

No. 14

Sept

Term, 188

Public Road

versus

Woodward Pup

Contents:

X

Nov 14 Sept 58 1887

Detection of

Chisens of Moss-
cote Farm with
for Public Road
from a point on the
fence near leading
from Heathgate Barn.
to Cuthbert Cemetery.
where the same is in-
tersected by "Black
Stony". To a point on
the fence near
leading from Heath-
gate to Ramey, where
the same crosses the
slope of the "Old Beaver
Run" Cemetery.

Third of Sept 1887

24th Sept 1887, Station
road and N. Mayers. Geo
N. Warden and Geo B.
Therrells appointed
Deacons to report at the next
term.
By the Court
52.10.87

Proctor

24

In the Court of Quarter
Sessions of Clearfield County
To the Honorable, David
L. Krebs, Judge of said Court.
The petition of the undersigned
citizens of Woodward Township,
said County,

Respectfully Represents,
That they labor
under great inconvenience for
want of a Public Road, to
commence at a point on the
public road, leading from the
Borough of Heintzdale, to the
Catholic Cemetery, at or near
where the same is intersected
by what is called "Beach Alley"
and to end at a point on the
public road, leading from
Heintzdale Borough to Ramey,
where the same crosses the
slope of the old "Beaver Run"
colliery.

The petitioners,
therefore pray the Court to ap-
point three disinterested
persons qualified according to
law, one of whom shall be
a surveyor, to view the ground

proposed for said road and
if they see occasion, lay out
the same and make report
of their proceedings, to the
next term of this Court.

And they will

Geo. M. Brabin

Thomas Gillies

Joseph Barr

John Hayden

Edward Brains

Edward Brains

William Brains

Noah Hayden

Enoch Lower

Richard I. Roads

Theo Winto

Thomas Jones

Wm H. Smith

Richard Allen

John W. Higgins

Geo Henry

John Miller

Benjamin Hill

William Balls

Richard Pyne

James Russell

John Russell

Hoyd Meredith

W J Butts

Walrus

John Fuge

William McGlaughlin

Ralph Henderson

Thomas J. Bell

W H Tibbels

Albert Baker

George Kirby

Walter Deegan

Henry M. Rogers

James Sall

David Gorsyth

John C. Sommerville

Walter Robertson

Robert Love

John Robertson

Henry Bendes

Alexander Smith

Thomas Darn

William H. Tyle

William Bernathy

James Shaw

Joe McGeary

James Jack

Beny Cooper George P. Green
John Cooperthwaite & Jays
Alexander Schindler
Wm. Mc Spadie
Wm. Martin
John W. Walker
W. L. Whinn
George A. Chandler
P. H. Hunssey
James Patrick
E. W. Keenan
H. H. Litzinger
John Mulcahy
James Kilmanway
James McGowan
Richard Wilson
William Hoskin
John Tippet
William Hooper
John Henderson
Robert Henderson
George Griffin
Barnie Green
Patrick Gentry
William E. Roscoe
John R. Gopling
James Roberts
John Roundley
Isack Gray

In the Court of Quarter Ses-
sions of Clearfield County.
To the Honorable, David L.
Krebs, Judge of said Court.

The Petition of the under-
signed, citizens of Woodward
Township, said County,

Respectfully Represents,

That they labor
under great inconvenience for
want of a Public Road, to
commence at a point on the
public road, leading from the
Borough of Keontzdale, to the
Catholic Cemetery, at or near
where the same is intersected
by what is called "Beach Alley",
and to end, at a point on the
public road, leading from
Keontzdale Borough to Rarney,
where the same crosses the slope
of the old "Binner Run" colliery.

The petitioners
therefore pray the Court to ap-
point three disinterested per-
sons qualified according to law,
one of whom shall be a sur-
veyor, to view the ground pro-
posed for said road, and if

they see occasion, lay out the
same, and make report of
their proceedings, to the next
term of this Court.

And they will &c.

Philip George.

Robert Wilson

John Tate

Charles Hoffner

John Schaffer

Frank Scherkl

Fielding Tatters

Sejourn Louis

Daniel Stinson

Jos M Bradley

Jacob Noy

Robt. Wort

R. W. Shaw

John Humphreys

John Caffrey

Henry Darnley

Alex Bishop

Tom Tompkins

Jerry Ferguson

Michael Green

W. C. Masan

J. B. Steel

Ed. Dill

Henrietta Meyer

Jacob Jordan

William Wood

P. S. McGovern

Gad Harvey
Rankin Noble
John Burchill
J. P. Isenberg
J. J. Wignam
H. L. Paruley
P. F. Downs
Wm Stokes
John Crabtree
David Clark
Samuel Rounsley
Thomas Roberts

Charles Robertson, Esq. U. C. Allison, Esq.
Deputy Sheriff
County, ss. ~~East Huntingdon~~

THE COMMONWEALTH OF PENNSYLVANIA

James McKenna, Defendant, vs. Oliver J. Q. McKenna, Plaintiff.
John Robertson, Esq. and U. C. Allison, Esq. Justices of the Peace for the County of East Huntingdon.
before *Oliver J. Q. McKenna* one of our Justices of the Peace in and for the said County,

at his office on the *17th* day of *March* 188*8* at *9* o'clock in the *Evening* noon
of the said day, then and there to testify your knowledge in a certain action now pending before ~~the~~ *the* ~~Justice of the Peace~~ *Justice of the Peace*
~~for the County of East Huntingdon~~ *for the County of East Huntingdon* ~~of the County of East Huntingdon~~ *of the County of East Huntingdon*

plaintiff, and *James McKenna* defendant,
on the part of the *Plaintiff* and this you are in no wise to omit under the penalty of One Hundred Dollars.
WITNESS our Justice, at *Huntingdon* who hath herunto set his hand and seal, the *13*
day of *March* in the year of our Lord, one thousand eight hundred and eighty-*eight*

SUBPENA.
Printed and Sold by J. C. Blair, M.F. Stationer,
HUNTINGDON, PENNA.

Oliver J. Q. McKenna
Justice of the Peace.


Personary appeared before me the defendant
 who often states to me according to
 Law both before me say that the
 return as indicated on the back of this
 writ.

John Mearns
 Constable

Serves 120
 Mules 96
 216

John Mearns
 Constable

Serves 70
 Mules 60
 130.

Rule to Take Depositions.

Clearfield County, ss.

Quarter Session

Petition for Return
in Woodward & Co.

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

VERSUS
** Remonstrance*
Hunts

No. Term, 188

AND NOW, to wit, the 3 day of Feb'y, in the year of our
Lord one thousand eight hundred and eighty-eight
the Petitioners enter a Rule to take the
Depositions of ancient, infirm and going witnesses,
to be read in evidence on the hearing of
this case. Ex parte Rule of Petitioners on
5 days' notice.

Am. Bloom
Prothonotary.

To W. H. Potherson, Esq.:

Atty. for Remonstrators

You will please take notice that, in pursuance of the foregoing Rule,
depositions will be taken before J.B. 711 Grath 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 J.B. 711 Grath Esq.
in the Town of Clearfield, in the county of Clearfield
and State of Pennsylvania, on the 9th day of Feb'y A. D.
1888, between the hours of 8 o'clock A. M. and 12 o'clock P. M.,
when and where you may attend and cross-examine.

Wm. L. Prosser
Atty. for
Petitioners

Clearfield, Pa., , 188

Servic assigned at 3 Nov 88
W. H. Potherson
Atty. for Remonstrators

It is agreed depositions
on part of Petitioners may
continue to be taken on
~~Friday the 16th~~ Saturday the
17th March 1888 between the
same parties

~~H. O. Palmer~~

Att. & Counsel

Wm. L. Power

Atty. for Petitioners

Depositions of witnesses produced sworn and examined by me the 9th & 17th days of March A D 1888 at my office at Houtydale between the hours of Eight O'clock A M and Eight O'clock P M by virtue of the annexed rule of Court of Quarter Sessions and notice hereto attached for the examination of witnesses in a certain cause depending in said Court wherein Petitioners for road in Woodward Township is Plaintiff and Remonstrance thereto is defendants

Henry Rilling aged Years or thereabouts of Houtydale being produced and sworn and examined on the part of the petitioners deposes as follows I am not one of the petitioners, Business undertaker, I know where the road is as near as I can tell My business has called me in to that neighborhood I had a funeral at the House of John W Higgins. I started from Pidgeons Livery stable at the time this funeral we intended to go by Hollingsworths House The road runs across two lots along from Mr Hollingsworths not a public highway but is used as a road to get down in the hollow towards the House of Mr Higgins and used for other purposes in the neighborhood I did not go the way I went to the

rail road crossing at Jays Slaughter House followed
Good Street out to the road leading from Houtzdale
Borough ^{in Catholic country} part of this road is in the Borough
Then followed this road to Beach Alley one of the
points of the new road We carried the coffin from
the House of Mr Higgins down to this point The distance
is about four hundred Yds estimated the reason we carried
the coffin It was in the winter time I had intended to
go the road I first mentioned and I did not consider
it safe to take the Horse in there Considering the snow
and ice I was afraid I would get stuck It is a
mildling steep grade (While I ~~would not say it was~~
~~dangerous yet considering the snow and ice it was~~
~~not~~ I examined the road and I told the people at
the House Mr Higgins or his family that it was not
safe to go in there with the Horse at this time
meaning the time of the funeral it was in December
1887 I do not remember about the snow and the ice
but it was not fit to go in there at that time
I would consider it safe to go in there at some time
in the year but it is a little difficult to get in at
any time in the year The road I first mentioned is
used to get in and out to those Houses I do not know
whether it was formally opened or not I have had
other funerals in there close to the burying ground or
Richard Allen's Richard Allen's I suppose it to be within
seven years Don't remember who the other people were

There is a road open to Langfords Coal Bank near
The Cemetery gate That road I used for that funeral
I think it was at George Henrys I dont suppose it is
over three hundred Yds from the gate of cemetery to Henry
House I dont know that there is a public road There is
a road leading from Hontzdale through to the cemetery
gate and I used this road for this funeral At the time
of this funeral it ended at the Cemetery gate and the
distance from the gate to Henrys House it is about two
Hundred Yds From the point at the Cemetery gate
There is a kind of an old road to Henrys House and
we used it I dont know that this road was located
or not but I saw it was used by wagons

Cross. Ex

It seems to me it was about seven years since I attended
Allens funeral and I dont remember how I got to the
House or any thing about it There has been a good
deal of improvement made in that locality since that
time The Henry funeral was sometime last summer &
I got to the House with the carriage at that time we had
a road to drive in it was not a road ^{like that} to the cemetery
gate at that time. I dont know whether that road has
been improved since or not I dont know whether
this new proposed road passes Higgins Allens or Henrys
House It is more difficult to drive a Horse than any
other vehicle They are generally wider in the tracks
& there is too much money invested in them to take them
over bad roads By reason of their construction they
are too heavy and liable to upset

This locality of these Houses and this road it is south
or south west of the borough of Houtzdale
I don't know the names of the alluv ~~the ground~~ That road is
laid out partly on Beach Valley

Henry Pibbins

Harry Denny aged 28⁺ Test being produced
and sworn on the part of petitioners being sworn
and examined deposes as follows I know
where Philip George John & Higgins Richard Allen
Wilson Robison & John Hayden There is other House there
I have had occasion to haul goods to these people in
this locality To go down by Higgins Robison & Hayden
I go in by Hollingsworths There are lots by Hollingsworths
that are not fenced in and the road runs across them
It is not to say hard to get in I have got in and got out
I have hauled up to Philip George House I went up by
the Grass Yard and there is a road round from the
Grass Yard to his place a kind of road I know
where John Higgins lives I can haul a common
sized load in there I could not haul a big load
I have hauled Flour & Chop groceries &c

Cross ex

I hauled into these places all I had occasion to haul
there ~~there are~~ I have never had an order to haul
goods that I could not deliver there I have had
to carry goods a short distance This is a new settlement
I have been hauling there for four or five years
I did not have to carry goods very far most every place
I deliver goods

Re direct

H. B. Denny

Austin known aged about 30 Years being produced
sworn and examined on the part of petitioner
deposed as follows I know where John Huggins
Mrs Foreght Walter Peterson Thomas Gilles and delivered
goods to other parties living along and a fore those properties
I deliver goods for Lang Feldman & Co I have met a
great many difficulties in delivering goods in that
section of the country The first place this man
Roberts and Thomas Gilles which has been a couple
of years since I had no way of getting in there and
I carried there goods from John Cooperworths to there
house Cooperworths is on the cemetery road the
next time I had orders in there I thought I would
try and drive in And in driving in I caught
on the corner of Mr Tyler House and too the corner
and too weather boarding off of it The cause of this
was by not having a road in there. There was a stump
on the upper side of the road and I thought there was
room enough to get through but one of my Horses
being a little fractious jumped and threw the wagon
against the House I went on down to Roberts House
and delivered his goods and then went to Gilles
House and delivered his goods I told Walter Peterson
and Mrs Thomas Gilles that I would not deliver any
more goods in there until they got a road in I did
deliver goods in there afterwards but not until they took
a couple of stumps out of an alley and that gave
us room to drive through I have had no other difficulty in

delivering goods up there only that it is rather a
hard matter to get in and out of there at the present
time because there is no road in there. Basing my
opinion on my experience and knowledge of the way
of getting in there I would say that it is necessary
for them to have a road in there. In delivering goods
to that neighborhood I go up the Hill past Hollingsworth
across some lots or a couple of lots. If the owners of these
lots should fence them in I hardly know how you
could get in there to deliver those goods. I deliver for
Lang Feldman & Co in that neighborhood. Mrs. Pitt, Mrs. ~~the~~
James Wilson, Francis Love, Robert Love, Thomas Ellis
Walter Robertson.

~~Cross Ex~~

Cross Ex

I do not know whether there is an alley adjoining these
lots of Hollingsworth or not. They are vacant and not
closed in. That is the reason we drive across them.
I do not know that these lots front on streets and that
there are alleys between every third lot. The way the
land is laid out there I can't tell. So few of the lots
are fenced until we strike the alley running into these
people's houses that I can not tell when these people live
these lots are fenced when we come there we drive up an
alley. The time I had the difficulty in getting in there
is about two years ago. I have had no trouble since
that time getting in there. It is harder to deliver goods
in there than it is some other places where there is
township roads. I think the distance to the nearest main

residing to the Township road that I deliver goods
to is about Six or seven Hundred Yards

Re Direct

But whether there are streets or alleys laid out or not if
the owner of the Hollingsworth lots were fenced up I would
not know how to get into this neighborhood and
I would drive in a narrow place to get in rather than
carry a load of goods in. If that road is fenced
up the ground is full in where the coal has been taken
out and is not safe to drive a team over it

Re Cross Ex

I do not know where the streets and alleys are in the
reference to the Hollingsworth lots. From the appearance

Re Re Direct

of the ground I do not know whether there are streets or
alleys laid out adjoining the Hollingsworth lots.
What is known as the Hollingsworth lots there is a very steep
and hard hill

Augustine Keim

Albin Gorze Aged 47 Years or thereabouts being
produced sworn and examined on the part of
Petitioner deposes as follows I know John W
Higgins he is my step son I know where he lives
I have hauled goods and provision to his house from
my store I have got in there without breaking any
thing yet but it is a bad road Mr Higgins house
is about six hundred Yards from Hollingsworths house
I pass over Hollingsworths lots the grade of the street from
the country road to Hollingsworth is very steep. If the

Hollingsworth Lots were fenced in I don't know
how we could get in sight above them the ground
is covered in some places

Abraham Borse

R C Shaw aged 27 Years is theretore being
produced and sworn and examined doth depose
as follows I am a merchant I know where William
Smith lives one of the Petitioners for this road I have
delivered goods and groceries to his house and met
difficulties in getting to it I could not get within
a reasonable distance of his house could not get within
Eight or ten rods of his House And had to go over logs
and stumps to get there that was the nearest road to
get there To the House with a wagon and that was by
going to the Cemetery road then down alley ^{or street} past
George House which was not opened but full of stumps
Another way is to pass the Cemetery on out in the
direction of West Washburn and then turning and
coming back by "Old Quaker" Stable (Corner No 10) now
in that way you can get to Smiths Lot but not with
a high load that is hay or any thing of that kind and
even with a small load you are in danger of getting
fast on logs or stumps That portion of this latter road
from Cemetery ~~is~~ the appearance of a by road and not
a public road I Consider that a road is necessary
for to get to these peoples Homes

Chas E

I have no knowledge of the streets and alleys in that neighborhood after the termin-

Re Amet

R. C. Shaw

John W Higgins aged 28 years or thereabouts of
Woodward Township being produced sworn and
examined deposes as follows I say that it
needs a road in there very bad it is about four
hundred yards from the public road

Cross Ex

This new road that is laid out does not run past
my property ~~but it runs along~~ there is an alley leading
from the proposed road running down to my house
as far as I understand my lot fronts on a street I do
not know the name of the street there is an alley at
the rear end of my lot and an alley running along the
side of my lot my lot is 50 feet by one hundred and
fifty feet There ~~are~~ I cannot say that if the streets and
alleys that are laid out were cleared out I don't know
whether a public road would be necessary or not The
way the ground is laid out it cuts off some of the alleys
before they make connection with the main road I paid
250 dollars for my house and lot I ~~think~~ do not know to be
the reason that people bought land over there because it
was cheap it would be dear at any price without a
road

Re Direct

Though there may be streets and alleys laid out in
this locality it is necessary for a road to reach them
from the outside world There is no such road

there now that is convenient

John W Higgins

John Tate aged 46 Years or thereabouts of Woodward Township being produced sworn and examined on the part of Petitioners deposed as follows I am one of the Petitioners for the road I know where the old Beaver run colliery is and where Mr Gills John Hayden John Smith Edward Braine I know the location of the proposed road the grade is best much on the road either way there is no steep hills on it My farm would be about half mile from the colliery I have been supervisor of Woodward Township and have had some experience in making roads from my knowledge of the proposed road I don't think it would be a burden to the Township to make it The making of it would give an out let to 12 or 14 families to my certain knowledge there may be others that it would benefit I think they ought to have a road and I do not know of any road that will connect with this settlement without crossing it I don't know rightly but I don't think it would extend over a half a mile

cross Ex

I am acquainted with that portion of the new road which runs through Black Bluff I have seen all over the ground of the neighborhood The nature of the ground for a distance of three hundred feet from cemetery road

is level and no grade on it ~~There is a little run~~
As the ground swampy and marshy. I say no if you
take out the run it is not marshy it is ^{only} what I call
spongy ground. There is a run that runs down that
along a considerable distance. This stream is very crooked
it runs back and forward it backs up in a couple
of places and then runs away from where the street would
be. It is a small stream at certain seasons of the year
the stream gets turbulent but it has to be quite a freshet
to bring it up. I did not construct or build any new
roads while I was supervisor. My experience is in repairing
roads. I don't know what it costs to build this road. I
have no idea what it would cost. I never figured it.

Quest Have you any knowledge of the indebtedness of Woodward
Township? (This question is asked you in view of your answer
in examination in chief wherein you said that you did
not think it would be a burden to the Township.)

Objected to because not cross exam and relevant
I have Woodward Township was indebted about 9000
in 1886 and the duplicate of 1886 was almost run out
and it was three thousand dollars. The mill was then laid
on property holders of Woodward Township and was 10 mills and
is the same for this year. I am referring to the special cook
tax for the payment of judgments against ^{the road fund of} Woodward Township.
In 1886 the road tax in Woodward township the road tax was
23 mills. Last year the tax was 10 mills the supervisors did
not collect the special cook tax it is to be collected this
year. That will make a tax of 23 mills for this year.

Re direct The storm in Black alley sometimes
goes on by day and I don't think it would interfere
materially in making the road
Re direct

Do You or Do You not know that the storm is by
the special tax was 13 Mills was not collected for the year
1887 was it or was it not by reason of the collectors
for 1886 being unable to collect the duplicates of 1886
I do not know what the reason was I believe it was
as much for the collectors to be collected into office as
anything else

How many Mills of you know were assessed in
1886 for Woodward Township and 1887

Objected to as irrelevant and not cross examination
I don't know

John Merte

John Sweeney aged about 44 years reside in Hospital
Brookline being produced sworn and examined deposes that as
follows I am an undertaker & furniture dealer I know
where the settlement is in Woodward Township where a
number of the Petitioners live who want the road
I was at Richard Allen and served at a funeral for
one of his family and also John Hayden and another
man named Foltz and one at Froyth's the two last
named the crops had to be carried a considerable of a
distance to put it into the Hearse for want of a road
From my experience there I think these people should have
a road

Cross ex

It is more difficult to take a Hearse over bad roads than
any other kind of a carriage on account of it being top
heavy

Re direct

There is no use in speaking of roads in this settlement
for there is no roads there I would rather sit on the top of a Hearse
than on top of a load of hay

John Sweeney

Bernard Curran aged about sixty years being produced and sworn and examined on the part of petitioners deposes as follows I know Philip George I have hauled goods to his house I went by the cemetery road and from there down an alley or kind of a road there were tracks there to his house I dont know whether there is a public road from cemetery to Georges house

Cross Ex

I had no difficulty in getting to Mr George house the only difficulty would be in case snow-drifting in in winter I have not hauled to his house in the last six months

Re Direct

I hauled there once and drove into the lot on account of the snow Dont know whether the road leading from cemetery is on an alley or over a lot. I never before going down there I had the sled with me the snow the sled raised up on the snow Bernard ^{his} Curran
Mark

Philip George aged about 46 years being produced sworn and examined on the part of the petitioners I am one of the Petitioners I know the location of the proposed road I have been over it and know where Huggins Allen, Watson Henry Forsyth Robertson Gillen Johnnywhack I do not own the property where I live it belongs to my wife The gate of Catholic Cemetery is the nearest point from my house to public road the distance is about three hundred yards Richard Allen owns a piece of ground between cemetery

and my House and joins the cemetery on the north
and Rossella Street on the south Rossella Street
lies between our property & Allens Rossella Street is
full of Loge Pine stumps and has only been cleared what
I have cleared it There was an old road from the
Cemetery gate down to Rossella Street the distance
is about one Hundred and fifty Yards This was an old
log road I dont mean a public road The grade up to
the Cemetery is not bad if it was regularly opened I
have done all the opening that has been done on Rossella
Street at that place and done some work on the old
road at my own expense Richard Allen is in a worse
way than I am for public road Richard Allen has
no way of getting in ~~freight~~ coming in from John
Comprewatts to Moors Slaughter House Mrs Ann
Smith has no way of getting into her property only by
crossing down Rossella Street as far as my place
and then the drift of Bernard White & Co cuts her off
From my place the only way to get any thing to her
House is to carry them from my place I have seen
stove goods carried past my place to her House ~~about~~
From my house to Mrs Smiths is about one Hundred
and fifty Yards I know where Mrs Frays property
is three Hundred feet from a public road as far as I
know her goods would have to be carried from the
public road to her House I know where John Robertson
lives he is ~~three~~ Hundred Yds from public road to get into

his place would have to go up the hill past Hollingsworth and across his lots If Hollingsworth would close his lots would close the path and we could not get in From my knowledge of the proposed road it is necessary for the road to be made for the accommodation of some 20 or 21 families in our neighborhood The road would also be an accommodation for farmers and others coming in from West Houtzdale and would give the people living in there an out let in two directions to Houtzdale and West Moshannon

over RL

There is only one road from West Moshannon to Houtzdale that is the public road leading from Kotters Meeks Store via Hendersons Mills Frank Coopers Hotel and into Houtzdale by Penn Hess There is a road from Kotters Meeks via Moshannon Shrots and near of Hendersons mill via Pleasant Hill and connects with road that leads into Houtzdales Borough at Penn Hess There is another township road leading out of Houtzdale Borough that ends at the Cemetery gate This road runs in the same direction but is about half mile distant south of it

Mrs Forsyth (whom I mentioned in my examination in chief) lives about 150 or 200 feet from the Cemetery road I live about three hundred Yards from the end of the Cemetery road The distance from the terminus of the Cemetery road to Mrs Smiths House is about 450 Yds There is a road though not a public road leading from Cemetery gate down to Rosella Street a distance of about 75 Yds Mrs Smith lives on the line of the new road I do not live on the new road

I live about 170 feet distant from the proposed road.
There is an alley 20 feet wide and then a street or
ally leading from there to the road. We own about
three acres of land. There is a street known as Cemetery
Street running along the line of our lots in land.
In case these streets and alleys were opened and repaired
we would still have necessity for a turnpike road.

Philips George

Jeremiah Iruon aged 40 Yrs or thereabouts being
produced sworn and examined on the part of the
petitioners deposes as follows I know where the location
of this road is I have done hauling to people in there
I hauled to James Nelson & Man that lives there in
Mr Taylors House and others & Thomas Ninto It is pretty
rough road and a difficult road to get in

From upper of the ground there is no road I
went up the hill past Stollingsworth take right-
down past Stollingsworth House I had a good bit
of trouble to get down there drive around the breaks
in the bank and drive around the stumps

There is a road there but it is a very poor one
It does not look like a public road it looks more
like a way that has to be used I say it is necessary
for a road to be had there

Cross Ex I hauled a load of Coal to James Nelson a week or
ten days I have hauled him several loads of
coal this winter About two or three weeks since
I hauled to the Taylor House The last hauling
~~before~~ I did for any other hauling in there
was about a year ago I think it would be a
necessity for a road even if the struts and all
were opened into this locality James Nelson lives
on the line of the proposed new road The man
that lives in the Taylor House does not live on the
line of the new road

J Iruon

Ed Ridgway aged about 39 Yrs live in
Hartdale Borough being produced sworn and
examined on the part of petitioners deposes as
follows I know where the settlement is where Robson
George and Nelson live It joins Hartdale on the
south west We have team going back and forward
there nearly every day I cant say about difficulty
but I know it is hard to get in there after you
leave Hollingsworth you have to work your way down
the best you can among the stumps and holes that
are falling in There is no road to get in there only
what these people have made there the best way you
can hardly call it a road but a wagon track to
get in and out the best way you can I think it
is very necessary to have a road there

Cross F

Cross Ex

I am not aware that there is any struts and
allsp laid out in that vicinity

Ed Ridgway

Thomas Murney aged 25 Yrs or thereabouts reside
in Hartdale Borough being produced sworn and
Examined on the part of petitioners deposes as follows
I have been informed that my name is on the remonstrance
in the granting ^{against the road} of this I did not sign a remonstrance
nor did I authorize any one to sign for me in fact
I never saw the paper I dont know of any other
Thomas Murney in the neighborhood

Thos Murney

George Jay aged 21 Yrs or thereabouts reside
in Hartzdale having being produced sworn and exam-
ined on the part of petitioners deposeth as follows
I know where the settlement is where George, Rich Allen
Joe Hayden Wm Smith and other petitioners for this road
I have been in there with a team have hauled Manure
Lumber in there with Jack Joe Eagan The road is not
fit to drive in there with a load the road is not fit to
haul on We cant carry a very big load of any thing
in there From my experience of that place I think a
road is necessary to be put in there

Cross Ex

I could not tell where it was laid out or where it runs
all I know about it is I think there should be some way
of getting in there to those people If the streets and alleys
were cleared out or laid out if they were opened I
think that would be all that would be necessary

George Jay

John Robeson aged 42 Yrs or thereabouts being
produced sworn and examined on the part of peti-
tioners deposeth as follows I am one of the petitioners
for this road I own property in this settlement my
wife also owns property there There is no way at all
of getting in to my property except by the way of Hollingsworth
Hill That is a very poor road The only road there is after-
you leave Hollingsworth hill is just a wagon track
this track crosses Hollingsworth lots If Hollingsworth

should fence up his lots there would be no way at all to get down there. I know the sight of the proposed road and know where it would run. If this road was made as laid out would give me communication with Northdale Road & West McShannon. The proposed road is necessary. The loads hauled in to my place were out very large (Lumber). Hagerty hauled coal in to my place he hauled a ton of coal at one load. I have lived there about three years. I have paid road tax there that and I don't know of any work being done by the supervisors on any of these so called Streets and Alley. They refused to let the work to be done. I asked H B McGowan to allow me to work out my taxes on Beach alley and he refused because it was no Township road.

Cross Et

I had this conversation with McGowan in the fall of 1885. Beach Alley is on the line of the now proposed road. The road is laid out through the Alley. It is laid out over Beach alley to some street I don't know the name of the street. From that point the road is laid out on the line of the street until it passes Philip George. From there it is laid out to the old shaft where it intersects with another Township road. The distance from Philip George to the old shaft is about a quarter of a mile. The ^{whole} terminus of the road is near the Borough line. I consider that part of the road from Philip George is as necessary any other portion of the road. If Beach Alley and the ~~street~~ ^{2d} Street were improved as a road it would give good access to these properties. I own a lot there in this vicinity the new road would pass my door.

Be direct

my lots front on Beach Alley a distance of fifty feet and run back 150 feet to land of Henry ~~Stevens~~. The land over there is partly laid off in streets and alleys.

There is 17 or 20 Houses on there I think. The most of these alleys and streets these houses are built on.

These alleys and streets have never been opened by any person or if they have ever been dedicated for the public use by the original owners of the soil the Township Authorities have never to my knowledge accepted them or put any work on them. And as related in the previous part of this paper have refused to allow the taxes to be worked out.

John Robertson

W. J. McGowan aged 53 years thereabouts being produced sworn and examined on the part of petitioners do the depose as follows. I am one of the signers of the remonstrance against the road. I was led to believe that the road was going up to the same course I thought there was roads enough that was of no account in the Township. There was taxes enough and that was my reason for signing the remonstrance.

Cross Ex

Be direct

The Township is largely in debt on the road fund. If I had known where the proposed new road went I would not have signed the remonstrance. I think the road as laid out is necessary for these people. John Fitzgerald was the man that requested me to sign the remonstrance.

Re cross

I understand that the new road begins at Beach ~~Alley~~

and intersects the Township road at Beaver run collery
I could not say whether the road is laid out over
vacant land from P Georges to Beaver run collery
I say that it is necessary to lay it out all the way to Beaver
Run collery because they would have to turn around and
come back the same way they went in. Thomas coming
in from Washburn is another reason why I think it should
be opened. I was one of the supervisors for the year 1880 for
Woodward Township.

Re Asa's

To my knowledge of building roads I don't think it would
be very burdensome to make but the keeping up of it up
after it was built would be. The road would not cost
more than any other road except it would be undermined
by taking the coal out. I understand that part of the road
is undermined part of the road it intersects with has
fallen in from the coal being taken out underneath the
road. I don't know that any of the coal has been mined
from any portion of the new proposed road. I filled up
the road at the shaft. The present Township road I should
judge it was 10 feet down from the surface to the coal.
About half of this road went down.

H. J. McGowan

Louis Sorkach aged about 16 yrs reside in Houtzdale
being produced sworn and examined on the part
of petitioners deposeseth as follows I work for my Father
I deliver the goods from my Father store to his customers

I deliver goods to John Hayden Ed Brane and other parties around there It is difficult to get in there There is no road after we get down to the bottom of Hill from Hollingsworth From my knowledge of the place I think it is necessary to have a road in there

Louis Sarbach

James Smith aged about 30 Years being produced sworn and examined on the part of petitioners deposes as follows I am one of the petitioners for this road and live in property owned by my mother It is absolutely necessary to have this road in We have no method of getting in and out only by wagon tracks made by people that live in there I have lived in there two Years and pay road tax In the first place there is no proper way to get in there at all I ~~had~~^{made} at one time a road to get in with a small load but the new drift at Encke No 10 has cut that out There is another way by Encke No 10 Sticks but not a sufficient road to take a half load of any thing it is just a wagon track that winds around The new proposed road will give me a convenient way of getting out and in to Houtzdale and West Moshamon

Cross En

This new road will pass my house where I live in belongs to my mother The property fronts on this proposed road The deed calls for a street. This road is laid out on the line of this street pass the property as far as I understand the land in this locality is

laid out in streets and alleys by Henry Hens
If these streets and ally were opened it would not give
us a sufficient out let This new road crosses Tract
No 10 lying two tracts And even if the streets were
cleared it would be impossible to cross these tracts
without a bridge It is necessary that this entire
road should be built to give the people an out let
(from one terminus to the other) By reaching my property
by way of Marshamton it would cut off about two and
one half miles of road. Coming by way of Hutzdale
From Hutzdale to West Marshamton I would judge it
is about two miles From Hutzdale to my place it is
about half mile I should judge that the portion
of the proposed road near P George to the Beacon
our colliery is as necessary as any other portion
of the road, A Township road from the terminus of
Beach alley would not answer the necessary purposes
for an outlet

R. direct

The Township authorities have never to my knowledge
put any repairs on the streets and ally or done any
other act excepting the dedication of the streets & ally by Henry Hens
The above question objected to so far as it relates to
what has been done by the public authorities because
it is not promory evidence and the authorities
themselves are competent witnesses

Wm A Smith

H K Myers aged about 27 Years reside in
Hartford being produced sworn and examined
on the part of petitioners deposes as follows
My occupation is civil and mining Engineer I
was Educated at Lehigh University Civil Engineering
Corps I have been employed as in charge of con-
struction work and maintenance of ways under
assistant Engineer Tyson Division P. R. R. Have
been employed by Hartford Hens Bernard White
Coal Co and at present by Kettowning Coal Co
I was one of the viewers of the proposed road in
Woodward Township In my opinion could
be constructed for 3000 at the outside

Cross Ex

To construct that road for 3000 I would make es-
timate of two bridges across run and bridge across
Tramway at Emma No 10 and then clearing stumps
and necessary grading This price includes
R.R. crossing In this estimate I include
500 for removing stumps from the road.

I would estimate the bridges at 600 I do not es-
timate Stone abutments for bridges all that would
be necessary would be log abutments The abutments are
also included in the 600 - Fifty dollars for ditching
The balance of the 3000 I would use for making ap-
proaches to bridging and other necessary for grading
of the latter amount the approaches to the bridge would
not take more than the one fourth of the amount
Most of the road is laid out on solid ground about

two hundred feet is marshy ground with an abundance of earth for filling in. The ground on front is east of the town road of Eureka No 10 and is on Street. Beach Alley is good there is no stream that flows down the alley the stream crosses it. It is not necessary to do any filling on this alley. Surfacing will be all that is necessary. To grade this road I would do very little digging except detaching and approach to bridges. I have forgotten the length of the road and cannot give estimate for road not knowing the length of the road.

Question. If you knew the number of rods on the road could you give an estimate for road on your basis of your 300 ft estimate? Answer. No Sir. It would be possible to give an average estimate for road but not a real estimate since the work is not equally distributed over the road.

The one fourth of the cost of this road would be confined to 300 ft of this road. ~~I do not~~

Question. Can you give me an approximate estimate of the length of the road? Answer. No Sir. It is some four or five months since the view was made and I have not the notes with me.

The land lying south and south west of Hootydale belongs to the Hooty Huns and have been laid off in lots. Streets and alleys and no map has

never been recorded. The lots have been regularly laid out and numbered. In general they are laid out on the same plan as the Borough of Houtydale. The streets ~~and~~ are extensions of the streets in Houtydale (but the alleys are not). If the streets and alleys were cleared out there would not be ^{any} use for ~~road~~ necessity for a road. There is a small portion of this road the coal has been mined and taken out from under it ~~at~~ a distance of about 600 feet the surface remains firm. The western part on land of ~~James Hagerly~~ Southern. There is no coal can be mined on the Houty Hens land as the cover is too thin.

Re direct

The coal mined out from under this road would not interfere with its safety any more than in any other mining district.

In answer

Here the streets and alleys of this neighborhood as laid out on map of Houty Hens were here accepted by the public authorities of Woodward Township. Objection as incompetent irrelevant and most highway ordinance. Not to my knowledge since they have failed to maintain a road in this district. My position and acquaintance with Houty Hens was such that I would have known it.

H. N. Myers.

no 14 Sept 7 1887

Public Road

u

Woodward Twp

Commissioners Fee \$14.75^d
Constable, Ser. Sub. "
Geo. Cook \$7.70
Con Geo. Mahan \$2.16

Commissioners costs & Fines,
sollers of Constable Cooks Paid
by Petitions

R. M. Stannara J. P.
Commissioner

Rec'd 6 April 1888

I hereby certify that the above witnesses were
duly qualified and examined at the time
and place stated in the above caption and
subscribed their depositions in my presence

R. M. Stannara J. P.
Commissioner

To the Honorable the Judges of the Court of Quarter Sessions
of Clearfield County,

Your remonstrators, citizens and tax-payers of the
Township of Woodward, would respectfully represent-

That a petition was presented to your Honors at Term
for the appointment of viewers to view and lay out a public road
beginning at a point on the public road leading from the Bor-
ough of Houtzdale to the Catholic Cemetery where the same is in-
tersected by what is called Beach Alley and to end at a point on
public road leading from Houtzdale Borough to Ramey where the sa-
same crosses the ~~xxxxx~~ "slope" of the Beaver run Colliery".

That viewers were appointed by your said Court, who proceeded
to view and lay out said road, that said viewers reported in favor
of said road, and that the same was confirmed Ni Si. at last Term
of Court.

Your remonstrators would respectfully pray that confirmation
absolute of said report be refused for the following reasons:-

First:- Because said road as viewed and laid out is unnec-
sary, and because at places it would be a very expensive road to
construct.

Second:- Because said road is laid out on the line of a
regularly surveyed and laid out Streets and Alleys viz:- on the
line of an already highway which was laid out and dedicated to
public use by the original owners of the land who sold lots to the
petitioners for the road.

Third:- Because it is a scheme on the part of certain in-
dividuals who own lots along the line of certain Streets and Al-
leys to have said Streets and Alleys opened at the expense of the
Township by having a road laid out over the line of the same.

Fourth:- Because by the opening of this road ,it would be the opening of a Fourth road all of which are almost parallel and all of which are within a quarter of a mile of each other.

Fifth:- Because the financial condition of the Township is such at the present time that it is unable to build any new roads.

The debt of the road fund being some

Dollars and of the Poor fund some Six Thousand Dollars and the School fund being some

Dollars And for the further reason that the citizens of said Township are unable to pay the present taxes as assessed, the present tax rate being per cent of the assessed valuation of said Township.

John Bullard. N. H. 11. 18.

James Wood
Camp Grange
Winnipeg

John Stice
Frank Brown
Hos. Williams
John Allen
William Clegg
Edw. Jewett
Wm. Hays
D. W. Smith
Philip Barker
Jas. Morring
Jacob B. Eldon
A. P. Jones
B. J. Bonif
N. E. Meek

Paradise
James B. B.
Stephen Jefferson
Henson Johnson
Mille M. Donald
Geo. Burrill
Thos. Haines
Joseph Gentry
John Fitzgerald
John Caravan
E. W. Goreman
Thomas Shannon
John Ruffy
William Stone
James M. ...
Parsonik ...

Jacob Stone Jarad Dineen
Frank Brown James B. Dineen
Liss. Edwards Stephen Jefferson
John A. Sturges Henry Schumpert
William C. Sage Mike McDonald
Edm. Jewett Wilson Geo. Burdick

W. Cary Atten Thos Haines
D. W. Smith Joseph Gentry

Philip Barker John Lutzger

John Morring John Canan
L. D. M. Shawcross

John B. Edgar Thomas Shannor
A.D. 1891

John Murphy
William Starr

W. E. Meek James M. ...
Patonik bar

14. 11. 2014

John Daugherty John Henson
John C. Conna

Edward Wiggarty
James Daugherty
Michael O'Garra

Andrew Host
Patrick Savage

Patrick Deegan

H. J. McGowan

James McGowan

John Laid
Frank Garrity

John Hughes

Barrie Fletcher

Neal Meaker

John A. Shannon

Delom Hill

William Hill

Mike McMichael

Richard McHenry

William Kiley

Thomas Kiley

Thomas Zerkle

Wm. C. Zerkle

Pro. R. Zerkle

John Ramsley

August Zerkle

Andrew Zerkle

Stacy Zerkle

J. D. Maffitt

Nelson Zerkle

James Zerkle

R. MacDonald

No 14 Sep. 1897

-Road-

Wardman Circle.

Remembrance

Miss Mary Henry 1897

~~St. Ann~~

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 24th day of September, A. D. 1887, before Judges of said Court, upon a petition of sundry inhabitants of the township of Woodward, in said county, setting forth that ~~they have much~~

great inconvenience for want of a public road to commence at a point on the public road leading from the Borough of Hazleton to the Catholic Cemetery at or near where the same is intersected by what is called "Beach Alley" and to end at a point on the public road leading from Hazleton Borough to Ramsey where the same crosses the slope of the "Oed Banner Run Colliery"

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

whereupon the Court, upon due consideration had of the premises, do order and appoint ~~Attorneys~~ Levi S. Woodin and John B. Smith 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 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.

Arr. Bloom

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, release 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 .



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 .

No. 4 *Deft* Sessions, 1887

ORDER

To view and lay out a Road

For Maddalise in the ~~township~~
Journal of Journal

of Nathaniel Dearfield Co.

How is Dec 1889 Report
Conference and its result to

be opened 33 feet wide
except where side cutting

or bridging is required
there to be a foot wide
pylone

Concordance Field

1/2 N NaOH 888. Confirmation
absolute alcohol

Pay the Court
D.C. funds

~~The Zach party threaten to resign~~
~~pay him good cut; Per curiam~~
Filed 28th Dec., 1884

Fees \$1.⁷⁵ paid by Mr. Dace

Decree of Court
 Dated from December 13, 1887 the northern
 Report of Downing, read & considered and the
 Court is confirmed "right" and it is ordered
 that the road there described be o-
 pened for Carters Run to the south of
 thirty-three (33) feet, except such part
 thereof as is described as, - "Beginning
 the intersection of Rock Alley and the
 public road, leading to the Catholic Church
 there along our Rock Alley, South,
 eleven degrees and thirty minutes West
 One hundred and thirty feet (1030) to
 "Rocky Point" - which is ordered & directed
 to be opened to the south of Quarry (2)
 feet. It is further ordered that the
 necessary work of this proceeding be
 done by the County of Clearfield.
 By the Court
 The Judge
 Dated

To the honorable, the Judge within named,
We the undersigned persons appointed by the
within order of Court to view and lay out
the road therein mentioned respectfully report,
That having been present at the view of
the ground proposed for such road, and
having all been first severally sworn and
affirmed in pursuance of the said orders
we have viewed and laid out and do
return for public use the following road,
to wit: Beginning at the intersection of Beech
alley and the Public road leading to the
Catholic Cemetery; thence along said Beech
alley, South Eleven and one-half degrees
West, Ten Hundred and Thirty Feet to Houty
Street; thence along said Houty Street,
North Seventy-eight and one-half degrees
West Seventeen Hundred and Twenty Feet;
thence North Twenty-one and one-half de-
grees West, Five Hundred Feet to line
dividing lands of the Houty Estate and
Lowther; thence North Thirty-five degrees
West, Five Hundred and Thirty Feet to
a point on the Public road leading
from Houtydale to Ranney and being due
East, Five Hundred and Twenty Feet from
the place where said Public road crosses
the old Beaver Run Slope, a pent or drop

of which is hereto annexed which shows
the houses and improvements to be accommodated
by said road. Which said road so as afore-
said laid out we are of the opinion is ne-
cessary for a public road and we are of the
opinion that the parties through whose lands
the aforesaid road is located can in no
way be damaged by the construction of
said road. Witness our hands at this

Twenty-first day of October A.D. 1887

A. S. Myers.

Geo. A. Waveling

John B. McFarland