

No. 50, May Term, 1884

Road

versus in

Pike Twp

Contents:

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Twp. R. 2. 17766

Levi Bloom
 J. S. Williams
 John S. Garrison
 T. W. F. Smith
 Henry Jenkins
 John Eastwick

Via J. Owen & Supervisors
John A. Morris
J. C. Schick
J. J. Plouffe School District
Cal. 1st 1st
Messrs. Wise
John. L. (Wise)

[illegible]

James Lusk
John M. S.
Philip " " his mark
Thos Long
Alfred Brown
George A Price + his mark
William Price + his mark
Robert - Owen
Philip H Long +

Total 46

1884
Mr. J. J. J. J.

Remuneration to Public

Road in Pike Township

Filed 26th Nov 1884

W. C. Dunn

To the Honorable, the Judges of the Court of
Common Quarter Sessions of the Peace in and
for the County of Chartered.

The undersigned Citizens of Pike Township
in said County, make respectfully remon-
strate against the Confirmation of a cer-
tain road, viewed and laid out and lead-
ing ^{from} the Public road at Old Farnsworths
to the public road at or near Evergreen
School house.

Your petitioners make represent that the
roads as viewed, and laid out is unneces-
sary and uncalled for, that there are pub-
lic roads already laid out and opened
which meet all the requirements of the
Citizens and travelling Public. - That the
opening of the proposed roads will incur
an Expense upon the said Township which
at present we feel would be a burden to
the Tax payers - -

Chlorfield County, Pa.

Before me a Justice of the Peace
in and for said County, personally appeared the
undersigned Citizens of Pike Township, said County,
who being severally sworn or affirmed, depose and
say that their names are appended to a certain
paper directed to the Hon Judges of the Courts of
said County, wherein they remonstrate against the
granting of a rule and the opening of a certain
road from the public road near Edw. Farmworth
to a point at or near Conger's School house in
Pike Township, And further that their reasons for
signing said remonstrance was, that in their opin-
ion the opening or laying out of a road between
said points is unnecessary, that the public can
reach said points by roads already opened - that
for the purpose of reaching the school house from
point near Edw. Farmworth, the said Farmworth
agrees that scholars shall at all times cross
his premises by a path. And that said Farm-
worth agrees that said path shall be open for
the free use of scholars to said school, so long
as the roads ^{now in use} as not changed from its former
location

Edw. Farmworth

Henry Jerquin

John M. Pouples

Adam B. Garrison

afford sworn & subscribed
before me this 8th day
of Sept 1884
J. H. Moore, J.P.

Pike C.P. May 12th 1884

To the Honourable The Judges of the County of Conway
Klasy of the County of Clearfield also comprising
a Court of quarter sessions of the Peace in and for
the said County

The Petition of divers inhabitants of the township
of Pike in the said County humbly sheweth
That your petitioner's labors
suffer great inconvenience for want of a Road
or highway to lead from public Road at
or near J. M. Flarey's north to intersect
public Road at or near Evergreen
School House

Your petitioner therefore humbly pray the
Court to appoint proper persons to view and
lay out the same according to law

And they will pray
Wm. Freeman

Robt Rowley
E. S. Hoover
Fred Dunlap
Robert Freeman
James Treesh
Scott Brown
J. H. Ritter
P. A. Long
R. A. Rowles

H. C. L. L. L.
Harrison Harbuck
A. J. L. L.
L. L. L.
M. L. L.
L. P. Bloom

~~Pike Tp May 17. 1884~~

~~To the Honourable the Judges of the Court, of the Colorado
Court Commission~~

No 5 May 28 1884

Return of Petitioners
of the Colorado Springs
Petition to a person
Dwight D. Davis, and
a person for public use
in the Colorado Springs
from a point on the public
Road near D. M. Barnum
to interest a public road
near Longview, Colorado
Hornell

And now 29 May 1884
within which was the same
but the Milard Reed
Spick, R. Reed, Henry Kern
and family, appointed
a new the same person and
and make report thereon

By the Court

D. L. Kells

D. L.

May 28 May 1884

McKinnis

L

Depositions of Witnesses produced seen or
Affirmed and Examined by me at the office
of J. McKenney in Clearfield Pa on Jan 3rd
1885 and Jan 15th 1885 - per agreement of Counsel
in a certain Cause now pending
in the Court of Common Pleas of Clearfield
County in which Petitioners for Road in Pike
Township are Plaintiff and Remonstrators
in said Township are Defendants by virtue
of the annexed Rule of Court and Notice thereto
attached

Mr. W. Cathcart produced and Affirmed
I live in Pike Township about 40 Rods
from Cathcart's Mill. I live along the
line of the B. & S. W. R. R. Our district
School is held at Evergreen School House.
I send two pupils to School. I own
about 156 Acres of land in said Township.
My Road Tax for 1884 was about \$12.
It is over 2 miles to said School House
by most direct Road from my place.
This is the Road leading down the
Creek by the Old Robison Mill. and
then up the hill by way of Jno. Dunlop's.
About 1/2 half of this Road is usually
well beaten in winter the other 1/2
is not much traveled. It is about

14 Rods from the Public Road next Dunlaps to the school house there is no public Road leading to the school house only a private lane, and no travel on it except that of the pupils attending the school. There are 19 pupils of school age who live near where I do and travel to school by way of this Road. Jacob Kulp. E Hoover Jas Leach. Philip Long. Wheatheart G. Smell & W. Farnsworth. I sold a lot to Samuel Mountain who contemplates Building and moving there next Spring. The proposed new Road starts at a point on the Creek Road near where I live and leads past Evergreen School House and intersects the Public Road near Jno Dunlaps. This proposed new Road is located on or near the lane leading from the public ^{Road} to the school house about 1/2 mile from the beginning of this new Road to the school house. I have been over the ground upon which this new Road is located. There is about of this Road runs through

Cleared land and about $\frac{1}{2}$ of it runs through woodland. I think it would cost about 50 or 60 dollars to make this Road so that it could be conveniently driven over with wagons & sleads. The first 40 or 45 Rods I believe pass through Farnsworths land then through land of Jno Owens and the remainder through land of Jno Dunlap. I think this Road is a necessity to myself and the People in my Neighbourhood to enable us to get our Children to school without traveling two Miles to reach a point the school House which is only $\frac{1}{2}$ mile by this proposed Road. I believe also that it would be a benefit to the public for ordinary traveling and hauling
 Cross E

My children go to school by way of this proposed new Road. Mr Farnsworth refused the privilege of traveling this Road to my children. The 7 families named in my deposition above are the only families living in my neighborhood having children. P. Douglass

does not send his children to this
school Jas Leach has but one
child to school & Spull has 6
Children of school age Mr
Furnsworth sends one child Mr
Hoover has sent none this winter
as he declined to send as long as
they had to climb the fence &
travel through the woods. Mr Kolp
moved into this district last fall
there are. The distance the children
travel now is about the same as the
proposed new Road. The people are
pretty well supplied with Roads
There is a great deal more travel
to Curwensville than to Clearfield
from our Community and this new
Road would be no advantage
to persons going to Curwensville
and the most of the Bark and
Shingles go to Curwensville. I
have not laid out a Town I have
sold but one lot
Re Direct)

I saw my neighbor persons
to ascertain the number of children

of school age they had Mr Rolp told me that he would not send his children to school any more until a Road was obtained as he did not want them to have to climb the fences and logs as the Road or path through the woods be not broken nor opened. I saw Mr Farnsworth in the fall myself and offered to pay him any damage my children would do in crossing his fields to school he did not object to their crossing. The Road the children now travel to school is just a path through the woods and a cart he traveled other than by foot
 (Re Cross)

About one 1/2 of this new Road would be through the woods Mr Rolps boy was taken out of our school and sent to another district Mr Farnsworth never claimed any damage on account of my children crossing his land going to school
 (Re Arlet)

Out of the 46 Remonstrances

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against this Road there are only 3 namely
Robert Rowles J. M. Farnsworth & Philip Long
who live in this School District. the
Majority of the Remonstrators live
in the upper end of the Township
(Re Cross Ex)

At the time the Remonstrance
was signed John Peoples lived in
the district

Wm W. Catheart

John Owens Affirmed

I live in Pike
Township I own about 240 or 245
Acres of land in Pike Township
My Road tax for 1884 was \$22.
and some cents. I am acquainted
with the location of this proposed
new Road a small portion of
it passes through my land. I
live in the Bloomington District
I have had some experience in Road
making. I think 50 or 60 dollars would
pay the expenses of making this Road
I believe this Road to be necessary for
the people of that neighborhood. I
know that the persons named by Mr

Catheart have no direct Road to their School House & in the winter when there is snow on the ground the only beaten Road they have is the Road by the Old Robinson Mill which would be about 4 times as far as the proposed new Road. I have lumber on my lands through which this new Road passes and I have no other way to get it out except by this proposed new Road (Cross Ex)

I never was along the line of this proposed new Road it would be a pretty good grade but would not be as steep as the old Road from the Mill to Dunlap. At present there is no need for the new Road except for school purposes and for a few persons to get out timber. Mr Farnsworth never refused me the privilege of hauling logs across his land. This Road would be no benefit to me at present except to haul my logs. The Road would not be used much except to travel to Cerraville all lumber & Bark

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is hauled there. The road tax is exceedingly heavy in Pike Township I know
(Re Direct)

When the new R. R. is completed the lumber & Bark trade to Crowsnest will be at an end and the necessity for this new Road would be greater than at present. John Owens

Now Jan 3^d 1885 Adjourned to meet at such time & place as may be convenient to Council under agreement this day made (see Rule.)

W. L. McBurnie Atty for Remittance
J. F. McKinnis for
Petitioner

Now Jan 10th 1885 Parties met at the office of J. R. McKinnis 7 1/2 o'clock P. M. Counsel for both Parties present
Jno Dunlap produced and Affirmed a line in Pike Township about 40 Rods from Evergreen School House. The proposed new Road runs through my lands I also own the lands around the School House and this lane

that runs from the Public Road
 to the school House. I have been
 over the location of this proposed
 New Road. The length of this Road
 is one $\frac{1}{2}$ mile and $\frac{1}{4}$ Rods. I was
 along with the viewers when they
 viewed this Road. Theodore Fors-
 worth was along when it was
 located through his lands. He
 showed the viewers where they
 were to start they ran across
 his land the first time and
 the location did not suit
 him. He then put up a stake
 where he wanted the Road.
 They then ran a second
 time across his lands to
 this stake and located the
 Road on this second time.
 I was along with the viewers
 the entire length of the Road.
 I built a timber Road from
 the lane which is the terminus
 of the New Road to the Creek
 Road where this New Road
 starts about 18 years ago
 we used this Road for

Hedging when the lanes were
drifted shut. To get to Curra-
musville when the Public Road
between my place and Curra-
musville by way of the Ridge Road
was drifted shut which is
the case nearly every winter.
When Farnsworth built and
cleared where he now lives
he and I agreed that I would
keep my lane through my
cleared land open for him
to get through when he
went to Curmusville or his
father in Law (J. B. Garrison)
and he was to let me
go through his land I
owning one end of the Road
and Farnsworth the other
He did not keep his agree-
ment with me. He fenced
in his land across the original
Road and left a Road across
his land on which the hill
was so steep that a person
could hardly get down safely

with a team. He left this lane
 open until this last summer
 and then felled it up just
 before the petition was presented
 to Court for this new Road
 and that was what caused
 us to petition for this new
 Road and the complaints
 made by the Citizens having
 pupils to send to school.
 Some 5 or 6 years ago I used
 the Road for hauling logs
 I think it was about 130 logs
 I asked him to go through
 he said if I paid him a
 reasonable price he would
 I offered him \$3. for hauling
 across about 20 Rods of his
 woods he refused to take it
 and he sued me and I
 had to pay him \$5. I paid
 him a couple of other times
 for the privilege of hauling
 through I don't remember how
 much. I know of his objecting
 to the pupils crossing his place
 going to school. I also know

of his refusing to allow the Sunday
school scholars to cross his land
I saw a notice stuck up at
each crossing place forbidding
all persons from crossing his
lands. We organized a Sunday
at Englewood School House
and for 2 years conducted
it successfully. There were
25 or 30 attendants from
Grimlet Town. They came
through by this Road. The
2^d year Farnsworth put up
the notices and refused to
allow them to cross his
place. The effect of his
actions broke up the Sunday
School as the people at
the lower end refused to
join as it was two miles
around and but 4 or a mile
across by this old Road
across Farnsworth's land.
Farnsworth and his wife
have both forbidden me to
walk across ~~their~~ lands and

ordered me off their land
 I know of them forbidding
 pupils from crossing their
 lands by this path. I never
 knew of them calling a dog
 during the past summer Mrs Far-
 nsworth came to me and told
 me to notify Fred Dunlap to
 keep an account of every time
 he drove across their land so
 that he could swear to it at
 Court. I know of Fred making
 an agreement with them to
 give them one 1/2 days hauling
 with his team if they would
 allow him to haul some
 30 or 40 logs across their
 land. The land that Farnsworth
 has fenced in was chopped
 and burned but never rolled
 and is used only as a pasture
 They just rolled the logs out to
 haul through. I will agree to
 make a good wagon Road on
 this location to the school house
 or from the beginning to the terminus
 for \$60. cash and give no Ores

or some other good man as re-
-sponsible for the performance of the
Contract. I know that Jacob
Kulps's Children James Leache
don't attend school ~~school~~
regularly on account of this
Road as there are trees and
fences across it and no of
breaking through the snow
except by the pupils. I own
111 acres of land my road tax
for last year was about 8 or 9
dollars I consider this new
Road a necessity for the
People living along the Creek
and of my neighborhood and
for Buckles and me to get
our timber out to the saw
Mill there are two saw
Mills near the Creek. We
can only reach conveniently by
the proposed new Road. The
grade on this Road would be
1/3 easier than the Road from
Robinsons Mill to my place. I
think if this Road was open

the principal Transak would like
 it and the old Public Road
 would be pretty nearly abandoned
 I am acquainted with the persons
 whose names are on the Remonstrance
 and know where they live and
 there are but 3 namely Robt
 Rowles J Farnsworth and Philip
 Long who live in the neighbor-
 hood of this road and that would
 be likely to transak it. Robt
 Rowles & Philip Long both
 signed the two petitions
 Philip Long is running a store
 business doing more than
 Oatheart this winter
 Cross Ex

I gave the lot on which
 Evergreen School House stands
 I always allowed this Lane of 14
 Rods to be used for the School
 Children and other purposes
 and have always kept it
 open. On the day of the view
 I didn't hear Farnsworth say
 that he wanted the Road any
 where. I have paid \$7. for crossing

Farnsworth land for 12 years. I hauld
I raft and a great many logs
I never paid any other man for
hauling. Over the agreement in keeping
this Road open I passed over one
Farnsworths land about twice as
much as he used my end.
Only David Dunlap and myself
used this Road to escape drifts
on the Curranwill Road. Fred
Dunlap my son hauled logs over
Farnsworths land last winter and
(567) paid him for the privilege I don't know how much
and he has hauled some this
winter. He has privilege for this
winter but has not paid him
for it. The Sunday school run on
after Farnsworth put up his
Notices. This trespass prohibition all
parties from trespassing not alone
Sunday School Children. I heard
people say that Wm Casheart had
Trespass notices put up on his
lands. I never wanted a public
Road I always contended for a
private Road. This Road if
opened would benefit Jno Quas

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myself and the school children
more than anyone else Mrs
Smell & Mrs Leach complained
about this way of travel to school
Before he ordered me off his
premises we had this trouble
about the pay and he sued
me. When he ordered me off this
summer it was after the trial
he told me that he did not
want to catch me on his
land until we would get
a public Road. I know that
Farnsworth was opposed to
this Road from the beginning
since this field was fenced
I have hauled through there
Farnsworth allowed us to lay
down the fence after we had
agreed to pay him for the
privilege Philip Long has
wanted to buy my timber
in which event it would
go to his mill to be manufac-
tured. Kolps Bay is going to
School District in the Bloomington
Dist. Freeman's children are

living with their grand parent out of
the District. Kulp has no team
Freeman has no team and Jas
Leach has no team Farnsworth
has no team Robt Rowles has
no team. Some of the Petitioners
have no Real Estate

John Dunlap

I hereby certify that the above named
Petitioners were duly qualified and examined
at the time and place stated in above
Caption and subscribed the deposition
in my presence

Witness my hand this }
16th day of Jan 1886 }

D. Connelly Jr

CLEARFIELD COUNTY, SS:

Petitioners for
Road in Pike Tp

VERSUS

Remonstrators
Confirmation R

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

No. 5 May Sess

Term, 1884

AND NOW, to wit, the 24 day of December, in the year of our
Lord one thousand eight hundred and eighty-four, the
Petitioners

enter a Rule to take Depositions
of ancient, infirm and going witnesses, to be read in evidence
on the Argument of this case.

Ex parte Rule of Affs on 10 day's notice.

James Kerr

PROTHONOTARY.

To M. L. McQuown, Esq.:

You will please take notice that, in pursuance of the foregoing Rule, Depositions will
be taken before Daniel Connelly Justice of Peace, 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. M. Kerrick, in
the Borough of Clearfield in the county of
Clearfield and State of Pennsylvania, on the 3d
day of January, A. D., 1885, between the hours of 12 o'clock
M., and o'clock P. M., when and where you may attend and cross-
examine.

J. M. Kerrick

Clearfield, Pa., Dec 28

1884

I hereby accept service for parties Remonstrating
M. L. McQuown Remonstrators

At 5 May 1884

Public Room in

City of New York

Rule to Take

Depositions on
Part of Relators

For taking depositions
\$7.00



McKenney

And now 3d Jan'y 1885 It is hereby agreed
By and between the attys. for parties that the
Depositions of John Daulap and Ford Daulap
at any time they may come in before the
argument of this cause upon fully proved
Notice to opposite counsel

M L Mc Linn atty for Relators
J F McKenney

Levi Bloom, Affd, Reside in Pike Tp and
served one year as Supervisor.

I know that the people of Pike Tp are burdened
by road tax. My own road tax this year was
\$23¹³ - I am acquainted with the public
roads in the neighborhood of the Town of Olanda,
and believe they are sufficient to accommodate
the people of that Community, I bought one
lot in the town of Olanda. I think from
the present outlook the building of a school
house will be a matter of necessity.

I don't think this proposed road is needed
for public purposes, as there are roads lead-
ing in every direction kept up at the expense
of the Township -

Across &c

I live about 2¹/₄ Mls from this new
road - in or near the upper end of the Tp -
My business is not in the direction of this road
I seldom travel there - Several lots have been
sold and several business houses erected
in Olanda - I have a public road to my
school house

Re Direct -

I know that there are other school
houses in the Tp that are not erected on the
Public road -

Levi Bloom

John I Blom Affirmed.

I reside in Pike Sp
My road tax for the year 1884 was \$18²⁰
I have served as Supervisor of Pike Sp.

I am acquainted with the roads in the
neighborhood of Eugene, D. H. and Alanta,
Am acquainted with the land through
which the proposed road passes —

I do not think the proposed road is needed
I have heard Citizens of Pike Sp say that
their road taxes were heavy

I believe that the proposed road would
improve Mr Farnsworths property

I would not like to undertake to make the
road under \$100 per rod

I think from my knowledge of the business and
the outlook in that vicinity, there will be a
new School house needed soon

I heard the people complain a good bit about
keeping up so many roads in that section.
Cross &

I live about 3 miles from this
road — I live on the road leading from
Carmensville to Blinnington — Have a pub
lic road to my school — Have been over
the proposed road since it was located and
have followed the line through from one end
to the other. This school road is only a

W. F. Long affirmed,

I am acquainted with the location of Evergreen School house. I reside in Pike Co. - I own one lot in the Town of Clanton - I think there are roads sufficient for the accommodation of the travelling Public in that vicinity - and that the proposed road would be a disadvantage to Mr Farnsworth. I think in the course of a year or so there will be a School house needed at Clanton. - I have not been over the route of the new road - but know the terminus of each End, and regard it as unnecessary - I think all the Children have sufficient out let by public road. (The Evidence of W. Long was taken by Mr Farnsworth in the absence of the Council)

M. F. Long.

I hereby Certify that the Above witnesses were duly Qualified and Examined at the time and place stated in the Caption, and Subscribed their names in my presence

J. Moore J. D.

by road or path - being at least 2 fences
across it

John D. Bloom

Philip Long, Affirm

I live in the town of
Atlanta - I am a patron of the Evergreen
School at the present time,
I do not consider the proposed road a
public necessity, I own a large mill
property and employ more men than
any one in that section, Have already
laid out some town lots -

I don't think the road is of any special
benefit only to a few individuals

I think the enterprise and outlook of
that Community would demand a new School
house inside of one year,

Cross Ex -

I have no children whom I wish
to send to Evergreen School at present.

The distance from Harroworth to my place
is about $\frac{1}{4}$ Mile.

I have some faith in the future of the New town
of Atlanta - There were 24 dwellings & one
store house erected at Atlanta this year or
1884 - Are 10 families in School District

when used for hauling logs & timber, at other times the fences are up. - Part of it is through my cleared land and part through Dunlaps, I use my cleared land for pasturing, Dunlap have fenced a lane through for their own convenience,

The lane from the public road to the school house about 14 rods distance, is a private lane - This school house was built about 10 years ago, at that time I think there were a couple of pupils went from our neighborhood,

The No of Children of school age in my neighborhood at the present time are as follows -

Jacob Culp 4 - E. L. Hoover 1 - Mrs. Catheon 2 - James Leach 1 - Gideon Small 6 - Myself 1 -

I did not measure the old road by way of Robersons Mill ~~to~~ to the school house. From the Mill to School house I guessed at the distance.

The runs crossed on proposed new road are only small spring runs - but get very high sometimes, James Leach was not subpoenaed here to day. If I sell the lot land out on sight of the school path across my lands, I will not agree to reserve the right for school pupils to pass over the lots as they now do.

This new road through my land will occupy a strip 44 rods long & $3\frac{3}{4}$ ft wide - The Vermin allowed me \$66. damages

Re - Direct - I have not seen the report of the Vermin at the time I made the plot - I could

not see the stakes and marks at all points.
I know the Dunlaps have kept a lane open
for the convenience of school children from
public road to School house - I heard my
girl say the fences were up through Dunlaps
fields, she had to climb the fences going
and returning from school,
J W Farnsworth

Mr Owens Town, I am at present one
of the Supervisors of Pike Tp. I am well
acquainted with the conditions of the roads
in Pike Tp in my vicinity, I have within
3 miles of Evergreen School house and
have taught 2 terms at that house -
I do not know that the children in the vi-
cinity ever labored under any inconvenience
in getting to school, These children were
among the most punctual in getting to school.
I heard some complaints made by the parents
of children attending school that the children
either run the cattle out of the field or the
cattle the children - and Mr Farnsworth
complained of it - after this I heard of no
further trouble - The private lane of 14 Rod
was always kept open by Dunlaps for the use
of school children - I am well acquainted
with the public roads in that community

And think they are well supplied with roads under present Circumstances. There is a great deal of labor time and money expended in keeping up the roads in that community. This proposed road is not a public necessity at present. To make this road passable in my opinion it would cost \$1,200 per rod. It is not the line of travel to Cassensville, & would only be used by a few persons. The people of Pike Tp. are already burdened with road Taxes. The rate of levied tax the present year is 7 Mills & Cash Tax. 3 Mills. Total 10 Mills. The total amt of worst taxes is \$1692.⁸⁶ - Cash tax \$725.⁴⁹ Total worst & Cash \$2418.³⁵ - Besides an extra amt that will be necessary to meet the expenditures of this year. The road tax of Pike Tp is heavier than either the school or the Poor. - I have travelled the road ^{in partly} from Evergreen S Home to the Public road near Mr Farnsworths and it was in good condition for foot passengers. There is a path in use by the school children which does not necessitate the children going through Mr Farnsworths fields. Cross Exp -

I have been 3 years since I taught last term at Evergreen. - The path is broken when driven on grounds by the school children. The only travel on the line from School house to

road is by Dunlaps Landing road

I do not know of any other school houses in the Township that are not on a public road - I do not travel the roads in the vicinity of Farmworth, very much.

A portion of the Cash Tax Expended this year was to pay expenses of a law suit which Supervisors had with the Party of Pike Sp. -

I think part of this expense was paid out of the excess of last years tax - Part of the expense was ~~was~~ incurred in paying costs of litigation in case of the Garrison roads -

About 1/5 of the road expenses this year was in repairing bridges and damage caused by freshets last June - Have only been Supervisors one year - Have not been over the location of the proposed new road - I have not proposed any new road during my term of office.
Res. Direct

I know the Oakland and Well
delight school houses are both located
off the public road - I think it would be
an imposition to ask the tax payers of Pike Sp
to open any new roads, because of the great
amount of money expended in litigation, building
bridges & the result of floods.

Wm. J. Owens.

Depositions of Witnesses, produced, sworn or affirmed
and Examined by me the 10th day of January 1885
at Conneautville, between the hours of 12 M and
5 PM, by Virtue of the Annexed Rule of Court
and Notice hereto attached for the Examination
of Witnesses in a Certain Cause depending
in said Court wherein Recompensation of Road
and Diffs and Relictors are apts.

Tw Farnsworth apts. Reside in Pike Tp. I
own 56 acres of land in Pike Tp. The C. & W.
R Road passes through my place. There is
one Public road passes through my place. Par-
allel with the R.R. I reside in the Evergreen
School Dist. Pupils go to School from
my Vicinity by way of a path through my
place by a path & log road - have to cross
fences when no hauling is being done - there
is a pr of bars at the Entrance to my fields
and sheds at the other side.

I have never forbid privilege of going through
my land to Children of Wm Cathcart in going
to School. Nor have I forbid any other Chil-
dren the same privilege. The following
Children are now going to School over this
route. Philip Ling, Nora - Jacob Culp. 2,
Wm Cathcart 2 - E Horner not assy

James Leach one - Jidem Samuel 3. Myself
one - There is a public Road now open from
this vicinity to the Evergreen School house
by way of the old Robinson Mill & Joe Dandrops
The distance by way of this public road is
about $1\frac{3}{4}$ miles from the beginning of this
proposed road to the Evergreen School house
I measured the road from the forks of the road
above my place to the forks above the
old Robinson Mill, This public road
is kept open and traveled, and is gen-
erally in good travelling condition
The Evergreen School house is about 12 or
14 rod from the road now in use,
I am told the entire length of the proposed
road is a little over $\frac{1}{2}$ mile. The Surveyor
told me this new road passed through my
land about 40 rod - I would consider
the new road to be at least \$300. damage
to my property, - owing to the fact that I
have a new town laid out, the damage
is greater than under other circumstances
I have 87 lots laid out for the new Town
of Atlanta on my place - This proposed
road will run across 2. of said lots - and
there I expect to lay out - When the R R is
completed and the town built up we will
need a new School -

There are other lots being sold in this neighborhood in addition to mine. Philip Long has sold some & Mr. Horne some. This will necessitate the building a new School house. I have been over the line of this new road and think to make it fit for travel it will cost \$1.00 per rod, will have to build 2 bridges over two runs. I think the Viewers could have got an easier and better grade than the one chosen. I think this road was gotten up in the interests of a few families - It would benefit Geo & Fred Dunlap and Mr Owens for the purpose of getting out timber from their land. These parties have always had the privilege of hauling timber to public roads over my lands - Geo Lord of Knox Twp was especially interested in the Circulation of the Petition - Geo Lord & Jacob Culp of Knox Twp - assisted in the survey of this road - Carrad Cham - ⁽⁵⁾ Five of the Petitioners for this road live in my vicinity. Wm & Robert Freeman, whose names are on the Petition have no property in this School Dist. James Leach told me he did not want the road and was sorry that he signed the Petition. This road would not be used for travel to Crowsville from our neighborhood - The principal part of the hauling and marketing from my neighborhood goes to Crowsville on a good public road now open -

Philip Long told me we did not need this new road and signed the remonstrance against it. Out of the 46 persons ~~seen on~~ the remonstrance against this road - I believe all own property. Except James Dotts, and I do not know whether he owns any or not, as also N.C. Tobias -

If this road is refused, I will continue as I have done, to allow them children to pass over my lands on their way to school as long as they are civil and behave themselves. I do not think this road is necessary for public purposes. While it would benefit a few persons, it would be a great damage to others

Cross St. Part of the road laid out through my lands would require digging & grading. The greater part would require digging on account of side hill, and the balance as swampy ground and the water stands on it, would have to be drained.

In the new Town laid out by me I have not sold any lots. The two lots interfered with by this road I value at, one at \$1000, the other \$80. This Town was laid out and plotted since the road view was had, thus in Oct last. He did not regard the location of this road in plotting. The timber road road used for school purposes at ~~present~~ is only open

CLEARFIELD COUNTY, SS:

Remnants of
Road

VERSUS

Relitiners

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

No. 5 May Term, 1884

AND NOW, to wit, the 30 day of January, in the year of our

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

Exparte Rule of Depositions on 5 day's notice.

James Kerr

PROTHONOTARY.

To J. J. McKenrick Esq.:

You will please take notice that, in pursuance of the foregoing Rule, Depositions will
be taken before D. W. Moore 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 D. W. Moore, in
the town of Clearfield of Clearfield in the county of
and State of Pennsylvania, on the 10
day of January, A. D., 1885, between the hours of 12 o'clock
M., and 5 o'clock P. M., when and where you may attend and cross-
examine.

M. S. McDunn

Clearfield, Pa.,

Jan 30

1885

And now 30 Jan 1885 I hereby accept service of the within Rule
J. J. McKenrick for Relitiners -

788/ F new & on

On Argument list

Copy of Rule to
take depositions an
part of Remonstrance

McGowan

Bill of Costs -

Witnesses

John I Bloom	1 day	3 miles	-
Philip A Long	1 "	5 "	0
W. A Long	1 "	4 "	0
Levi Bloom Sr	1 "	5 "	0
Mrs J Owens	1 "	4 "	0
J W Farnsworth	1 "	5 "	0

Justice

D S Moore, Taking depositions	3.00
J W Farnsworth Serving Sub & Mchase	1.82

(McGowan carry out day & night
of me -)

Arbitration Subpoena.

CLEARFIELD REPUBLICAN PRINT.

Clearfield County, Pa.

The Commonwealth of Pennsylvania to Levi Bloom John t Bloom
Henry Snyder Thomas Long P. A. Long. Merit Long
Wm Owens Hugh Mullen Moses Norris Saml Snyder

WE COMMAND YOU, that, setting aside all manner of business and excuses
whatsoever, you be and appear in your proper person before D. W. Moore
a Justice of the Peace, at his office in the
~~borough of Curwensville~~
~~Arbitrators, at the Court House, in Clearfield,~~ on the tenth day
of January next, at 12 o'clock M., there to testify the truth
according to your knowledge in a certain case now pending, ~~and then and there~~
~~to be tried,~~ wherein Petitioners for public Road are Plaintiffs
and Remonstrators, to same are Defendants and
that on the part of the Remonstrators And
this you are not to omit, under the penalty of five hundred
pounds.

Witness, the Hon. ~~CHARLES A. MAYER~~ ^{J. L. Krebs}, President of our said
Court, at Clearfield, the third day of January A. D.
one thousand eight hundred and eighty-five

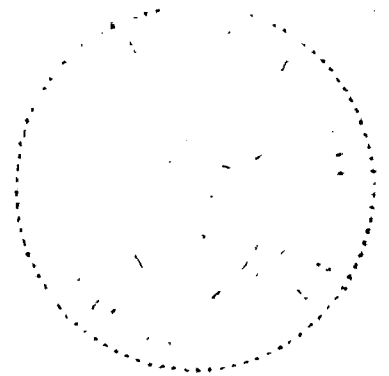
James Kerr

Prothonotary

Served on -

PC Long. Mer to Long
Levi Bloom SR

by reading and
making contents
known to them on
Jan- 3rd and 5th



To the Honorable the Judges of the
Court of Quartersessions of Learfield
County.

We, the undersigned persons, appointed by the within order of Court to view and lay out the Road therein mentioned, respectfully report; That after giving due notice of said view by posters put up in the neighborhood, we all met and having been affirmed in pursuance of said order, have viewed and laid out and do return for public use the following road:

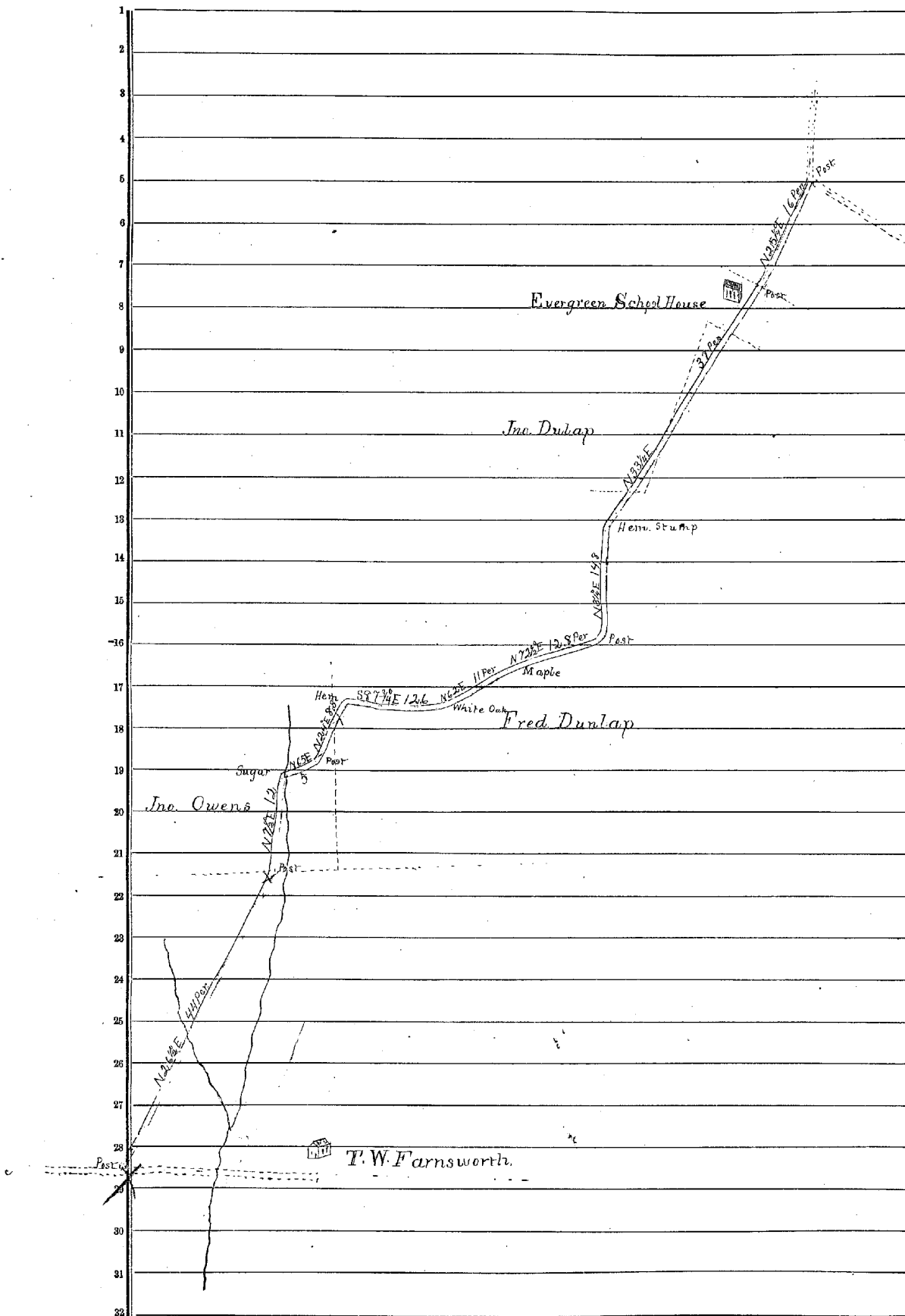
Beginning at a post $N 89^{\circ} \frac{1}{2} W$ 13 perches from bridge across Runlap's Run thence through cleared land of J. Harrisworth north twenty-six and one-half degrees east ($N 26^{\circ} \frac{1}{2} E$) forty-four (44) perches thence on woodland of John Owens north seven and one-half degrees east ($N 7^{\circ} \frac{1}{2} E$) twelve (12) perches to a sugar thence north sixty-five degrees east ($N 65^{\circ} E$) five (5) perches to a post thence north twenty-four east ($N 24^{\circ} E$) at six perches ^{wood} on land of Fred Runlap eight and three-tenths perches (8.3) to a hemlock thence south eighty-seven and three-fourths degrees east ($S 87^{\circ} \frac{3}{4} E$) twelve and six-tenths (12.6) perches to a white oak thence north sixty-two degrees east ($N 62^{\circ} E$) eleven (11) perches to a maple thence north seventy-two and one-half degrees east ($N 72^{\circ} \frac{1}{2} E$) twelve and eight-tenths (12.8) perches to a post

1
2 thence north three and one-fourth degrees
3 east (N3 $\frac{1}{4}$ E) fourteen and eight tenths (14.8) perches
4 to a hemlock stump thence north thirty
5 three and one-fourth degrees east (N33 $\frac{1}{4}$ E)
6 on cleared land of F. red. 10 unlap (at twenty
7 nine (29) perches school grounds) thirty-seven
8 perches (37) to post thence on private road
9 north twenty-five and one-half degrees
10 east (N25 $\frac{1}{2}$ E) sixteen perches to a post on public
11 road a draft of which is herewith annex
12 ed.

13
14 Which said road we are of opinion
15 is necessary for a public road.

16 It witnesses our hands this 1st day of
17 July A.D. 1884

18
19
20 Willard L. Read }
21 J. B. Read } viewers
22 A. Kerns }



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
 29th day of May, A. D. 1884,
 before Judges of said Court, upon a petition of sundry inhab-
 itants of the township of Pike, in
 said county, setting forth that they labour

under great inconveniences for want of a road
 or highway to lead from public road at or near
 J. W. Farrington's to intersect public road at
 or near Evergreen School House

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

whereupon the Court, upon due consideration had of the premises, do order and appoint
 Willard Reed, Josiah A. Reed and Henry Kerns
 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 14th 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 aforsaid viewers, 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 Petitioners 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 first day of July
A. D. 1884

John Owens IL. S.
John D. Dwyer IL. S.
IL. S.
IL. 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 Theodore Farnsworth the sum of Sixty-six Dollars

To _____ the sum of _____

To _____ the sum of _____

Witness our hands this first day of July A. D. 1884.

H. Keating
P. S. Read
Willard L. Read

NOTE.—In case of a Private Road, the release must be executed in favor of the petitioner for said road.
 Also.—Viewers will carefully note the number of days employed and set the amount out at the top of the report. Viewers cannot change the location assessed by the petitioners, except so far as the location may be changed by the petitioners.
 X. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the road, they will report to that effect.

Henry Sherris Days 1 Amount
 Miles 5

J. R. Road Days 1
 Miles 5

William Road Days 2 Cont 509
 Miles 5

Days
 Miles

Days
 Miles

July Sep 1883 Confirmed
 continued 19 May Sep 1883
 May Sep 1883 Confirmed
 19 Sept Sep 1883 As Curran

No. 5 May Session, 1884

ORDER

To view and lay out a Road
 For public use in the township
 of Price Clearfield county.

16th September 1884 confirmed
 16th Road to be opened by the
 order of the court in the
 presence of the witnesses
 to be 16 just under the Court
 16th 1884

14th Aug 1886 Confirmation
 absolute confirmed and
 put into the Court

now 22 Aug 1886
 confirmed absolute
 as per docket page 23
 by the Court

Filed 23 Sept 1884

Fees \$1, paid by William Road

W. J. Condit