

No. 11, May Term, 1838

Public Road

VERSUS

Lawrence Tompkins

Contents:

To the Honorable the Judges of the
Court of Quarter Sessions of the
Peace in and for Clearfield County

The petition of the undersigned
inhabitents of the Township of
Lawrence in the said County
respectfully sheweth. That your
petitioners labor under great
inconvenience for want of a
public road or highway to lead
from a public road running
from the Mt Joy Church to Matthe-
ew Ogden at a point at or near
the barn of J Mens Reed to a
point in a public road runn-
ing from Clearfield town to
Penfield about one mile west
of the water dam. Your petition-
ers therefore pray the Court to
appoint proper persons to view
and lay out the same according
to law and they will ever pray
be

Names

James

James

Jack

James A. Miller

Names

G. W. Miller

G. W. Miller

G. W. Miller

J. W. Laid

No 11 May 2. 1888

*Petition of Citizens
of Lawrence to turn his
up a public road to be
from a public road ~~that~~
long from the ground by
Chubert to Matthew Ogden
from a point near the cor-
ner of Grand Street to a
point in public road
running from Clear-
field to the field as a
road a hole and make
west of the water dam*

*On May 1888 Petition presented
ed and Henry Rogers, D.D.,
McMullen and Frank Reed
are appointed referees. Their
report at the next term
By the Court
D.L. Kebo
of*

Reamer

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

The petition of the undersigned
citizens of Lawrence Township in said County respectfully rep-
resents;

That a petition was filed in said Court to No. II May Term
1888 praying for the appointment of viewers to view and lay
out a public road from a point on the public road leading
from the Mount Joy Church to Matthew Ogden's near the barn of
J Mans. Road to a point in Public road running from Clearfield
to Pennfield at a point about one mile west of the water dam.
That on the 10th. May 1888 Harry Byers, D.B. McMullen and Phil
ip Reece were appointed viewers and on 30th. August they filed
their report by which they have laid out a road for public
use between the points named in the petition, a draft of which
road is attached to their report.

Your petitioners would therefore remonstrate against
the said road and pray your Honorable Court to refuse to con-
firm the report for the following reasons.

1st. That the road as laid out is not put upon the best ground
and to build the said road as laid out would be very expensive

2nd. That the road as laid out does not accomodate all the
residents in the vicinity but actually only accomodates one
person.

3rd. That the said Township is in debt and that the building
of said road would be an unnecessary and foolish outlay of money.

4th. That the road is not a necessity and that the building
of it would impose upon the citizens of said township a great
burden.

And they will ever pray &c

Names

J. Mansfield, Rev.
 Alvin Hesse
 John Whaling
 Oliver Conklin
 T. A. C. W. W.
 R. J. Conklin
 W. A. L. it
 John Shaw
 R. A. Thompson
 J. J. Kramer
 J. E. Fenton
 L. J. L. L. L.
 John R. Parks
 W. D. Small
 R. E. Shaw
 H. B. Shaw
 B. J. Gulick
 J. J. L. L. L.
 J. L. Thompson
 A. L. L. L. L.
 W. A. Wallaw
 M. J. Owens

Names

John Brown
 J. H. Reed
 Eli Barnick
 Zebad Larchhead
 R. J. J. J. J.
 J. J. Spackman
 R. J. J. J.
 W. H. J. J.
 J. B. Shaw
 B. R. J. J.
 George L. L.
 W. J. L. L.
 W. B. Owens
 A. J. J. J.
 E. J. J. J.
 M. J. Wallace
 H. B. J. J.
 E. J. J. J.
 L. J. J. J.
 J. J. J. J.
 A. J. J. J.
 L. J. J. J.
 L. J. J. J.
 L. J. J. J.

No. 1 May 1. 1888

Read in Laverne N

Reverend

June 22 Nov 1888

Amber

Shastina

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 10th day of May, A. D. 1888, before Judges of said Court, upon a petition of sundry inhabitants of the township of Laurel, in

said county, setting forth that they labor under great inconvenience for want of a public road or highway to lead from a public road running from the Mount Joy Church to Matthews Ogden at a point at a point at or near the Barn of Mrs. Reads to a point in a public road running from Clearfield to Pennfield about one mile west of the water dam

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Make report at next term whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers D B McMullen & Philip Reese 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.



Clerk.

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 foot of their return.
 Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.
 N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

Harry Byers	(Comp) Days 2	Amount.
	Miles 4	8.40
D.B. McArthur	(Comp) Days 2	
	Miles 4	4.40
Philip R. Reid	(Comp) Days 2	
	Miles 4	4.40
F.L. Ogden	(Comp) Days 1	
aka man	Miles 1.50	
	Days	
	Miles	

No. 117 May Sessions, 1880

ORDER

To view and lay out a Road
 For *Public* use in the township
 of *Lawrence* Clearfield Co.

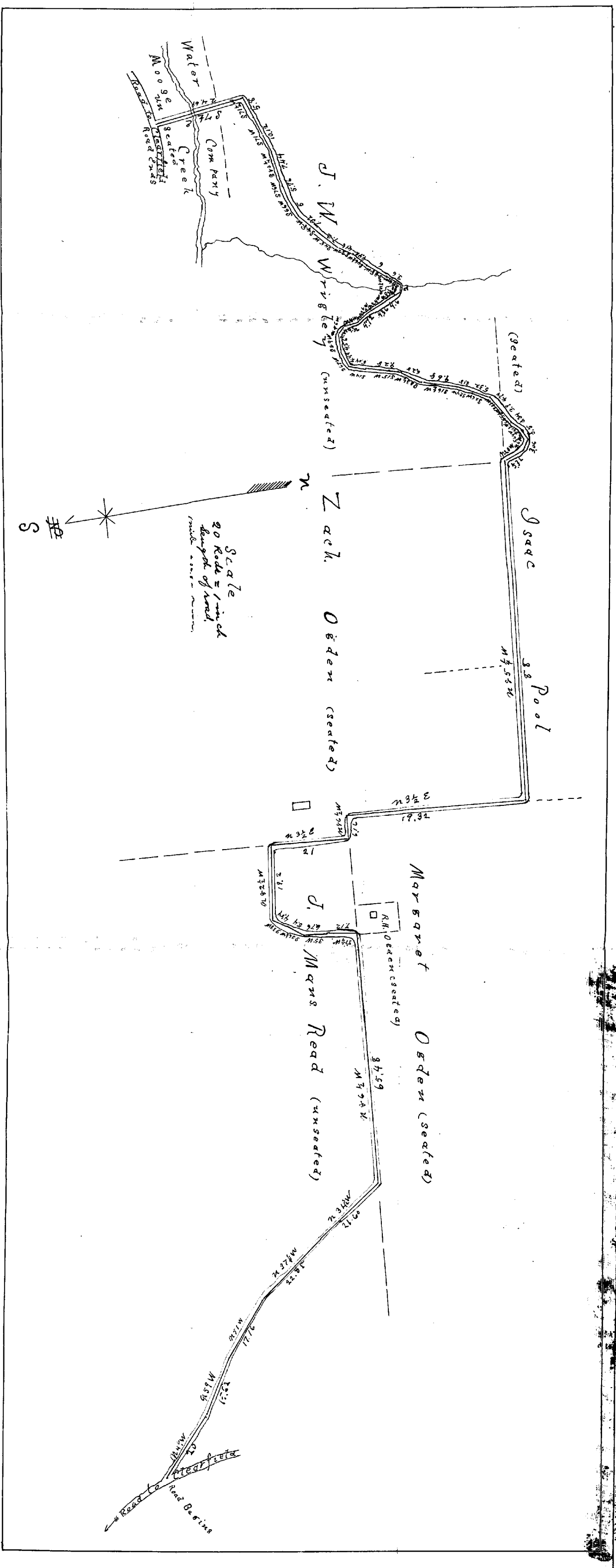
Sept 1888 Confirmed the
 road to be opened 3 1/2 feet wide
 except where there is a ditch
 cutting embankment, showing
 there to be 16 1/2 feet wide
 By the Court
 Dec 1888 on application

Feb'y Sessions 1889. Confirmed
 from absolute refusal
 By the Court

Filed 30th August, 1880
 Fees \$1.20 paid by *C. J. Ogden*

To the Honorable David S. Kirk Judge of the
Court of Quarter Sessions of Clearfield County,
we, the undersigned, viewers, appointed by the
within order of Court to view and lay out the
road therein mentioned, Respectfully report
that having had notices posted announc-
ing said road view and having met as per
and having been first severally sworn or affirmed
notices on the twentieth of August A.D. 1855, we
have laid out and do return for public use
the following road to wit: Beginning at a point
in public road a short distance west of barn of
J. Mans Read thence through land of said J. Mans
Read North forty nine degrees west twenty rods to a
point in a wagon road thence continuing in said
wagon road north fifty nine degrees west fifteen and
sixty two hundredth perches thence North fifty one degrees
west seventeen and sixteen hundredth perches thence
north thirty seven and one fourth degrees west twenty two and
eighty eight hundredth perches thence north thirty four
and one half degrees west twenty one and sixteenth perches
to the line between J. Mans Read and Mrs. Margaret Ogden
thence on said line north eighty six and one half de-
grees west sixty five and forty eight hundredth perch-
es to a post thence south on land of J. Mans Read seven
and one fourth degrees west seven and twelve hundredth
perches to a post thence south five degrees west six and
seventy six hundredth perches to a post thence south
south thirty six and one half degrees west five and four
tenth perches to a post thence south thirty three degrees
west four and eighty four hundredth perches to a post
thence north eighty two and one half degrees west nine-
teen and two tenth perches to a point in line between

thence south fifteen degrees west nine and twenty-eight hundredth perches to a Chestnut
thence south fourteen degrees west five and four hundredth perches to a Chestnut then South sixty-seven degrees west four and forty-four hundredth perches to a Red Oak thence North forty-six degrees west two and sixty-eight hundredth perches to a Chestnut thence ^{thence} North eighty-nine degrees west four and fifty-six hundredth perches to a Chestnut thence North eight degrees west four and thirty-two hundredth perches to a Rock Oak thence thence North thirty-two and one-fourth degrees west four and seventy-two hundredth perches to a Chestnut thence north twenty-four degrees west four and ~~four~~ and thirty-six hundredth perches to a Rock Oak thence ~~thence~~ North ^{twenty three} ~~eighty one~~ and one-fourth degrees west four and six-tenth perches to a Pine stump thence North eighty-one and one-half degrees west two perches to a quaking ash thence south thirty-six degrees west three and six-tenth perches to a White Oak thence south thirty-eight degrees west six perches to a Post thence south forty-six and one-half degrees west four and ninety-two hundredth perches to a cucumber stump thence south thirty-two degrees west four and sixteen hundredth perches to a White Oak thence south forty-five degrees west seven and two-tenth perches to a to a White Oak thence south forty-eight degrees west seven and thirty-two hundredth perches to a Jack Pine thence south sixty-six degrees west five perches to a Post thence south seventy-six degrees east west five and seventy-six hundredth perches to a ^{Pine stump} Post thence south eighty and one-fourth degrees west seven and



Depositions of witnesses produced, sworn
and examined before me at my
office in Clearfield Pa. on Friday Dec. 21,
1888 at 1 o'clock P. M. by virtue of a rule is-
sued of the Justices of the Peace of Clearfield
County, in a case now pending in
said Court in which certain Road Peti-
tions are defendants and Remonstrances
are Plaintiffs & that is the part of the
Remonstrance.

Joseph R. Reed, Affirmed Oath:-
I am aged 70 years past & I
reside in Lawrence Township, Clearfield
Co. Pa. I am one of the Representatives of
the Township, I know the ground
on which the road (proposed) is loca-
ted, I have been over the ground, but
not since the view, I can't say whether
this road is on the best ground or
not. I know of but one man living
along this proposed road & that is
Mr. Elias Ogden, I don't see how
this road could be recommended
any body from its present location,
It would be a pretty expensive road
to build & cost from \$700 to \$900
The ground is very rough & very wet,
The Road on this road would not
justify the expense of building it.
No one would want to travel it

page of the Township I'd said on
the kind of this proposed road I
might consider it a necessity, The
road might be opened for less than
\$600 or \$700 dollars - but a good road
cannot be made for less, I object to
the road on account of the financial
condition of the Township, We have
a hard time to raise the money,
I R Read &c.

Harry Passmore, Sworn,
I reside in
Lumber Township, I am 50 years
old, I was over this proposed Road
yesterday Morning, I did so perhaps
myself about it. The location is a
good one and not the best that
could be selected, I had thought
it almost impossible to make a
road there that you could haul
a load on. The road would be
very steep and very rocky, In my
opinion it would cost a good deal
to make the road, It would cost
over \$1000, I don't think the road a
necessity. The road from over the
Mountain to the Bedford Road is of
no necessity to the owners, They
could get out better from Mansfield
Rocks, if they want to come to Clear-
field Penn. To go Truckee's they

Perquill, I live on a public Road,
The road might be of use to me to
go to Ogans. But up among these
rocks I could get along without it.
I look at it this way, by through
these rocks it would be a nuisance,
It would be impossible to haul a
road up that draft. I am only giving
my opinion, I don't think it would be
worthwhile after it is made. The pros
would grow on it. It would only be
good to get cows to the mountain.
Hearney to Pearson

Oliver Conklin, Esq.

I am aged 62
years and live in Lawrence
Township, I was over this proposed
Road, we examined no other ground,
but I consider that it is no place
at all for a road from Hearney's
Ogans to the Perquill road. From
Hearney's Ogans to Mona Rues the
location is not so bad except
at one point. Not much. Rues the
location is not the best. The road
would be a hard road to make, a
good part of it is spruce, pine
and still rocks. Part of the road is
matted. They took good care not
to make the road on Hearney's
land. In my opinion it would cost

into Hlow Ogden, it would cost
some of it 2 or 3 dollars a rod to
move it to the Mt Joy Church. This
South end of the road would be the
cheapest road to make, from Mans
Ruck to Ogden it would cost 75 cents
or a dollar. He could put a private
road. Rich Ogden is the only one
that would be benefited.

Alfred B. Burt

Alfred Burt - Sworn, says.

I am aged 42 years & reside in
Lawrence Township. I am one of the
Supervisors of Lawrence Twp. I have
been over this proposed road, so near
as we could find it & I judge
we found it all right. Part of this
road would have a expense to
make. The road would cost to
make a good road at least \$2.00 per
rod. I do not consider this road a
necessity. especially the North end
of the road. I only saw one person
living along this road & that is
Hlowis Ogden.

Cross Ex. Only one man lives on
the road. Dick Ogden has a farm
out there but he does not live there.
The road does not go near Porto.
There is a road into Ogden, & a

What is called the Old Piquette Road, I understand now this road is a part of the Mans Red farm, and is not a public road, I do not know what it was ever used for.

I Mansfield Red, At A Piquette

Sworn,

I reside in Lawrence Twp. & am aged 34 years, I own the place where the Old Piquette Road passes into our Ogden's, I never offered to sell this road, nor intimated that I would, I have heard the former witnesses testify to this proposed new road, I agree with them all as to their ^{being no} necessity for this new road. And the expense of making it, I gave Mr Dick Ogden privilege 24 years ago to cut the path along this old road so he could haul his grain, I am willing to allow them proper to use this old road when it is now located, that is the Old Piquette Road.

Cross Ex. I know the location of the proposed new road, Part of it is on the Old Piquette Road, until it comes to the foot of the hill near Dick Ogden's, then they

let begin with some of his boys
on this old road of Mansfield Road.

R. E. Shaw, Appraiser.

I live in Lawrence Township, I have examined
the names of the petitioners to this
road. There are not very many of them
who own property in the Township.
Two of them of them are required, the
majority. The majority of the Re-
movers own property - I found in
the Township, only two of them are
not landowners. They are the poorest
landowners in the Township who
are on the removal.

The indebtedness of the Road fund
of the Township is \$4039.23 as
audited March 17, 1888.

Crossed Ex, some assessed tax is com-
ing to the Township from the removal
of the Township two local a 5 mill
local tax. R. R. Hurst is a property
holder but he is on the removal.
John Shaw owns property, James
A. Miller owns a house & lot. J. A.
Carns owns no property. Dr. J. Corbin
owns no property. J. W. ~~Property~~ ^{the owner} ~~for~~
property. Frank Meade & W. H. Rodman
own property. William P. McCorkle owns

Rule to Take Depositions.

Clearfield County, ss.

In re

Public Road

VERSUS

Lawrence Township

In the Court of ^{Quarter Sessions} ~~Common Pleas~~ of

Clearfield County, Pennsylvania.

No. 11 May Term, 1888.

AND NOW, to wit, the 10th day of December, in the year of our Lord one thousand eight hundred and eighty-eight the Remonstrants enter a Rule to take the Depositions of ancient, infirm and going witnesses, to be read in evidence on the argument of this case. Exparte Rule of Remonstrants on 10 days' notice.

Am. Bloom
Prothonotary.

To *Samuel Krainer, Esq.:*

Atty for Reliants

You will please take notice that, in pursuance of the foregoing Rule, depositions will be taken before *Frank G. Harris &*, or some other person authorized to administer an oath or affirmation in Pennsylvania, in and for the county of *Clearfield*, at the office of *Frank G. Harris* in the Borough of *Clearfield*, in the county of *Clearfield* and State of Pennsylvania, on the 2nd day of December A. D. 1888, between the hours of 10 o'clock A. M. and 5 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa., Dec 11th, 1888.

Thomas D. Hackett
Atty for Remst

And now Dec 11th 1888 Service accepted of this Rule
A. G. Krainer
Atty for Road