

In Court of S.

Mo 3 Sept 3. 1889

Vacate Supply
Public Road in
Woodward Sup.

Shes for taking
depositions go
P. L. & J. Ross
W. C. Miller
near

Filed 7 Nov 1889

X

Mitchell

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Vacate & Supply for the Court of Common Pleas
Public Road in ^{Jefferson} ~~Place~~ of Charfield County.
Woodward Town- No 3 Sept. Term 1888
ship.

Deposition of witnesses taken before me
this 1st day of July A. D. 1889, at the
office of Oscar Mitchell, Esq., Charfield, Pa.
between the hours of 9 o'clock A. M. and
9 o'clock P. M. by virtue of the annex-
ed Rule of Court and notice thereon
endorsed, for the examination of wit-
nesses in a certain cause then pend-
ing, to-wit:

A. J. Goss of Woodward Township produced
and sworn as a party Petitioner to set
vacation of road aside, in No. 3 Sept.
Term 1888. I am acquainted with
the roads in Woodward Township. There
is a road in said Township leading
from Sauborn bridge out onto a road
that leads to Jeffries Post Office.

The road just now described has been vacated by the proceedings in this case. There was another road or part of a road vacated in this proceedings.

This road when originally laid out, ran from the mouth of Sanborn ~~run~~ to Andy Baughman's. Leads from Boggs. Twp. through Woodward into Decher Township. This road crosses the public road leading from Thomas Hendersons to Clearfield at John Yager's house. This is about a half mile from Jeffries Post office. There is no road leading from Sanborn bridge to Jeffries Post office. This road vacated is the best and worst route that ^{any} ~~we~~ got from Montydale to Clearfield. This road that is vacated takes a piece or section out of the public road from Sanborn run to Andy Baughman's. A notice given to the public that a road was to be vacated leading from Sanborn bridge to Jeffries Post office would be no notice to the public of the vacation of the road as has described. The new road as laid out, I consider

I no ~~not~~ use to the public. The road laid out leads from about 80 yds from Saubon bridge to the Saubon school-house, which is on the road that leads from Daniel Klinis to Jeffries Post Office. The road as to grade is up hill all the way. I would ~~not~~ consider it good for hauling a load on it. I could haul as much with our horse on the road vacated as I could with two on the one laid out. To come from Houghtale to Charfield on the new road as laid out would be at least a mile farther and is not as good a road as the one vacated. There are two hills and one is dangerous. The new road as laid out is not as much of an accommodation to the public as the old one. The new road laid out is for the benefit of no body but Jerry Haines, Joe Lawford and Henry Baughman.

Examined by W. H. Patterson, Esq.

I saw no notices

pickup of the view and vacating
this road but I heard there were no-
tices. I was not with the viewers
at any time while they were
viewing the road and did not see
them. I had no notice of the vac-
cation of this road. It was always
claimed that this was no public
or township road. I did not
know they were trying to vacate the
road I was having about, as it
was claimed it was no public
road. The road they claimed was
no road leads from Sanborn up
to Andy Baughmans. This road
goes within about a half mile of
the Jeffries Post office. This road
~~ends~~ joins with another road that
leads from Thomas Hendersons to
Charfield at or near John Jagers.
This half mile of road would con-
nect with the Jeffries Post office
and the road about which I have
been testifying. The road that
was vacated by the viewers is the
same road that I had trouble in
Court about. I don't know whether

this new road laid out by viewers
was intended to supply and take
the place of two old roads or not. They
are working or having been working on and opening
this new road. I don't know whether they are working
today or not.
R. E. Hammond.

The road leading from
the mouth of Saulom Run to
Andy Baughman's passes over at a
right angle the road that leads from
Henderson's by Jeffries post office to
Chorfield.

is it not

William Bennett Sworn:

I reside in
Boys township in the neighborhood
of this road. I am nearly 34 yrs. of
age. I am well with the public
roads laid out and vacated in this
proceeding. The petition for vacat-
ing these two roads was read to
us by Mr Mitchell this morning.
There is no description of the road va-
cated by said petitioner to describe
the road vacated in said proceeding
from Saulom bridge up Saulom Run.

to ~~John Forger's~~ place. The road or
any of the roads vacated by this proceeding
was from the Sanborn Bridge up to
John Forger's place. This place is
about a half mile from Jeffries
post office. The part of the road
vacated was a part of a road ^{leading} from
Sanborn Bridge to Andy Bayghman's
land in Dreator township. A
notice that a road was to be vacated
from Sanborn Bridge to Jeffries post
office would give us no notice that
a road was to be vacated from the
Sanborn Bridge up to John
Forger's place.

The road vacated is on the best
and most direct route from Houtydale
to Crossfield. It is a better road
than the new one laid out, and it
accommodates the public better. The
road laid out does not run in
the direction of Houtydale but in
the direction of John M. Chase's. The
new road is a mile farther around
than the one vacated. The old road
would accommodate the community there
better than the new one.

Cross Examined

John Farger's is not on the line of the road about which I have been testifying leading from Jeffries Postoffice to the Sanborn bridge. There is a road leading from Sanborn bridge to Farger's, and there is a road leading from Farger's to Jeffries Postoffice. Farger does live on the line of the road leading to Charfield about a half mile from Jeffries Postoffice

William ^{his} ~~X~~ Bunnell
work

A. D. Boyer, Affirmed:

I live in Woodward township. Am 45 years of age. I am well acquainted with the roads in Woodward township vacated and laid out in these proceedings. There is a road leading from Sanborn bridge to Jeffries Postoffice, another road than the one vacated. The latter section of the road vacated leading from the Sanborn bridge to John Farger's farm

Known as the Sawtooth place, is a part of the road leading from Andy Baughman's farm in Decatur township to the mouth of Sawtooth run in Boggs township. This road crosses square over the road at the Low place leading from Puseyville and Thomas Henderson a short Jeffries Postoffice to Chosfield. The road vacated crosses the road that goes to Jeffries Postoffice. From the description in the petition it would not be notice to the public that the road up Sawtooth run was to be vacated. This road vacated ~~is the~~ Sawtooth run is a part of the direct road from Houtdale to Chosfield. It is a better grade than the one laid out and I suppose a mile more. There is a big hill to get on to the new road coming from Houtdale. The road vacated up Sawtooth run is of more benefit to the community than the one laid out. I cannot see that the new road is of any benefit except to a few individuals in there - one or two families.

This road vacated takes a piece out
of the middle of a general road.

Cross Examined.

Petition shown to witness.
My wife signed this petition for ^{me} ~~that it~~
at my request. I understood ^{it} was
for the vacation of the very same
road that was finally vacated
understood that the new road
to be differently laid out than
it was.

Re Examined.

The way the road is now
laid out it runs out in, in such
away, that I cannot get out in any
way without being a trespasser.
The new road was to lead from the
Saubon bridge, about where it now
starts from and to run between Wal-
ter's fork and river. The new road
is not laid out as represented
to me. I cannot read. I never
would have signed the petition if
I had known the new road was to
be located where it is.

A. ^{his} W. Boyer
mark

John Fager, Sworn:

I reside in Dresher Township. Am 54 years of age. I am well acquainted with the road vacated in this case. I count the road vacated of general use to the public. It is my worst and best road to Charfield. The new road as laid out is of not much use to the public unless they take a big round. I did not know that this road was going to be vacated until I heard it was ~~going~~ to be vacated last week. This road laid out will make a pretty good road. It is a pretty good grade, but it will take a good deal of work to fix it up. By the new road it is a good deal farther from ^{the} bridge to Bontydale than ^{it} ~~is~~ the old one. Before ~~the~~ ^{the} new road going both ways there is a pretty good hill. I count the old road of more benefit to the public than the new one. There has been a good deal of travel

on the old road all spring. It lies
by the old road. There has been a
good deal of travel on it this spring.
They have been hauling ties out
this spring and a good part of the
winter. John Philips and Joel
Ralston, I believe, hauled a few ties
on this road last winter. The old
road is not any harder grade than
the new one, but before you caught
on the new road there are a couple
of grades fully as steep or a little
steeper than the old one. I sup-
pose the new road is a mile longer
than the old one.

Yours
John X. Frazier
Mosh

D. J. Klier, Sworn: — I reside Woodward
township and am 48 years of age.
I am well acquainted with the road
vacated. The road vacated is more
superficial to the public at large than
the new one. The road vacated up
Sauborn run is part of the road

leading from Andy Baughman's to mouth
of Salmon run. I think the de-
scription in this petition does not de-
scribe the road that was vacated.
The proper description of the road va-
cated would be from a point at Sal-
mon bridge up Salmon run to an
unused Danboos place. It is about
a half mile where this road vacated
crossed out at Lewis to Jeffries post
office. The post office is on the
road leading from Hendersons to
Chorfield. The road vacated cross-
es the road leading from Hendersons
at right angles and extends to
Andy Baughman's. The road de-
scribed in the petition to be vaca-
ted was part of two roads. One
road leading from Andy Baughman's
to mouth of Salmon run and part
of the road leading from Hendersons
to Chorfield.
I signed a petition to vacate this road
by an arrangement, and the new
road was to be laid out from near
Salmon bridge upon the line between
Boyer and Lockhart to intersect the

road leading from my place to Jeffers at a point where the road runs into Jim Philife. This proposed road would run nearly the same direction as the Saubon run road and in a different direction than the one laid out. That petition never was put through court but was returned to the attorney.

Cross Examined.

I did sign a petition to vacate this road, but by an arrangement that the road should be vacated and a new one supplied as above stated.

D. J. Kline

William Poole, Sworn.

I reside in West Houlztale and am 57 years old. I am acquainted with the road vacated up Saubon run. It is the best and most direct route between Houlztale and Chasfield. As far as I know every body who travels in that com-

minutely go over that road. The road vacated has two small hills but they are very small. I hauled lime over the road vacated right along.

William Butler

John Low, Affirmed:

I living in Sterling, this county. I used to be supervisor in Woodward township for years and am well acquainted with the road up Saubon run. This road vacated is the best and most direct route from Houghton to Chasfield. The road vacated was laid out originally was laid out from Andy Baughman's lane to the mouth of the Saubon run. The road up Saubon run is better for the accommodation of the public than the one laid out and the trail shows. It would be about two miles farther around, if you would keep on a laid out road, before you would get on a road

leading to Lou Hendersons and
Houtydale. It is about a half
mile, or hardly that, from Danbours
to Jeffries post office. Jeffries post
office is on the road leading from
Chorfield to Lou Hendersons. The
road leading to go from Houtydale
to Chorfield by way of the new
road there are four very steep hills.
I have been around that township
for about 60 years and know some-
thing about those roads. I have been
supervisor for about 10 or 12 years.

John ^{his} Low
mork

George Panchell. Avon:

I live in Wood-
word township. The road vacated
up Danbours run, I believe, is the
best and nearest route from Houtydale
to Chorfield. The way we have to
come now to Chorfield since the
road was vacated is a mile and
a half or two miles farther than

the our vacated; and the our around
now is very high. The road up
Sanborn run, I think, is necessary
for public use. I don't think the
road laid out would be of any benefit
to the public. Geo Burchill

State of Pennsylvania }
Chesterfield County } ss.

I do hereby certify that the above witnesses were duly qualified and examined at the time and place of the above caption; that the same was reduced to writing by me, in the presence of said witnesses and that they subscribed their names thereto in my presence.

W.C. Miller

Notary Public

Rule to Take Depositions.

Clearfield County, ss.

Vacate & Supply
Public Road in

VERSUS

Woodward Supp.

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

No. 3 Sept. A. Sess Term, 1889.

AND NOW, to wit, the 24th day of June, in the year of our
Lord one thousand eight hundred and eighty-nine
the Petitioners against ^{vacation} enter a Rule to take the
Depositions of ancient, infirm and going witnesses, to
be read in evidence on the argument of
this case. Ex parte Rule of Petitioners after said
five days' notice.

A. M. Blomberg
Prothonotary.

To N. H. Patterson, Esq.:

Houtsdale Pa.

You will please take notice that, in pursuance of the foregoing Rule, depositions
will be taken before M. B. Mullenb., or some other person
authorized to administer an oath or affirmation in Pennsylvania, in and
for the county of Clearfield, at the office of Oscar Mitchell
in the borough of Clearfield, in the county of Clearfield
and State of Pennsylvania, on the first day of July, A. D.
1889, between the hours of 9 o'clock A. M. and 9 o'clock P. M.,
when and where you may attend and cross-examine.

Clearfield, Pa., June 24, 1889, Attorney for petitioners to set vacation aside.
Oscar Mitchell

Servic accepted this 25 June 1889
W. H. Patterson
Atty Gen Woodward Supp.

In Court of S.
Nov 3 Sept 1889

Vacate Supply
Public Road
Woodward Supp.

Sees for trial in
deposition 300
Full a 1 hour
M. G. Muller
near

Filed 7 Nov 1889

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