

No 4 May 1891.

The Public Road
in 1891 & 1892
Twp.

Deposition of
Petitioners.

11
J. M. Sunlap. sworn.
Evidence taken on rule. Issued Dec 26th
A. D. 1891. ~~I saw~~ I saw a notice
tacked against the wagon shed on
the public road leading from Hegarty's
X. Roads to Glen Hope ^{shed} belong to
the property of Fredrick Shoff Estate
in Beecaria Township said notice
in plain view to the traveling public
said notice being for a view for
public road leading from a point
near Byer & Kirks Mill in Bigler
Township to a point near the dwelling
of Fredrick Shoff Estate in Beecaria
Township

Cross Examination by Samuel
Hegarty

Question: You saw a notice on the wagon shed near the residence of Thomas Thoff in Decemr 29th. Answer: I did

Question: Did you read that notice over carefully?

Answer: Yes

Question: ~~When did you see that notice and what was the date of said notice~~

Answer: I know date thereof

Question: What was the purport and contents of that notice?

Answer: Notice: give notice for view of a further road leading from a point near Rye and Kirk hill in Raleigh Township to a point near the crossing of Indiana street. Estate in Decemr 29th

Question: When was this view of said Road to be

Answer: I am uncertain

G. M. Dumbach

Subscribed and Affirmed to this second day of January A. D. 1892 before my hand and seal

James B. Walker J. P.

Testimony of R. A. Zentmyer
In the case of Rule to Take Depositions, Issued
Dec. 26. A.D. 1891, who being duly sworn
according to law, deposes and says as follows:
I was one of the viewers appointed to view, lo-
cate and lay out a township road leading
from a point on the public road near Bey-
er & Kink's mill in Bigler Township to a point
on the public road from Hegarty's & Roads to
Glen Hope at or near the dwelling of Fredrick
Shoff in Deercreek Township. I filed out a
sufficient number of notices as provided
by law, one of which I posted upon the
outside of the post-office in Madera and
the others gave to different parties to be
posted at public or prominent places
in the different townships. I further state
that the entire number of viewers were pres-

and during the entire time spent in the loca-
tion of the road and were unanimously of the
opinion that the route decided upon was the
most practicable and that the report should
be in favor of granting a public road between
the points indicated, and as assigned in
report to the court. I further state that
I was shown a letter purporting to be
written by Samuel Oregory to James Boyle
in which Mr. Oregory stated that unless the
road was located upon the old road or
upon the line between him and the Orestes
Hill estate, he would oppose the granting of
said road, or worse to that effect. I
further state that I had, ~~was~~ have, no
interest in the location of a part of said
road upon land of said Oregory rather than
upon either of the aforementioned roads, except
that in my judgment, the ground and grade
agreed upon were better suited to the
purpose.

A. A. Gentry

Subscribed and affirmed to this 2nd day
of January A.D. 1892.

Witness my hand and seal this day and

date aforementioned.

John W. Bratten, J.P.



Testimony of Joseph Alexander

in the case of Rule to take depositions.
Issued Dec. 26. A. D. 1891.

being duly sworn according to law.
deposes and says as follows.

i live in Madera Clearfield Co. Pa.
i was one of the viewers ~~for a~~ ^{on Public Road near} public
road from a point ^{at} ~~at~~ ^{near} Brannan Junction
to a point on public road near Hegarty
X Roads and fulfilled my duty as
one of the viewers was over all
the route reported for the road
and believed it to be the best
route between the points specified
for the view report of view was
sent to me at Clearfield by mail
~~that~~ i gave it to the Prothonotary
by an oversight neglected to sign it

which I had intended to do

cross Examination by counsel Stegaly
was the testimony of this order to be
of a point near Stegaly & Road
a a point near Stegaly, that.

Question

Answer

I do not remember the exact place
specified in the order or that of the
particular road that it
was a point on the public road
leading from Eden Grove to the cross
Roads at Samuel Stegaly's near the
cross Roads

Question

Answer

yes I believe it. The fact that
between the points named in the
order named for the view

Question

could you not have found a road
between point to point named that
would have been an expense to
the township named that would
have been as good as better than

the route adopted

Answer that we could not have got a better route to meet the needs of the public

Question in making your report of the view as one of the viewers did you sign the report or not.

Answer I am informed that I did not I was under the impression that I had.

Question in making your report you were ~~somewhat~~ you not dissatisfied with the location of part said road

Answer ~~in belief~~ Geo. I am satisfied

Question ~~don't you think in m~~
could a location not have been made from a point a or near Chesterfield by the way of the Hegarty Road to the proposed terminus

Answer not a practical road

Question for what reason is it not practicable

Answer

the grade is heavy on the old road

Question

how long has the old road been
we try the further as a public road

Answer

I can remember of traveling it
~~for thirty years~~ long used as
a public road for thirty years

Joseph Alexander

Subscribed and affirmed to this
second day of January A.D. 1892
Witness my hand and seal
this 2nd day of Jan 1892
John W. Bratton & P. Moore

old Hegarty road?

Ans. On an average about thirty rods for two-thirds the distance ^{then as} until you get nearer Chesterfield the distance between the roads increases.

Question - What is the greatest distance at any point from the present location to the ^{property} tract line dividing S. Hegarty's land from Frederick Shoff's land?

Ans. The only point I know is $22\frac{1}{2}$ rods running to a point ^{or near} at the south end.

If this road from Chesterfield to turnpike at or near Frederick Shoff's is built as located, what in your opinion would be the damage to private property?

Ans. At least (\$1000) One Thousand Dollars.

What is the character of the ground upon the location of road from near F. Shoff to Chesterfield? Ans. It is wet marshy ground, nearly all the distance C. C. Ball

Samuel Bodle, affirmed. I reside in Beccaria Twp. Clearfield Co. Pa. I am personally acquainted with that part of Beccaria Twp. through which the road is located from Chesterfield to Turnpike at or near Frederick Shoff's.

I was one of the viewers who made this location.

Is the location as made from Turnpike at or near Frederick Shoff's ^{made} practicable route? It is not.

For what reason did you locate it there?

Ans. For the reason that the order made the terminus of said road, at Turnpike, at or near Frederick Shoff's and as could not

to private property in building a road from Turnpike - by way of your residence to Chesterfield?

Ans. In my opinion the damages would amount to little or nothing.

What would be the relative distance between the two routes? Ans The difference in length of the two roads is from five to ten rods

Samuel Doble

Deposition of witness produced, sworn or
affirmed and examined, at the office of A. J.
Jury one of the justices of the Peace of Clearfield
Co. Pa. at his office in Beecreek Township on the 13th
day of May A.D. 1892. between the hours of 9
A.M. and 4 P.M. of said day in obedience to
the rule of court, and notice hereto attached, to be
produced in evidence.

other place.

What is the character of the ground?
It is wet naturally.

Did you have any other route in view that you wished to adopt that in your opinion would have accommodated the public better than the location made? Ans. Yes sir. If a road be built from turnpike at or near your residence to Chesterfield. what would be the cost as compared with the cost of building the proposed road from or near Frederick Shoff to Chesterfield?

It would cost about one half as much to build the road from ~~turnpike~~ by way of my place as to build the road from or near Frederick Shoff to Chesterfield.

Would there be much damage

read in a case depending in some cases on the
the Memoranda against public road in Oregon
and Decaria Journals on the Plaintiffs and
the Petitioners are Defendants.

L. L. Ball being

Sworn.

Question. How do you route?

Ans. Biggs Imp. Clearing Co. - Pa

~~the you personally acquainted with the location~~

of that part of the proposed road leading from
Chartergate to the terminus at or near first-

order of the? Ans. I am.

Do you or do you not consider it a practicable
route for a public road? Ans. I do not.

For what reason?

Ans. First on account of bad ground. 2nd

Cost of construction - 3rd - 4th - 5th - 6th - 7th - 8th - 9th - 10th - 11th - 12th - 13th - 14th - 15th - 16th - 17th - 18th - 19th - 20th - 21th - 22th - 23th - 24th - 25th - 26th - 27th - 28th - 29th - 30th - 31th - 32th - 33th - 34th - 35th - 36th - 37th - 38th - 39th - 40th - 41th - 42th - 43th - 44th - 45th - 46th - 47th - 48th - 49th - 50th - 51th - 52th - 53th - 54th - 55th - 56th - 57th - 58th - 59th - 60th - 61th - 62th - 63th - 64th - 65th - 66th - 67th - 68th - 69th - 70th - 71th - 72th - 73th - 74th - 75th - 76th - 77th - 78th - 79th - 80th - 81th - 82th - 83th - 84th - 85th - 86th - 87th - 88th - 89th - 90th - 91th - 92th - 93th - 94th - 95th - 96th - 97th - 98th - 99th - 100th - 101th - 102th - 103th - 104th - 105th - 106th - 107th - 108th - 109th - 110th - 111th - 112th - 113th - 114th - 115th - 116th - 117th - 118th - 119th - 120th - 121th - 122th - 123th - 124th - 125th - 126th - 127th - 128th - 129th - 130th - 131th - 132th - 133th - 134th - 135th - 136th - 137th - 138th - 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I certify that the above and foregoing witnesses, viz C. C. Ball and Samuel Bodle were duly qualified and examined at the time and place stated in the caption, and subscribed their depositions in my presence

A. J. Fry.

J. P.

A. J. Fry's cost \$1.60

VERSUS

Public Road in

Bigler & Beccaria Turps. No. 4 May ~~Secd~~, 1891

And Now, to wit, the 3d day of May, in the year of our Lord one thousand eight hundred and ninety-Two 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. Ex parte Rule of Remonstrants on five days' notice.

AM Beaman
Prothonotary

To *A. C. Smith* .., Esq.:

Atty. for Petitioners.

You will please take notice that, in pursuance of the foregoing Rule, depositions will be taken before *A. J. Fry, 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 *A. J. Fry, Esq.*, in the Township of *Beccaria*, in the county of *Clearfield* and State of Pennsylvania, on the 13th day of *May*, A. D. 1892, between the hours of 9 o'clock A. M. and 4 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa., *May 3d*; 1892. *Murray & Gordon*
Atty. for
Remonstrants.

Service accepted for Petitioners May 3. 1892.

Allice O. Smith
Atty for Petitioners,

my diary, 1896.

In Memory of

Public Spirit and

Big Game Spirit.

Paul Goodenough
& Kenneth

May

◀ RULE TO TAKE DEPOSITIONS. ▶

Clearfield County, ss:

In matter

Quater Session
◀ In the Court of Common Pleas ▶
of Clearfield County, Pa.

● RULE TO TAKE DEPOSITIONS. ●

Clearfield County, ss:

Isabel J. J. J. J.

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

*M. or Public
Road in the town*

*Shops of English
Bellevue*

No. *4* May *1891*.

And Now, to wit, the *26th* day of *December*, 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, Ex parte Rule of *Petitioners* on
Five days' notice.

Amundson
Clark

To *Mary Gordon*, Esq.
Atty for Remonstrance

You will please take notice that, in pursuance of the foregoing Rule, depositions
will be taken before *Jos. H. Bratton 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 *Jos H. Bratton*
in the *Branch of Clearfield*, in the county of *Clearfield*
and State of Pennsylvania, on the *12th* day of *January*, A. D.
1891 between the hours of *9* o'clock *A* M and *6* o'clock *P* M., when
and where you may attend and cross-examine.

Clearfield, Pa., *Dec. 26,*

William Brin
Atty for Petitioner

*Dec 26 1891. We accept service
for Remonstrance S. J. J. J.*

Mary Gordon
Atty