No. 9, Sept, Term, 188 96

Public Road

~~COMMONWEALTH~~

versus in

~~Ogden~~ Township

Gerrish

Contents:

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Street in Ramsey Boro
not Used.
Hoj

To The Honorable David L. Krebs, President Judge of The Court of Quarter Sessions' of Clearfield County.

The undersigned Citizens of Gulich Township would respectfully remonstrate: against the confirmation of and laying out of the Public Road resently viewed a d confirmed Ni Sa by your Honorable Court at the February Sessions' 1891, said Road beginning at a point leading from a point on the Road leading on the line of John Byers, T. C. Himes and John M. Jordan, to connect with the Houtzdale Road at or near the Ramey Tram Road.

Your Remonstrators would respectfully represent: That a Township Road has already been laid out and used between these two points running parallell with this new Road and not over One Thousand feet distant, which said original Road has been used for a period of at least 10 or 15 years and is in good repair.

That in case this new Road was laid out two Roads one or either side of the Rail Road would have to be kept up and that no one would be benifited thereby except some property owners who might desire to sell some Lots along the line of a portion of the new Road at the Western terminus: That the Eastern terminus of said Road as viewed and laid out runs through a swamp and that the old Road when laid out was run around this swamp for the purpose of avoiding the same.

That there is no necessity for the new Road as laid out.

That it would be a useless and wastefull expenditure of money and an imposition upon the tax-payers of Gulich Township.

D. K. Ramey and Co
D. B. Ramey
Geo S Baggett
Peter Bishop
A W Olmar

M. M. Konnan Supervisor
Jacob C Winter Supervisor

P. O. Stanley
W. C. Baker
S. S. Stanley
W. H. Durrin
[illegible]
F. F. [illegible]
Jos. H. Speire
J. Beigle
R. A. Brown
Del McCully
M. Davis
[illegible] Conrey
F. L. Merriman
H. J. Stephens
J. P. Davis
Jacob Gerber
Louis Clemenson
S. O. Fullerson
E. L. Miller
A. M. Hunter
Robert Henderson
Dan. Miller
P. S. Kingston
James Wilson
Walter Wilson
Wm Scott

G. Stanley
Wm. T. Richards
C. Stanley
S. Stanley
Alex Ream
Frank Ream
Edward Ream
John Sinter
Elmer Smith
W. C. Rush
Joseph Baker
Alfred Cann
Samuel Jones
John Matthias
D. D. Lewis
Daniel Krough
Martin Bowman
Wm. H. Hewill
Jacob Callen
Isaac Callen
John L. Spitler
Harry B. Lofe

S. B. Echard
Jay Brisnell
John McCossin
T. A. Prideaux
H. B. Dore

No 9. Sup S.S. 1896.

Rubie Road in
Gulch Sup.

Remonstrance

Filed 4 May 1897

W. H. Parker

stop

start

RAMEY BORO

Clfd. CO., Gulich Twp.
Conf. Absol Sept. 1892.
35 ft. - 16 ft.

Beginning at S.W. side of road leading from Buelah Church to Ramey ----- to the Road leading from Ramey to Houtzdale.

L I C H

DIV.

No. 9. Sept. 8th 1890

Petition for the appointment of viewers to view & lay out a public road from a point in a public road leading from Sterling to Beulah Church on line between J. C. Hines & Bert Jordan to Connell & Houtzdale road at or near Rameys Iron Road in Gulich Township

Filed 8 Sept 1890

8 Sept 1890. Petition read whereupon Wm Larkin, Thos Henderson and Saml Croyl appointed viewers to report at next term.

By the Court
D. L. Krebs
P.J.

Kramer

To the Judges of the Court of Quarter Sessions of the peace of the County of Clearfield

The petition of the Subscribers residents of Bigler Twp in said County respectfully showeth that they labor under great inconvenience for want of a public road or highway ~~or private road~~ to lead from ~~in~~ starting from road leading to Bethel Church starting on line between J. Himes Byer & J. M. Jordan ~~new addition running to Main Street running along Main Street~~ to connect Hondydale road at or near Romey Tram Road

Samuel Kirk
John Beyer
James E. Kirk
G. J. Ennis
Geo Cassiday
Reuben Miller
Joseph Dorr
J. B. Beyer
Henry Dorr
Christ. Friedrick

Jacob Ginter
L. J. Stiffler
Solomon Beyer

Gardner Stefff
Charles Minds
W. H. Minds
E. S. Davis

In Re
Public Road in
Gulich Township

No 9 September S.S. 1890

Now May 1st 1891 it appearing upon the face of the record that the proceedings in this case are irregular and not in accordance with the rule of court No 172 requiring a five days written or printed notice of the time of view to be served upon the County Commissioners and to the owners of seated lands along the route of the proposed road. And the report in this case not setting forth that notice of the time and place of view was given. That no definite terminal points are mentioned in petition for this road: That no report is made by the viewers as to whether or not releases of damages were requested from or refused, by property owners along the proposed route of road.

For the foregoing reasons Exceptions are filed to the report in the forging proceedings

W Irvin Shaw
Atty for Exceptants
May 1st 1891

No 9 Sept Ts 1890

In Re Public Road
in Guilford Township

Exceptions to report
of viewers

Filed May 1891
A M Blair

Shaw.

PUBLIC SPIRIT PRINT, CLEARFIELD, PA.

Rule to Take Depositions.

Clearfield County, ss:

In matter of Public Road in Gulich Twp

VERSUS

In the Court of ~~Common Pleas~~ Quarter Sessions of CLEARFIELD COUNTY, PENNA.

No. 9 Sept Sess, 1890.

AND NOW, to wit, the 6th day of August, in the year of our Lord one thousand eight hundred and ninety-one, the Petitioners 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 Petitioners on Five days' notice.

A M Bloom, Prothonotary.

To W H Patterson, Esq.:
Atty for Remonstrators

You will please take notice that, in pursuance of the foregoing Rule, depositions will be taken before Robert McNamara Esq, or some other person authorized to administer an oath or affirmation in Pennsylvania, in and for the county of Clearfield, at the House of M A Fredricks in the Twp of Gulich, in the county of Clearfield and State of Pennsylvania, on the 18th day of August, A. D. 1891, between the hours of 9 o'clock A M. and 3 o'clock P M., when and where you may attend and cross-examine.

J. G. Kramer
Atty for Road

Clearfield, Pa., Aug 6th, 1891

Service accepted for 8th Aug. 91
W. H. Patterson
Atty for Remon

Deposition of Witnesses produced sworn and affirmed and examined by me the 18th day of August A D 1891 at the House of Wm A Fredricks between the hours of 9 O Clock A M and 3 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 In Matter of Public Road in Gulich Twp is plaintiff and is defendant

J. G. Kramer Atty for Petitioners
W H Patterson Atty for Remonstrants

William Luther aged 52 Years or thereabouts of Millcreek Bigler Twp. being produced affirmed and examined by me deposeth as follows (viz) I was one of the viewers on the road now in controversy Leading from public road at or near Bialah Church to intersect public road leading to Mutzdale at or near Ramey's tram road. I do not recollect the length of the road We consider the ground good ground for public road over which said road was laid out The ground is generally dry I think there is only two places where the [illegible] I dont think either of the places is over two rods long. It is a side cut generally but not very heavy I consider an easy road to make, I have had considerable experience in clearing road and I dont think at an out side figure it should cost over two dollars and twenty five cents a rod to open it and put in good

travelling condition I know that notices were put up giving the time of view and the place for the meeting of the viewers I filled out the notices There were three or more notices These notices were signed by all the viewers Thomas Henderson and J H Cropple were the other viewers These were regular printed notices furnished by the Prothonotary There was one put up near the House of Mr Jordan which is close to where this road starts near the Beulah Church I think I saw the notice the day of the view and took it down and took it home

Wm Luther

George W. McCully affirmed deposeth as follows
I live in Fenlick Twp I am 69 years of age I have
lived here since 1836 I have been over the ground of the
proposed road a good many times I think the ground is
good and dry for a road My estimate of opening this
road through the timber would be about 500$ and the
cost through the cleared ground would be about 250$
I think it would be a good location for a road I think
a public road is needed there it would be a great convenience
to the public In avoiding a dangerous piece of road
along the RR from Ramey down to the Junction this road
would intersect with road to Stoltzdale The old road
from Ramey to the RR Station runs close along the
RR not less than 25 rods and close to the track and part
of the road is on the Company's ground The old is tight
up to the RR and is level with the RR for eight or ten rods
There is nothing to prevent a team from getting on to the RR
for this distance as there is no fence between the RR and
the public road. I don't think the RR rd when it runs
along the RR is over Sixteen feet wide. Ramey's board
piles are close up to the road on one side and the RR
on the other side, Along part of this road for the distance
of eight or ten rod there is a deep ditch between the RR
and the road The old road is certainly a dangerous
road to drive fractious Horses There is four regular passenger
trains pass over this road each way besides several freight
and coal trains I have seen people in trouble with their
teams and barely escaped an accident myself The

old road also crosses Ramey's Siding which makes it more dangerous still I own property and am a tax payer in Gerlich Township I own no land along the proposed road The only interest I have in the road is to have a safer road and less expensive to keep up than the old road The old road is generally in bad condition and is a hard road to keep up I know there was notice given of the time and place for the view of this road one of the notices was put up on my carriage house There were two notices put up on my wagon shed the day set on the first notice was wet and the viewers failed to act and there was a day set and the second notice put up I also saw a notice up at Beulah Church

Cross ex

Of my own knowledge I dont know the distance the road would run through the timber land I have never been over the line of this road since it was surveyed I do not know the number of stumps and trees that would have to be removed For a portion of this new road the building of this new road it would be building a road parallel with the road that is now in use I suppose the distance the roads would run parallel would be about 200 rods I think it would be advantageous at the present time that these two roads should be kept up and in repair the time is coming when I think it will not be When the R R Station will be removed from its present location up to the neighborhood of Medora Junction and the Saw Mill has cut out its timber which will be within a year or two and the Store and office of Ramey would be abandoned

There has been a good deal of expence put on the road leading past the Station The road is not at present in as good condition as other roads in the Township
I have never built any township roads

G. R. McCully

E E Willhide being produced and affirmed I live in Ramsey Thirty seven Years of age deposed as follows my I am in the livery business I am located on the present road leading to the R R Station I saw a notice put up on our stable in reference to the view of this proposed road I think it was there a couple of days

Cross ex

I think the notice was up about two days I do not know who took it down or who put it up I think it was the first view

re direct

I think there was another notice put up for the second view I think this notice was only up a short time a couple of days or so I could not say who put it up I dont know who took it down I suppose it is about as public a place as there is in town It is about one hundred yards from my livery stable where the notices were put up to the proposed new road

Cross ex

I would not like to swear positively that there was a second notice put up but I think there was I A Croyle seems to be very much interested in the road and wants it put through Mr Jordan & Mrs Beyer seem to have a an Interest in it Mr I A Croyle served the Subpoena on me to appear here to day Mr Croyle does not own any lots along the new road

E. E. Willhide

George Mumpfer sworn. I live in Ramey I was employed by Mr Willside I worked in the livery stable There was a notice put up on Mr Willside stable giving the time of the view of the proposed new road I did not know the man that put it up. I read the notice I do not remember when the view was made There was not more than one notice put up that I know of. I dont know how long the notice remained up I dont know who took it down.

Cross Ex

I A Crough subpoenaed me in this case

George Mumpfer

Rhenlin Miller affirmed I live in Ramey I have lived here since 1885 I am a property owner here I own a house and lot I have been over the route of this proposed new road The ground is dry with the exception of two or three places that are a little wet. The two places that are wet they are about two rods in length each It is not very wet or swampy It would hardly be able to tell what it would cost to put this road in good travelling condition It would probably cost 800$ The road would be mostly side hill cutting and not very steep The ground is not rocky I dont suppose the road through the timber would be over seventy five rods It crosses no large stream that would only require one small bridge where it intersects the Hurtzdale road at the lower end In my opinion it

would make a good road and easy to keep up I think a public road is necessary for the accomodation of the public I own no ground along this portion of the road I am acquainted with the present road The reason I have for ~~the~~ considering the proposed road is I dont consider the old road safe and another reason is because the old road crosses the RR and runs close along the RR The old road runs along the RR to the best of my knowledge about 25 rods That is a little piece from the livery stable to the RR Station The RR is about ten feet from the public road it may be more or it may be less The RR and the public road are about level for the distance of about 8 or ten rod during this distance within eight or ten feet of the RR There is no fence or any thing between the RR and the wagon road There is part of the way there is a ditch between the RR and the wagon road The ditch is probably four feet deep and three or four feet wide I consider this a dangerous road to travel along ~~there~~ The opening of the proposed new road would do away with great deal of the travel along this old road It is the main road leading from the upper end of the County to Stoutsdale I dont know of any accident happening along there except a man upset with a load of furniture It was in the winter time when the road was icey This road is not always in good condition It is generally a bad road and hard to keep up I would suppose the proposed new road would cost less to keep it up than the old road There is four passenger trains pass here each way daily the Local freight goes up and down and one coal train each way daily

Cross Ex

I live opposite on the corner where the new road comes out on the line of the old road If this road is built I live on the opposite corner and a great deal of the travel from the northern end of the County would pass my house.
This in a degree would enhance the value of my property at the present time I live about 30 rods off from the line of the old road I would like to see this new road laid out and whether it increases the value of my property I dont care much about I am doing all I can to get it laid out If this new road is made the old road may be abandoned after awhile It could not be abandoned at the present time This old road could not be vacated at the present time because the Post Office, Passenger and Freight stations and D R Ramey's Store and office Hagerty livery stable and grocery store are situated along the line of this road In my Judgment when all of these business places have been done away with then this road would be abandoned I never knew of any accident along this road caused by the R R The only accident that happened along this road was caused by the ice
I went over the line of this proposed road this morning and have been over the ground often I went over the ground this morning for the purpose of testifying in this case at the request of S A Croyle
He asked me to go over the line in order that I could testify that the proposed road would accomodate the community better than the old road S A Croyle subpoenaed me
I do not know how much Mr Croyle is interested in the building

of this road he owns some property lying along the road running to Dunlap I suppose the building of this road would enhance the value of his property I A Croyle pointed out to me the line of the new road this morning I do not know any thing about the line of the road except what Mr Croyle showed me I did ~~not see it laid out~~ ~~There is two~~ places that is a little wet The condition of the ground at present time is dryer than at other seasons of the year during the wet season of the year the ground is swampy and marshy I do not own a team of horses I myself do not have occasion to drive either of these roads I have never had any experience in building public road I simply made my estimate of building this road by guessing at it

Reuben Miller

Joseph McCullough affirmed as follows in; I am 64 Years of age I live in Jenkins Township I lived in this township ever since it was formed I own property in the Twp My property consists of a farm containing 160 Acres more or less I know some little about the location of the proposed new road I went over what was pointed out to me ~~the road~~ this morning

21 From what you know of the present road and the route of the proposed new road is or is it not said proposed new road in your opinion necessary for the accomodation of the travelling Public (Question objected to for the reason that the witness states that he does not know the location of the new road except from hearsay therefore incompetent and irrelevant)

Answer

I do not know that I would like to answer that question if the new road is made I would travel the new road in preference of the old one. I always considered the old road a little dangerous because it is so close to the RR and my Horse scaring at the train I have never had any thing serious to happen me along the road but came very near it sometimes The present road runs along the RR quite a little distance, The RR is pretty close to the public road There is no fence between the RR and the public road I dont know of any accident Happening along this road or RR I own no property along the new proposed new Road In going from Hollidaysburg to the northern end of the County persons have to pass over this road There is a good lot of travel over this road.

Cross Ex

There is a great deal of travel on this old road and there has been no accident that I know of It would be inconvenient and a disadvantage to have this old road vacated at the present time or in the immediate future on account of the places of business along the line of the road I ~~consider~~ suppose the old road is sufficient to supply the wants of the travelling public Mr Boyle informed me in this case He thinks the is interested in getting the road through

Re direct

I know that at one time the train held up that a funeral could pass

Jos. McCullough

Thomas J Beyer affirmed as follows I live in Reamsy I have lived here since 1861 I own a property here it consists of a house and Barn and one acre and thirty five perches of ground I have been all over the ground and know

but it was never pointed out to me The ground is high and dry generally and side cut There is no swampy place worth speaking of where the road must go There is no large stream there may be a couple of places that will require small bridges from or five feet wide I would not have much idea as to the cost of the road as there is so much difference in contractors but I suppose it could be made for ~~[illegible]~~ per rod It is my opinion that a new road is necessary on account of the present road is partly on the RR Co ground at least six feet and there is no room for widening the road unless we commence away down in the swamp between the RR and the road about five feet deep which makes it extremely dangerous to travel the this present road runs 225 Yards parallel with the RR at about an average distance of fifteen feet from the RR & it crosses over D K Ramy side track and then over the PRR main track For a short distance the RR and road are almost on a level I dont think the most of the road is over 12 feet wide on the opposite side from the RR it all swamp I am agent for the PRR Co at this Station Ramey There is about fifteen trains pass this place a day I do not consider the present road safe to travel on I think it very unsafe I have known at different times within the last year but lately on the 28th of June last a Horse driven by two ladies the Horse frightened at something and turned short around in the road would have run away but I caught it on the same day a buggy going towards Hoitsdale containing a man and lady the Horse shied jumping over the ditch with buggy and all it was necessary to unhitch the Horse and lift the buggy out of the ditch

Three years ago I saw a flitting upset and the goods was thrown some on the R R and some in the ditch The Cause of it was the road was narrow had been filled up with Stone and saw dust and the road was icey so that the hind Carriage slid into the ditch and took the tallow of the wagon with it There is a great deal of travel in this road going to Hartzdale all the southern end of the County going to Hartzdale have to pass over this road or go by Ames Ville which is some two miles further The present road is very hard to keep up I know there was three feet of saw dust put on this road along the narrow place and many loads of Stone and they are all gone and sunk down in the The good part of the year this road is very muddy There time after time seen wagons stuck in the mud I would not undertake to widen the road and make a solid road for Twenty five Hundred dollars allong the narrow part of this road 225 Yds It would costs a great deal more to put the present road in good condition than to build the new road I consider the new road is necessary for the convenience of the travelling public

Cross Exam The proposed new road will pass along in front of my house at the present time there is no road there except the road laid out by the parties that sold the lots And at the present time my House is considerably distance from the a traveled road or street I hope the laying out of this new road will considerably enhance the value of my property I do not say that this is my sole reason for opposing the old road I have been engaged along the line of the old

road for the last ten Years a portion of the time with D K Reamy and the balance with the P R R Co During this time I seen three accidents during this time I seen many mishaps but none of them were serious The first of these three mishaps was caused by a car standing on the track the Horse scared at the car the accident happened on sunday the other two accidents was not caused by the R R train I do not know that the P R R are raising any question about the Top road being on their ground The present road accomodates all the travel along the road I suppose this road is as much travelled as any other road in the County The new road would run parallel with the R R about 200 feet distant from a point opposite my place where it would intersect the public road at the R R Bridge; A R R train approaching by my house through the cut would not come suddenly upon the vehicle I think I could see the tops of the cars from my house and I dont think it would be a bad place for the Horses to scare at the trains In making my estimate of the cost of building the road I have taken into consideration the costs of removing of stumps and trees the most of them would be easily moved I did not know the number of trees and made no estimate of them The ground over which this road would pass is not marshy in the spring or fall of the year The ground is dry where the new road intersects the old road at the eastern terminous I do not know that the old road at this point is thrown up four feet from the sides on account of the marshy ground over which it passes I have never had any experience in building Top roads

Re Ques My ob is by changing the location of this road it will injure no one cannot possibly depreciate the value of property along the line of the old road and it will have a tendency to draw more travel this way and many do not now travel it now

Cross Ex It would be more expensive to keep up two roads than one and to that extent it would be a detriment to the tax payers of Gunlock Twp

F. B. Beyer

I 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

Robt McNamara
Justice of the Peace

No 9 Sept ~~[illegible]~~ 1890

Public Road in
Gulich Twp

PUBLIC SPIRIT PRINT, CLEARFIELD, PA.

Rule to Take Depositions.

Clearfield County, ss:

Pike Road in
Bell Twp

VERSUS

In the Court of ~~Common Pleas~~ Quarter Sessions of
CLEARFIELD COUNTY, PENNA.

No. 9 Sep Term, 1890

AND NOW, to wit, the 16 *day of* June, *in the year of our Lord one thousand eight hundred and ninety-*one *the* Petitioners *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* Petitioners *on* 10 *days' notice.*

A M Blom
PROTHONOTARY.

To A G Kramer, *Esq.:*
Atty

You will please take notice that, in pursuance of the foregoing Rule, depositions will be taken before H A Curry, *or some other person authorized to administer an oath or affirmation in Pennsylvania, in and for the county of* Cfld, *at the office of* H A Curry *in the* Twp *of* Bell, *in the county of* Cfld *and State of Pennsylvania, on the* 30 *day of* June, *A. D. 189*1, *between the hours of* 10 *o'clock* a *M. and* 3 *o'clock* P *M., when and where you may attend and cross-examine.*

W M Blom

Clearfield, Pa., June 16, *189*1.

Served on me by Copy June 20th 1891
and service of same accepted
A G Kramer
Atty for Road

No 1

In the matter of the Remonstrance to Public Road in Gulich Twp. to No 9. Sept Sessions 1890

Depositions of Remonstrators taken in pursuance of Rule hereto attached between the hours of 10 A.M. and 3 P.M. on the 30th day of June 1891

A. L. Patterson present and representing the Remonstrators and Gulich Twp.

O. G. Kramer Esq. present and representing the Petitioners

Jacob Ginter, being produced and sworn on the part of the Remonstrators doth depose and say 1. that I am one of the Supervisors of Gulich Twp., I am acquainted with the Location of the proposed new Road that is the general location, I do not know one of the Termini. I do not consider the new Road necessary for the accomodation of the Public As there is a Road running parallel with this road a short distance away, The new Road would not benefit any one I know off the present Road is in as good condition as the generality of Roads in the Twp, I do not know if the present Road is an expensive one to keep in repair or not. The majority of the Taxpayers as far as I have talked to them are opposed to the new Road

No. 2.

~~I cannot say~~ In addition to the regular Tax We have to lay a special Tax of five Mills. This special Tax was laid by order of the Court.

Cross examined I have been over the lower end of the Road not over the upper end, I was not along with the Viewers of the Road but was shown the Route by Samuel Kough. I cannot say if he was one of the Viewers or not, I could not say if the Road would be hard to open or not, the place pointed out to me was Swampy but cannot say if that was the location or not, about fifty or more of the Citizens of the Tap are opposed to the Road, that I have talked to, the Parties that signed the Remonstrance were opposed to the Road and also some who did not sign the Remonstrance. The Parties who are opposed to Road who did not sign remonstrance, I did not see, until after I entitled the Remonstrance I told the Parties who signed the Remonstrance the lower end ran through a swamp. If the Road does not run through the swamp I was mistaken I do not know who got up the Remonstrance but it was handed to me by S S B Rainey. I carried it around and got signers to it I heard about Eight or ten persons say they were in favor of having the Proposed new Road. Samuel Croyal, G H McLeod

No 9

Joseph McCulough, Lewis Speice, and several others whose names I cannot now Recall. The persons who are in favor of the Road are all owners of Property and Taxpayers in the Township. I consider the Present Road in as good condition as the generality of Roads in the Township. The Present Road running along the Railroad close to Railroad. I do not know the distance the road runs close to Railroad. D K Ramey has a number of Board fences along the Road. The Road is twenty feet wide from Railroad to Board fences, I think. Part of the Road where it runs along Railroad is on level with Railroad. There is no fence between Road and Railroad or any thing to prevent Horses from running onto Railroad. Part of the way there is a Board walk three or four feet wide. I could not say positive that the Road is safe to travel on but it is as safe as it would be to go across the Bridge to the Proposed new Road. I consider it as dangerous to cross the Bridge to the proposed new Road as to drive along the Present Road along the Railroad for three or four hundred feet or more. I think about another line as many People would have to cross the Bridge to new Road than would Present; the Bridge I speak of is an elevated Bridge Boarded up on —

North

either side ~~about~~ five or six feet high and Bridge Crosses Railroad, and Trains pass through under Bridge. I never heard of any accident happening at Bridge, I never heard of any accident happening along the Pleasant Road where it runs along Railroad never heard of Horse getting frightened at Train, running off & throwing occupants off of Buggy, I live about three Miles from Ramey, there may have accidents happened along Pleasant Road and I did not hear of it & the Road is not any Muddier than the majority of the Roads in the Township, in a wet time I found this Road in a very bad condition almost impassable as was the rest of the Road from Ramey to Houtzdale, Cannot say how many Trains pass Ramey every day.

Redirect;

I circulated the Petition by virtue of my Office as Supervisor and because I believed the best interest of the Taxpayers demanded it, I have no prejudice in this matter but am simply doing my sworn duty by guarding the interest of the Township.

Rex

Mr Ramey handed me the Petition which I circulated nobody else spoke to me about circulating it

Jacob L Gessler

No. 5

D. R. Ramey, being produced and sworn doth depose and say. I

I am sixty nine years of age, been engaged in a business way in Clearfield County since seventy one, am reasonably well acquainted with the Road leading from Houtzdale to Ramey. This Road has been used by the Public some fourteen years from hearsay I am acquainted with the general location of the proposed new Road, a portion of the Road being laid out on ~~my~~ lands, that portion of the Old Road from G. H. McCully's line to the tract line below the terminus of the proposed new Road is also laid out over my land, the laying out of this new Road would be making a new Road almost Parallel with the line of the Old Road and the located distance between the two ~~being~~ less than an eighth of a Mile. And a portion of the distance will not average three hundred feet, the Railroad freight and passenger Station the Post Office D. R. Ramey's store and Office Livery stable small store and two or three Dwelling houses on our present Road I had no notice of this proposed Road across our land had I known of it I would —

No 6.

have been present objecting to the same taking his land from me would work me an injury by reason of taking land which would be of no benefit to the Public generally. I think the only persons who would be benefited by this new Road would be John M Gordon & Shu and Thomas Byer who have vacant Lots lying along this proposed Road which they might readily be able to sell if this Road was laid out.

Objection by Kranzer.

We object that portion of Mr Ramsays testimony as to who would be benefited by the proposed new Road for the reason that he cannot testify as he admits in his testimony above, to mere supposition as he admits that ~~he cannot~~ he does not know ~~that~~ that the parties named will be benefited by the proposed new Road that he only supposes so, therefore incompetent and irrevelent.

Question. What is the general nature of the ground over which this proposed new Road passes, at its eastern terminus and for distance of three hundred yards & what is the general nature of your land lying north of the Railroad in location of this new Road and over which this.

No. 7

This New Road must necessarily pass

Objection by Kawar We Object to the first Question as being incompetent for the Reason that the witness admits that he knows nothing about the Location of the proposed new Road excepting by hearsay.

Answer. A great portion of it is swampy low wet Land. I think it would be an expensive Road to keep in repair. The Old Road is generally on higher and better ground. ~~This~~ Old Road is in Reasonably good repair fully as good as the average Roads of Cfd Co, I Consider the building of this new Road would be of no benefit to Township and simply be an additional expence to the Taxpayers, It would be Creating two Roads where only one is necessary

Cross Examined

I do not know the lenghth of the new Road From the street running to Beaulah Church to where it intersects the Houtzdale Road is a half a Mile. Over half of the Road below Beaulah ~~Road~~ is on my Land I do not know the cost And cannot say what it will cost to open Road I had no notice of Trial I would not agree to Make a Good Township ~~Road through My Lands over this proposed Road for less than four dollars per Rod~~ Road from where I understand this proposed Road strikes my land to where I understand it ~~strikes~~ intersects the Present Road Leading to Houtzdale for less

No. 8.

than four Dollars per Rod, being about two thirds of the distance from the Beaubien Road to the Eastern terminus of the proposed new Road It would cost probably half as much to make Road from Cary line to Bulrain Road.
I do not know if there were any notices put up for view on proposed Road I had no Notice I consider the Present Road Good as any in the Township, no more danger than at other grade Crossings there has been no serious accident happened along this line of road in the last fourteen years. Never saw any horse become frightened so he was unmanageable.
I did not know of a man driving along with Flitten and Team becoming frightened and running away. the Road is on a level with the Railroad part of the way, there is probably 100 ft on a level with Railroad. It is 30 ft from the south Rail of Railroad to the Roadway the Township road is 17 ft wide at this point the Road is 26 ft wide at Corn Crib. When the Road was laid out our Team Road was already built and the supervisor permitted the one Fourth of Team road to remain on the line of Township road this is the only place we infringe on the right of way excepting a short distance in front of our Office the Present Road and Rail Road run parallel for about 200 ft. the Present Road runs a distance of about 400 ft within a distance of about 150 ft from Railroad, there is nothing between present Road and Railroad excepting foot Walk.

D. K. Kenney

No. 9

Henry Allerman being produced and sworn on part of Remonstrators doth depose and say. I am ~~sixty~~ Years Old have lived in Gallitzin Township ever since it was a Township, I am ex district Treasurer, my term ended on June 1, 91. The Township Road fund is in debt by our supervisors ~~Road fund~~ borrowed from the Poor fund & the same has been on interest ever since there are also other Road Orders outstanding the Supervisors for last year and for the present year have levied a Tax of fifteen Mills five ~~mills~~ which is a special Road Tax So far as my information goes the building of this Road and the building a new Road almost parallel with the present Road I do not believe the proposed new Road is necessary the present Road is sufficient to accomodate the traveling between Ramey and Houtzdale I ~~have~~ no interest in this Road one way or the other except for the benefit of township, I consider the building of this Road an unnecessary expence and a burden to the Taxpayers at the present time

Cross X.

I live in the extreme upper end of the Township. A part of the farm I live in is in Cambria Co. I pay all my taxes in Gallitzin Twp on the farm I live on As a general thing when I go to Houtzdale I take the Team but my Team has been on the Road to Houtzdale a great deal this spring. I dont know what the cost or expence

No. 10

would be for opening the proposed new Road There are some points on present Road are not any safer than they ought to be on account of Road running along Railroad, the present Road was not in good Condition last Spring and neither were any of the other Roads My term as Treasurer of Township expired in March last at that time the indebtedness of the Road fund was about $1600, and at present about $1500. There was a small amount on Cash duplicate, 1889 uncollected on March last, the Cash duplicate will amount to about 6 or $6 00;

H. Alleman

The above Depositions were taken by me in pursuance of the within Rule after the Witnesses had been duly Sworn and their Testimony reduced to writing in the presence of the Attorneys within named

Witness my hand this 30th day of June 1890.

H A Carey J. P.

No. 9. Sept. T. 1890

In re Public Road
via Gulch. Twp.

Depositions on
behalf of Remunerator.

Costs.

Justice Curry.	$6.00
Witnesses	
Henry Allman 1 day 14 miles	1.84
And Miellholm 1 day 14 m	1.84
Alex Reams 1 day 62	1.84

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 Eighth *day of* September *, A. D. 1890, before Judges of said Court, upon a petition of sundry inhabitants of the township of* Gulich *, in said county, setting forth that* they have made application for work of a public road or highway to lead from road leading to Beulah Church starting on line between Thos. Harris Bryan and John M. Swan to connect Houtzdale road at or near Ramey town road

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* William Thos. Henderson & Samuel Smyth *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.

A. M. Gleim

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* .

..... SEAL

..... SEAL

..... SEAL

..... SEAL

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* .....

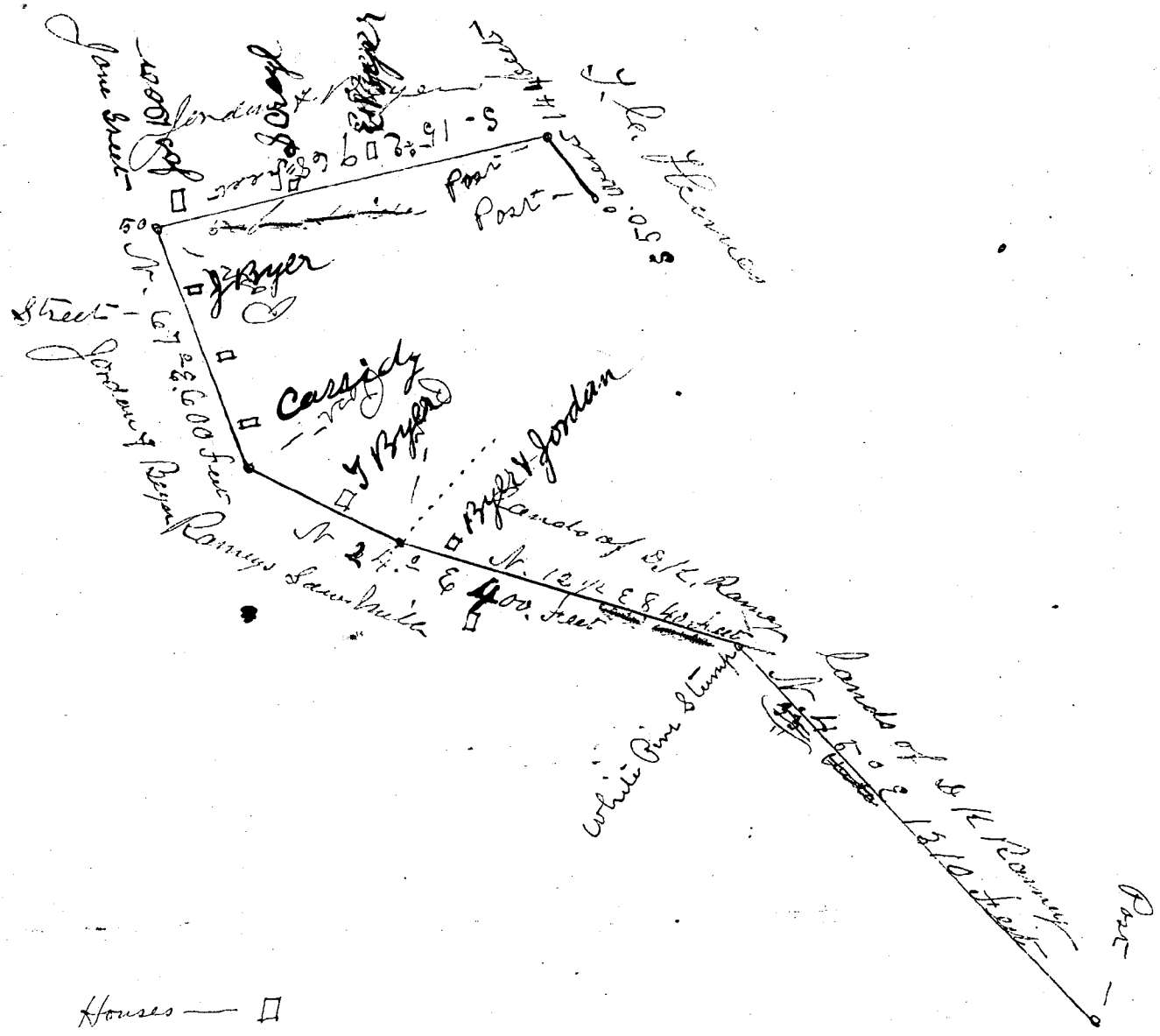
Witness *our hands this* 6th *day of* December, *A. D. 18*90.

We [illegible] Allow no Damage

Wm Luther

Samuel A Cragh

Thomas Henderson


Lane Street
Lands of J. Bryer
Lands of J. Bryer
Lands of J. Bryer

To The Honorable the Judge Within named

We the Persons appointed by the With Order of Court to view and lay out the roads therein mentioned (after being Sworn according to Law do report that in pursuance of the said Order We have viewed and laid out, and do return for Public use the following Road

To Wit: Begining on southwest side of road leading from Beulah Church to Ramey, thence south fifty degrees west along line Between Thomas Haines Beyer and John M Jordan 144 feet to a post. thence S. 15° East 968½ feet through lands of Beyer and Jordan to Corner of Hannah Miller lot, thence N. 67° E. 600 feet through Beyer and Jordans lands to a post. thence N. 24° E 400 feet to post on line Between D. K. Ramey Byer and Jordan. thence through lands of D. K. Ramey N. 12° E. 840 feet to post. thence N. 45° E. 1310 feet to Center of road leading from Ramey to Houtzdale

Witness our hands the 8 day of December 1890

W. Luther

Thomas Henderson

Samuel A. Cooper

Will send Description at back

No. 7 Sept Sessions, 1890

ORDER

To view and lay out a road for Public use in the township of Gulich, Clearfield Co.

Dec Sep 1890. time for reporting order generally enlarged to Feby Session 1891 By the Court

Feby Sep 1891, Confirmed Nisi. road to be opened 33 feet wide, except where it will cutting &c there to be 16 feet wide

By the Court

Now 1 May 1891 Exceptions filed by W. L. Shaw

Dec Sep 1891 Cont'd to Argt Court

Feby Sep 1892 — By the Court

Filed 188

Fees $10 paid by Jno M. Jordan

Kramer

Confirmed absolute By the Court

Remonstrances filed 1 May 1891

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.

			Amount.
J. Henderson one day	Days	2.00	
4	Miles	48	2.48
Lloyd one day	Days	2.00	
1	Miles	12	2.12
Sutin 2 days	Days	8.00	
2 1/2	Miles		8.37
	Days		
	Miles		
	Days		
	Miles		