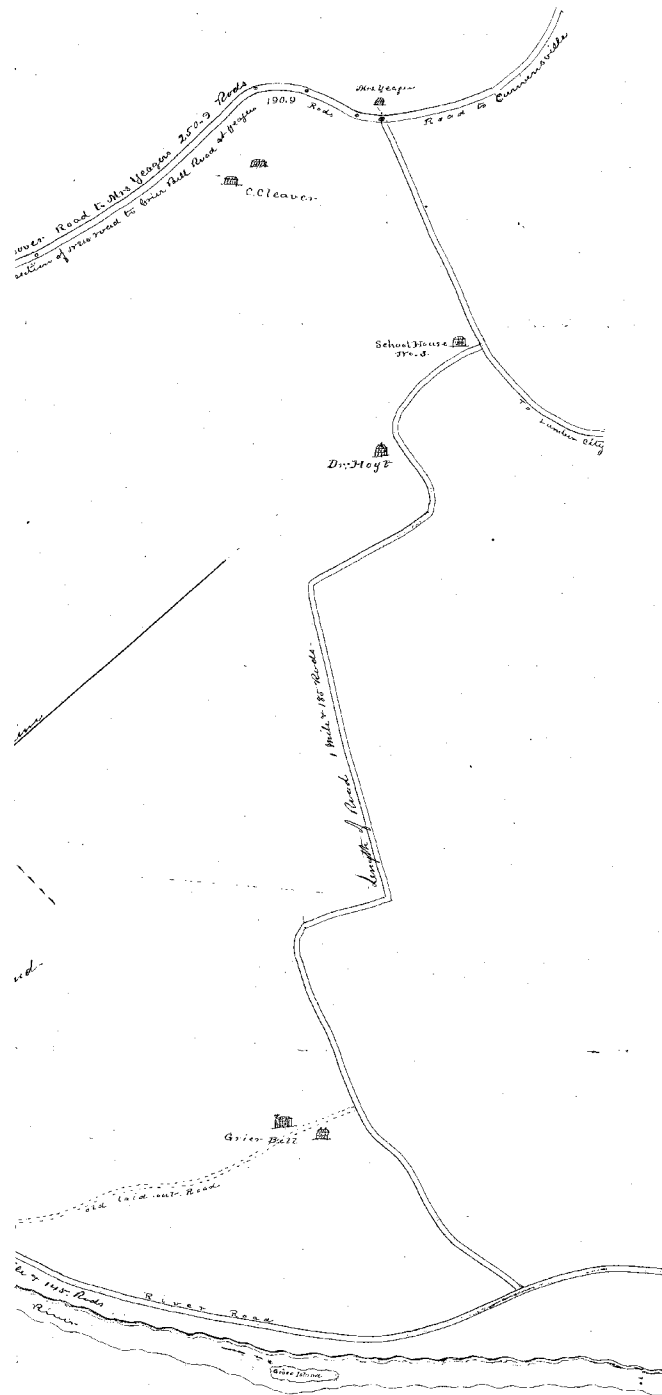
H. J. Hiltzner

J. P. Hester

*Supplemental
Petition of Citizens
of Vermont
and New Hampshire*

Do No 19 May 1/1884

June 20 or 1884



30 Rods to 1 inch

CLEARFIELD COUNTY, SS.

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the First day of February, A. D. 1888, before Judges of said Court, upon a petition of sundry inhabitants of the township of Penn. Co. Greenwood, in said county, setting forth that Elah Johnson et al

Representing that they labor under great inconvenience for want of a road or highway to lead from a public road at the corner of E. Johnsons fields to intersect the river road at or near Bloans Rock

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint D. W. Cloakay, Chas. Helfer and James Heile 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 ensealing 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 .

IL SI

IL SI

IL SI

IL SI

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 .

Also— Voters will generally note the loss of time, money, and effort involved in setting up the booth at the place of their return. Reviewers cannot, therefore, view the location as the location may be the original location, except for the time and money involved.

N.B.—If the voters believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report no effect.

	Days	Miles	Amount.
Gal. Mile	2	3	

Chas. Welch Days 2
Miles 3

St Michaels } Days 3
Miles 8

Geo Johnson... { Days & ...
 Miles ...
 Chas. ...

Mr. Johnson { Days 2
Miles

Nov 21st Dec 1894. Report was
Remembrance considered
throughout. It is decided by
Board of Trustees that the
that the Remembrance be as
lined report from
Ministerial, which says
little seems to
by distant.

No. 19, Jan'y Sessions, 1884

THE UNIVERSITY OF CHICAGO PRESS

To view and Lay out a Board:

For Public use in the townships
of the Greenock Clearfield county.

1st Ellwood 1884. Conference
Here, road to be opened, 33 feet
wide, straight where dragging away,
broadening as required. 4 ft. to
be 16 feet wide By the County.
1886.

Reverend Mr. Rice filed 17th
May 1891 Geo Hart Pres
21st May 89 Cuthberts &
Sgt Dep. testimony to wit
upon question of necessity
Hwy 10th Court
5728

Filed 18 Mar., 1884

Fees \$1.²⁵ paid by Am. Kuwait

McGowan & Walters

Elah Johnson

Township

Penn

Township

Green Bell

Greenwood Township

David Hoyt

Penn Township

Down the River

Hill
Post
Post
Post

Post

Hill

Hill

Post

Hill

Hill

Beech

W. Or

Ch.

Beech

Ch.

B. Or

W. Or

Ch.

Hill

Post

Post

Post

Post

Post

Post

Post

Post

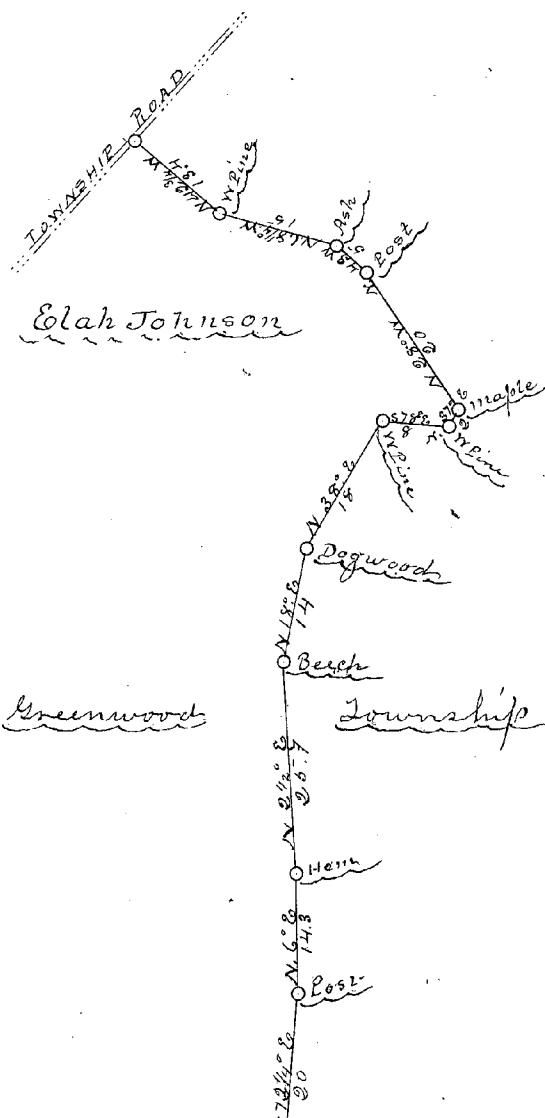
Post

Post

Post

Post

Post



To the Hon Judges of the Court
of Clearfield County

We the undersigned persons appointed by the within Order of Court - to view, and lay out 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 being all sworn, or affirmed in pursuance of the said Order. We have viewed, laid out, and do return the following viz.

Beginning at a marked white Pine by the Township Road near "Sloan's Rock" in Greenwood Township. from thence through land of David Doyli. and Brier Bell south eighty six and a half degrees East nineteen perches to a Post. Thence through land of Brier Bell. South eighty five and a half degrees East. Twenty Seven perches to a Chestnut. South Sixty Three degrees East four perches to a Hickory. North Thirty four and a half degrees East. four perches to a white Oak. North two and a half degrees East. Seven and six tenths perches to a Black Oak. North Eight degrees West. twelve and eight tenths

perches to a Chestnut. North
East. five perches to a Beech. [REDACTED]
and a half degree West. Fourteen
tenths perches to a Chestnut. North Eighteen
degrees West. Twelve and three tenths perches
to a White Oak. North twenty eight degrees
West. Eleven perches to a Beech North Twelve
and a half degree West. Fifteen perches to a
Hemlock. Thence North one fourth of a
degree West. Thirteen perches to a Gumlock
North Ten degrees West. Thirty perches to
a Post. North fifteen degrees East. Fifteen
(Thence through land of Etah Johnson in Greenwood p.p.)
perches to a Hemlock. North one degree
West. Six perches to a Hemlock. North.
Eleven degrees West. Seven and five tenths
perches to a Post. North nineteen degrees
West. Twenty perches to a Post. North Sev-
enteen degrees West. Ten perches to a
Post. North eight and a half degrees
West. Six perches to a Hickory. North
Twelve and a quarter degree East. Twenty
perches to a Post. North six degrees
East. Fourteen and three tenths perches
to a Hemlock. North two and a half
degrees East. Twenty five and seven
tenths perches to a Beech. Thence North
Eighteen East. fourteen perches to a
Dogwood. North Thirty Eight degrees.

East: Eighteen perches to Eleven degrees
South Seventy Eight-degrees East. North Seven
ches to a white pine. North Thirty six
degrees East: Two perches to a maple. Thence
North Twenty Eight-degrees West: Twenty
perches to a Post. North Forty three
degrees West: five perches to an ash.
North Sixty Eight-and a quarter de-
-grees West: Fifteen perches to a white
pine. Thence North forty two and
three quarter degrees West: Thirteen
and four tenths perches to the Town
-ship Road at the corner of Elah
Johnson's field. A Plot or draft
whereof is herewith annexed.

Which said Road as aforesaid
laid out we are of opinion is
necessary for Public Use -

No Damage is Claimed by any
parties claiming through whose land
said road passes. And we are of
opinion that no one is entitled to any.
Witness our Hands the 13th day
of March A.D. 1884.

E. J. McClosky.
James Hill
Charles Helgeson } Viewers

To the Judges of Clearfield Co
 The petition of the subscribers respec-
 tfully represent that a road formerly
 laid out by order of the Court from
 Township road near Charles Clevers in
 Penn Tp, To the river road, in Green
 wood Tp near a place known as Stones
 running between a road leading from
 Henry Gagers by way of L. Bells to river, and
 one leading from Eli Johnsons by way of
 Wm. Hoovers, to the river scarcely a mile a
 part. This is a Coal road for one
 individual and not necessary for
 the publick. This road has not been
 opened and your petitioners therefore
 pray that the same road be set aside

J. C. Derrick	Wm. W. Taylor
Charles Wall	John M. Hahn
William Rintz	James C. Smith
John Rintz	William H. Smith
L. S. Thompson	John C. Smith
W. C. Russell	J. H. Davis
John A. Freeman	John S. Bloom
Wm. M. Rouben	L. S. Thompson
J. H. Carter	Thomas Wall
R. M. H. son	Frank D. Smith
John W. McKeown	S. C. Johnson
A. C. Moore	Peter R. Rintz
W. G. Derrick	Plurrier
James R. Rouben	C. H. Rintz
C. M. Lewis	Grier Bell Jr
J. H. Rintz	
T. Rintz	
W. Rintz	
David G. Rintz	
L. C. Rintz	



no 19 Jan 1887
 to the 1st Prussia
 Remondhane

no
 Road leading
 to the station
 to the road at
 the near the
 Rock

Prussia 17 May 1887

Prussia

Prussia 17 May 1887

Depositions of Witnesses produced Affirmed and Examined by me the 21st day of August A.D. 1884 at the Office of S. C. Wilson at Clearfield Pa between the home of _____ by virtue of the annexed rule of Court of Common Pleas and notice hereto attached for the examination of witnesses in a certain Cause depending in said Court to-wit:

Our Bill produced and affirmed I live in Penn Township Clearfield Co Pa have lived there since 1850 I own 400 acres of land in said Township. ~~As to~~ A proposed new road commencing on the hill road at a point between Charles Clearners and Eli Johnsons running through Greenwood and Penn Townships and ending at a point in Greenwood Township at or near Sloans rock or Sloans falls. I have been over this supposed new road there is no person living on the line of this supposed

New road. All that I find out this road for its use is a coal bank owned by Eli Johnson. I think the road is about $1\frac{1}{2}$ miles long. Some of the ground is partly hilly and on a good grade and a portion of it very steep where this road is laid. I think this road would cost between \$2000. & \$3000. to make this a lawfull road. This road runs through a portion of 2 tracts of my land about $\frac{3}{4}$ or 1 mile in length. There are 2 roads in the neighbourhood of this road they run parallel with it - they begin at the hill ^{road} and run to the river road parallel. The proposed new road is between the 2 roads which I have mentioned. The western road is known by the name of the Hoover road and is a good country road about as good a country road as you will find. Mrs Jager George Cathcart School House Mr. Spencer J. N. McCracken and myself live on it. Between the East

amperly sufficient for the travel-
ing public. In my judgment
~~there is~~ ^{no} necessity for this
^{proposed new} road. There is no person
benefitted by this proposed new
road but Eli Johnson. I use the
road upon which I live ^{to} ~~to~~ ^{halt on} all ~~my~~ ^{my}.

pay ⁴ now, so far. I have seen
Persons coming and going to
and from Mill on this road.
Cross of a river

This road that I have
on was all secured but a portion
of it was not.

Roads East and West of the new road there is no one living the land between the roads is partly cleared and partly timbered. The hill road is the main thoroughfare between Bellville & Curwensville. The River road leads from Bellville to Lumber City and Curwensville. The road East of the proposed new road is a good County road and is used by the inhabitants living upon it. The distance between the proposed new road and the western road at the farthest point is less than a mile and the new road is about the same distance from the western road. The Horner road and the road East of the proposed new road are

of a ton with 2 horses on this road from
Hoyts Mill. In winter time the part
from the top of the Hill to the School
House is liable to drift full of
snow some winters it is not
drifted full It is not any worse
than a good many other roads
in that County. When the road
is drifted travelers go through
the fields. There is good deal of
travel on this road by persons
going to Hoyts Mill. Mr Johnsons
Coal Bank is on this proposed
new road. There is a wagon road
open to Johnsons Coal Bank now
The Coal Bank is about $\frac{1}{5}$ the dis-
tance of this proposed new road
beginning at the hill road There is
a good deal of side cutting on
this road and part of it is

rocky I believe that it will take
 between 2 & \$3000 dollars to make this
 road. The proposed new road will
 make a better grade but is not
 more direct than by the East road
 leading by my place. That part of the
 road by my place from my lane
 to the river was not opened upon
 the river but is worked upon and
 kept in repair by the supervisors.
 It is about $\frac{3}{4}$ of a mile from the intersection
 of the East road with River road
 to Bridge at Hoyts Dam. It is less
 than $\frac{1}{4}$ mile from the intersection to Hoyts
 Bridge. It is about 70 rods from my
 house to river road. It is woodland
 from my house to the river road.
 My travel is principally up to the
 hill road. I get my Milling done
 at Hoyts and Lumberville. I go by
 way of the river road to Lumberville.
 In hauling produce from my lower
 place I haul on the hill road
 and then down the East road
 to my place where I live.
Re Direct

This proposed new road does not go by the school house. This East road has been raised an laid out for over 25 years. The part between my house and the river road being the portion that was not laid out has been used for 18 years by the public. During that time it has been worked upon by the Supervisors of the Township. In order to get to the river it is necessary to down hill the road of the County is hilly. The

Damages that I would claim for that portion of the proposed new road through my lands would be about \$1000. The cutting of 32 feet through my timber would let the wind in and would be liable to blow down other timber besides the cutting. There is one pine tree that I found on the line of the proposed new road. I don't know what damage the men are assessed for going through my lands. Part of the the land along this proposed new road is farming land

Grier - Bell Jr

Thomas W. Moore produced ^{affirm?} ~~substant~~

I live at Cumminsville and a Surveyor have been surveying 34 years. I made a draft showing the location of this proposed new road and the Eastern Road by actual course and distances. I also put on the draft the western road or Horners road by knowing the location of the road. I ran and measured ~~from the intersection~~ the river road from the intersection of the Horners road to the intersection of the Eastern road with the river road. I laid that on the map. I also ran the hill road from the intersection of the Eastern road ~~with~~ to the intersection of the western road with the hill road. I also put on this draft the proposed new road by the courses and distances which I obtained from the survey of that road which was returned to Court (draft marked Exhibit A shown witness) This is the draft

The distance between the road west
of the proposed new road and the
road East of the proposed new
road at their farthest points
in a straight line is about 1 mile.
The proposed new road is about equal
distance from the Eastern & Western
roads on the straight line as
shown by the draft. The hill road
leading from Cummins well up
the River to Cherry Tree and other
points. The proposed new road is
1 mile and 75 perches in length
by its returned distances. There is
no person living on the line of
the proposed new road that
I know of. I found a Coal Bank
on it on land of Eli Johnson.
The proposed new road runs
through a field and then into
timber land to the river. From
Hoyts Bridge to where the Eastern
road intersects the River road is
about 1 mile. My draft shows the
location of the Western road the
proposed new road and the

Eastern road intersection with the hill road and the river road.

The representation on my draft show the locations of the residents along the line of the Western road and also the location of the Coal bank. It also shows the location of the residences and the School House on the Eastern road. I found no other residents on this road other than those shown by the draft (Draft offered in evidence Marked Exhibit A)

I should judge that it would cost about \$800. or \$1000. to make this new road the lower end of it is rocky. I don't think that there is any ^{Public} necessity for ~~the~~ a third road where there are two roads already. There is a difference in the grade between the 2 old roads and the proposed new road at some points the same Summit is to reach by the road from the river ~~by~~ to the hill. It is about the same quality of land covered by the roads

My draft shows the distance between the point where the western road intersects the hill road and the point ~~where~~ where the proposed new road the hill road. It is 60 rods. My draft shows the distance at the point where the proposed new road intersects the Hill road and the point where the Eastern road intersects the hill road at Mr. Yagers. The distance is about 191 rods. The distance between the point where the Eastern ^{road} intersects the vine road and the point where the Eastern road intersects the hill road at Mr. Yagers is 1 mile & 185 rods.

Cross Exam

I kept no account of the grade of the East road when I made the survey. There is one place near Mr. Bell's House that is steep but not more so than grades found ^{most} on other public roads. There is no established grade on this road. From my observation of the proposed new road I found it graded.

to an established grade of about
 5 degrees. I am acquainted with other
 roads in that vicinity. I am acquainted
 with the road leading ~~from~~
 to Marrow or Ansonville from Hoyts
 Bridge. This road is a cross cut
 from the Ridge or Wiley road to
 New Washington. The hill road
 on the draft is the main road
 from Curiousville to Cherry Tree.
 The proposed new road if opened
 would be an almost direct continuation
 of the road from Marrow to
 Hoyts Mill on to its intersection
 with the hill road. By a lighter
 grade than either the East or West
 roads located on my draft but
 it would not be any lighter than
 a greater portion of either of the
 other roads. The proposed new road is
 located mainly on the wagon road
 now open from the intersection of the hill
 road to the Coal Bank. This road is
 now open and used for wagoning
 coal from the bank to its junction
 with the hill road. I have traveled the
~~the~~ Houn road many a time during

the winter. The proposed new road if
opened would be free from snow
drift - as it is through the woods
Re Direct

The Hoover road has
been opened over 60 years I traveled
the Eastern road 30 years ago I
traveled a portion of the Eastern
road between Green Belts and the
river over 18 years ago the land
has been cleared up and the road
has been changed

Cross Exam

Direct Exam

Jos A Passmore Affirmed

I live in Greenwood Township
am Supervisor of the roads and
am a tax payer in said Township
I know where the proposed new
road begins and ends. Greenwood
Township is not able to make any
new roads this year. I know where
the Hoover road is and where the
Green Belt or Eastern road is. I know

that the proposed new road is better
 the East & Western road I don't think
 there is any necessity for a new road
 there unless they would vacate the
 two roads now there. I live handy
 to the Eastern road. There are now
 3 new roads to be made in New
 wood Township
Cross Exam

For A. P. Payne

J. A. McCracken Affirms

I know where where this proposed
 new road is. I live in Pine
 Township am a tax payer. I have
 been over the most of this proposed
 new road. I would not like the
 road for much less than \$2000.
 I know where the Eastern road is
 and where the Western or Horn road
 is. The proposed new road is better
 the two. I do not consider it
 a Public necessity to build
 this new road on account of
 there being 2 roads there already.
 I consider the Eastern road a good
 County road any solid ground

A good portion of the Eastern road is in as good condition as the road leading from Crowsmill to Bellville over the hill. There is no body living on the proposed new road. The Hoover road was in good condition last October when I passed over it. These 2 roads the Eastern & Western are amply sufficient for the traveling public to get from the hill road to the river. I live about 80 rods East of the Eastern road. I have passed over the Eastern road for 11 years. I also traveled over the Hoover road 60 years ago. The Woyt travel the road for school purposes known as the ~~Hoover~~ Eastern road. It would be farther for the Woyt to go around by the proposed new road to the school house than it would to go by the river road and up the Eastern road.

Cross Exam

X & Y

I am a farmer I have never
built roads by contract I
don't travel the East road very
much I don't do much hauling
I get my Milling done at Lumberton
and Cammerville.

Re Direct

I was once supervisor
of Bell Township

J. C. McEnroe

John Reutz Affirmed

I live in Pen Township and
a tax payer in said Township
I know where the proposed new
road is was on the view of a
portion of it. I think it would
be a very expensive road to make
I think it worth from \$2.50 to \$4.00
per rod. I think that Pen Town-
ship is not able to make that
new road ~~at present~~. In my
judgment the proposed new
road is not a Publicly necess-
ity as the 2 roads that are
there now are not traveled

Much. The East road is
a good solid road ample
and sufficient for the
traveling Public to get
to the river. There are 6 or 7
Roads now leading from Bell
mill and the hill road to the
river between Lumberville and
Belleville.

Cross Exam

Mr Johnson
are good friends at present have
had no trouble. I live about
2 miles from this proposed new
road. In the Spring of the Year
I travel the East and West
road frequently going to and
from the river usually on
foot I have frequently went
to Mill over these roads with
team. Out side of this I do no
hauling on these roads. I frequ-
ently take my Children to school
at Spencer Hill and traveled
the East road in doing so
I have seen the road drifted but

not more so, than other roads
in that neighborhood. ~~The~~ ^{my} ~~primary~~
-par trade and teaming is in
the direction of Luskburg and
Cummingsville
Re Direct

I have seen snow
drifts on the road through
Eli Johnsons place leading
to Pennville I have gone
through with the horses in
the snow up to their breast
John Benty

I hereby certify that the above
witnesses were duly qualified
and examined by me at the
time and place stated in
the above Caption and signed
their depositions in my
presence

D. Connelly J.P.

Clearfield County, ss:

In the Exceptions To
Report of Viewers
Public Road in
Perry Township
versus
Perry Township

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

No. 19 Term, 1884

AND NOW, to wit, the 11 day of Aug, in the year of our
Lord one thousand eight hundred and eighty-Four, the
Exceplants enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evidence
on the Argument of this case.
Ex parte Rule of Except on 5 day's notice.

James Hoor

Prothonotary.

TO J F McKendrick, ESQ:

You will please take notice that, in pursuance of the foregoing Rule, Depositions will
be taken before Daniel Connelley, or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of
Clearfield at the office of Daniel Connelley, in
the Borough of Clearfield in the county of
Clearfield and State of Pennsylvania, on the 21st
day of Aug, A. D., 1884, between the hours of 9 o'clock
A. M., and 9 o'clock P. M., when and where you may attend and cross-
examine.

Subscribed

Clearfield, Pa., 11 Aug, 1884

No 19 Jan 8 1884

In Re Exemption for
Report of owners of
Public Road in
Barnstable Town
Township

Ex cept and Rule
to take Dwp

Paul County 1st Dwp 5-

Amherst

Amherst

Amherst

Amherst

John Paul

1.84
5.36
1.84
1.90
1.72
17.66

Filed 22 Aug 1884
James O'Neil
Dwp

William
Willy for Ex cept

Served on W & M Standwick 11 Aug 1884
by Copy to them all for Ex ceptants

May 9th 1884

To the judges of Clearfield Co The petition of the subscribers
respectfully represent that a road formerly laid out by order of the
court from Township road near Charles Cleaves in Penn Township
To the river road in Greenwood Twp near a place known as Stones
running between a road leading from Henry Gagers by way of G Bells
to river and one leading from Eli Johnsons by way of Wm Hoover to the
river scarcely a mile apart this is a coal road for one individual
and not necessary for the public, this road has not been opened
and your petitioners therefore pray that the same road be let a side

J. W. McLean Secy. Road

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Wm. Bell

Jan 5 1884
Agent of General
Remonstrance

Road leading
from Clough
to nearest
Denver Road
at or near
Sloan Rock

Filed 17 May 1884

Wilson

CLEARFIELD County, Pa.

The Commonwealth of Pennsylvania to

Erin Bell, J.W. Gibson & J. Steiner
of the County of Clearfield, Pa.
Plaintiffs at Law

WE COMMAND YOU, that, setting aside all manner of business and excuses
whatsoever, you be and appear in your proper person before David Emmert,

Judge of the
~~Justices of the Court House~~, in Clearfield, on the 21st day
of Aug next, at 1 o'clock P. M., there to testify the truth
according to your knowledge in a certain case now pending, and then and there
to be tried, ~~wherein~~ In Re Ex parte auto to Report of Lewis Plaintiff
~~and~~ Ralph Reed vs Penn Science Book Defendant, and
that on the part of the Ex parte auto. And
this you are not to omit, under the penalty of five hundred
pounds.

Witness, the Hon. CHARLES A. MAYER, President of our said
Court, at Clearfield, the 12 day of Aug A. D.
one thousand eight hundred and eighty-four

James Steen
Prothonotary

No 19 Jan'y 28 1884

Servin accepted Aug. 15th 1884
J.W. Moore

In Re Exceptions
to Report of Viewers
Public Road in
Plum Greenwood
Twp.

Sub in part of
Exempts.

Filed 22 Aug 1884

Mbsin

CLEARFIELD COUNTY, SS:

In Re Ex cepts
to Report given
of Public Road
Belum Greenwood
VERSUS

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

No. 19 Term, 1884

AND NOW, to wit, the 1 day of October, in the year of our

Lord one thousand eight hundred and eighty-four, the
Ex cepts enter a Rule to take Depositions
of ancient, infirm and going witnesses, to be read in evidence
on the August of this case.

Ex parte Rule of Sept 1 on 5 day's notice.

James Kerr
PROTHONOTARY.

To J. M. Kendrick Esq.:

You will please take notice that, in pursuance of the foregoing Rule, Depositions will
be taken before A. G. Harris 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 A. G. Harris, in
the Corral of Clearfield in the county of
Clearfield and State of Pennsylvania, on the 8th
day of October, A. D., 1884 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., Oct 1st, 1884
Attest 1884 given accepta
J. M. Kendrick atty for Road

CLEARFIELD COUNTY, PA.

The Commonwealth of Pennsylvania to

James Seile & McQuacken
James Seile & McQuacken

WE COMMAND YOU, that, setting aside all manner of business and excuses
whatsoever, you be and appear in your proper person before *J. V. Harris*

as a part of Rule 1
with three of Bond's
Arbitrators at the Court House, in Clearfield, on the 8th *day*
of October next, at 1 o'clock P. M., there to testify the truth
according to your knowledge in a certain case now pending, and then, and there, *supo*
to be tried, *wherein* *in* *Re* *September 15* *Rule 1* *Read in* *for* *Plaintiff*
and *Defendant*, and

that on the part of the *Defendants*. And
this you are not to omit, under the penalty of five hundred
pounds.

Witness, the Hon. *Charles A. Matter*, President of our said
Court, at Clearfield, the 10th day of Oct A. D.
one thousand eight hundred and eighty-four

James Seile
Prothonotary

Depositions of Witnesses produced, sworn
and examined by me at my office in
Clearfield on Wednesday Oct. 8th 1884
between the hours of 9. A.M. and 9. P. M.
for the examination of witnesses in a certain
cause depending in the Court of Quarter Ses-
sions of Clearfield County and notice here to
attached wherein certain citizens are ex-
posed to a public Road in Penn & Greenwood
Townships.

R. G. McCreesh, ¹³⁻affirmed, says:-

I live
in Penn Tp. Clearfield Co. Pa. I have re-
sided there since April 14, 1884 I
live previous to that time at Ramsey
Pa. I have lived in the neighborhood of
Greenwood Tp. ever since I was a boy. I
know where this proposed new road is.
I know where the eastern & western
roads, east & west of the proposed new
road are. I have worked on the eastern
road. I did so this summer. Its con-
dition is good at present except
when it is turned up high. I have been
over the proposed new road from one end
to the other. There is nothing but a coal
chanty on this proposed new road. I know
how this new road is located, where
it begins and where it ends. The pro-
posed new road comes into the Sum-
ter City road with a sharp angle point.

ing up the river. The proposed new road makes no turn toward Sun on City at the terminus of the road. The part of the new road next the river is stony. From a point on the river road this stony condition extends up the new road about 30 rods or more. Between Beeville & Sun on City there are four roads, exclusive of this new road. One goes over the Ridge road and runs to the river.

From my knowledge of the roads there I think there are sufficient roads there to accommodate the public. In order to get from the river to the Ridge Road at this point where the new road goes up, it is necessary to climb a steep hill. When I was along this proposed new road I noticed some timber in the road standing. I noticed Pine trees (6) and Hickock, oak & chestnut. The Pine trees would make timber from 14 to 17 inches & 5 or 60 feet long. I saw 11 Red oak trees, from 7 inches up to about 16 inches. I saw 10 white oak trees. I think they run from one foot to 21 or 22 inches, and from 16 to 40 feet in length. I saw 16 Hickock. There were 11 chestnut trees. They are from 7 to a larger number of inches. I think the new road would be a hard road to make.

Cross R., by J. F. McKinnis.

I am employed in forming on Nichols in Crocker's form. I made this examination & was

D
ago last Monday, at Mr Bell's request.

Mr Bell & I were there alone. We were there some 3 or 4 hours. I made no charge for this examination. In estimating the time we included 33 feet in width. The new road is not open at its intersection with the River Road. It would take a big expense to make the road turn down the River toward Linn Co City. The river would now be rip-roiled to make a good turning place. I have not been along all these roads of late. I have no lease of Mr McCracken's farm nor do I own any property in the township.

Re Doct. I own property at Linn Co City.

R. C. McCracken

Bellman Spencer, ¹² affirmed.

I live in Linn Co., own property there and a tax payer. I have lived there ever since I was a boy about 37 years. My horse became sick when hauling a load of grain from David Hoyt's mill. But I don't think the hauling of the load made him sick. He frequently got sick on other roads. I had on 23 bushels of rye and 22 bushels of wheat. It would all weigh a couple 28 or 30 hundred pounds. This grain was hauled up the Lottin road. I have hauled sand up this road. I suppose the wagon had now half full of

most hard. This was several years
ago. I know where the proposed new
road is, and I don't think there is
any public necessity for this new
road. I think there are enough of
roads now to accommodate the people.
I had no trouble the day I hauled the
grain. We can't find a road in that
neighborhood that is without a pretty
steep hill. The Eastern road is in better
condition than most of the roads in
the township. I know the road that
leads from Lumberton City to the Spivey
Settlement. This is between Lumberton City
and Belleville. I have hauled from our
place out to the Ridge road on this road
with 2 horses 37 hundred pounds of
Bork. This road is steeper than any of
these roads.

Cross Ex. I don't live on the East road
and I didn't haul the Bork on the East
~~of the~~ Road. I took the Bork and that I
hauled I took out of the edge of the note.
I did not see David Wylet that I had
overpulled my horse. I said nothing
to him about the Bork being heavy.

E. B. Spencer

J. H. Hill, Jr. affirmed say.

I live in
Lumberton City. I was one of the viewers
on this proposed new road. Otelor Wylet
and Elora J. J. J. were present the

day of the view. There was no person
there objecting the day the view was made.
If there had been any objections made
I don't think I would have had any
hesitation in refusing to return a public
road. I don't think there is any public
necessity for a road there from one or
two facts. There is a road about $\frac{3}{4}$ of a
mile west from the place of beginning of
this new road, then there is a road East
of this place of beginning of the new road
about $\frac{1}{2}$ mile. I think these roads, in
connection with the other roads in the
neighborhood are sufficient to accommo-
date the travelling public. The only conve-
nience the road would be, as I claimed
when I reported in favor of the road,
would be in time of high water & in floods
persons living in Greenwood Tp. on the
South side of the river could cross the
river at Styles Bridge and get out to this
own extension of the Railroad. This is the
only necessity I can see for the road.

Crossing Ex. I reported in favor of the road,
and the report was unanimous.

The river road is liable to fill up with
ice in the a flood, and interfere with the
travelling of the road until it was rid of
ice. During high waters the water comes
up over the road at Styles Bridge. It comes
up to a point above the point where the
new road comes to the river.

I think a large portion of the people of Green

wood sp. live on the north side of the
river. A number of families live on the
south side of the river.

Re District. There is not a great deal of
this new road made from the Coal
Bank up. From the ridge road down to
the Coal Bank of Johnston that is
not over 8 rods of the road made. I
have not been over the road since the
new road made.

J. H. Hile

I hereby certify that the above named
witnesses were duly examined by me at
the time & place stated in the above exp-
tion and subscribed their depositions in
my presence.

Frank A. Ham's
Notary Public.

Costs, all paid by Griv Bell.

Frank A. Ham's, Notary	2.25
J. H. Hile 12 miles - 1 day	1.72
Bellman, Spencer 12 " 1 "	1.72
R. G. McCracken 13 " 1 "	1.78
	<u>\$7.47</u>
Griv Bell & Co. services	.90
15 miles travelled	1.80
	<u>\$10.17</u>

In Charles Lewis's
No 19 Jersey St. 84
Rutledge Road in Penn.
- Greenwood Sp.

Exceptional disposition
costs much

Filed 8001-1884

Wilson.

Term, 1884,

Review of
Public Road

Versus

Bradford Township

CONTENTS:

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

28th day of July, A. D. 1884

before Judges of said Court, upon a petition of sundry inhab-
itants of the township of Bradford, in

said county, setting forth that Levi Pearce et al.

*Representing, that there was a report of Viewers filed that vacate
a portion of road that runs or near Henry Rumbarger to the
river at Gallows Harbor in said township - that the said road
is necessary for public use - it being the only road from the
lower end of Bradford township and upper end of Abraham tp to the
river -*

and therefore praying the Court to appoint proper persons to view and lay out the same
according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint

E. C. Read, A. C. Dale and Levi Hubbs

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 ensealing 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 .

To The Honorable, The Judges of the Court of Quarter
Sessions in and for the County of Clearfield Penna.

We the subscribers appointed by your Honors to review
the road leading from Henry Bumbargers farm near
Bradford Twp to the River at Hollows Harbor
(a portion of said road having been lately vacated
by viewers appointed by your Honors.) would respect-
fully report that after giving good & Lawful
notice of the time and place of meeting, did all
meet at the House of Henry Bumbarger
and after being severally sworn according to
Law went upon the road and find it
our opinion that the road above mentioned
is necessary for public use and should not
be vacated
Witness our Hands this First day
of March A.D. 1884

A. B. Dale,
L. H. Henry

NOTE:—In case of a Private Road, the petition must be executed in favor of the petitioner for said road.
 Also:— Viewers will carefully note the number of days completed and set the amount on the petition, and 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, having into consideration the well known fact that the petitioners of the road, they will report to that effect.

ACDall Days 1 Amount
 Miles 5⁴³ 21.00

Leachman Days 1
 Miles 5⁴³ 21.00

W. H. Hall Days 21
 Miles 12⁰⁰ 9.20

Days
 Miles

No. 17 Day Session, 1884

ORDER

To review and lay out a Road
 For Public use in the township
 of Bradford Clearfield county.

13th March Benjamin S. Hill
 By the Court
 W. H. Hall

21st August Continued
 to lay out by the Court
 D. L. Hill

2nd Oct. 1884.
 Confirmed by the Court
 By the Court
 W. H. Hall

Filed 10 March, 1884
 Fees \$1.00 paid by E. C. Hill

Alway & Gordon

State of Iowa
County of Co. Celeda

Personally came before me Bothy E Dale who upon being duly sworn according to Law doth depose say that the within mentioned were present and material the miles actually traveled as stated upon sworn and return to before me 18 Nov 1884 Jas Herra Orr E Dale

Public Road } No 17 Jan'y 1884
in }
Bradford Twp }
Depositions of Petitioners
Bill of Cost

E Dale Service of Subpoena 13- / 1.95
Mileage 15 miles Circular 6 / .90
/ 2.85

Minutes

E Dale	1 day	1.00	1.00
John C Bowder	1 day 1 mile	1.00 .6	1.06
E. M. Dowell	1 day 2 miles	1.00 12	1.12
David Dale	1 day 2 miles	1.00 12	1.12
J I Ward	1 day 2 miles	1.00 12	1.12
W. F. Dale	1 day 2 miles	1.00 12	1.12
H Knepps	1 day 1 mile	1.00 .6	1.06
Thos Melker	1 day 1 mile	1.00 .6	1.06
Henry Main	1 day 1 mile	1.00 .6	1.06
Abram Peters	1 day 1 mile	1.00 .6	1.06
Henry Graffus	1 day 1 mile	1.00 .6	1.06
Isaac Knepp	1 day 1 mile	1.00 .6	1.06
Benny Knepp	1 day 1 mile	1.00 .6	1.06
David Melker	1 day 1 mile	1.00 .6	1.06
			17.87

To the Hon Judges of Quarter Sessions
Court of Clearfield County, Penna.

The undersigned citizens of Bradford Township respectfully represent
That there was lately a report of view-
ers filed which vacates a portion of a
road leading from at or near Henry
Bumbarger's place to the river at Gallows
Harbor in Bradford Township.

That the whole of said road is necessary
for public use in said Township, it being
the only road from the lower end of
Bradford Township and upper end of
Graham Township to the river where
vacated, and that no part of said
road should be vacated.

They therefore pray the Court to ap-
point viewers to view the said road
and report upon the same and they
will ever pray etc.

Ger. Deance

Samuel H. Gill

James H. Knapp

Benjamin H. Knapp

John H. Knapp

William H. Knapp

J. H. Knapp

D. B. Knapp

Isaac Knapp

W. H. Knapp

A. Bumbarger

D. M. Knapp

Henry Graffius

William

W. F. Dale

Thomas Miles

H. F. Knapp

James Undercoffer

W. H. Knapp

W. H. Dale

Joseph Knapp

Wm. Peters, Senr.

Wm. R. Peters

E. Dale

H. F. Knapp Jr.

George Truesdell

Isaac Graham

Nathan Taylor

no 17 Day 3, 1887

In Matter of subeie
road from at or near
H. B. Chavens place
to the river at Gap
Lords Harbor in Brads
ford Township.

Petition for Renew.

28th January 1884 Petition made
by J. B. Chavens

of B. B. Chavens

are appointed assessors of the
road at Lords Harbor
1884 By the Court
1884

Deca Day 25th 1884

M. B.