

No. *8 Sep 1* Term. 1377.

Vacate^m Supply
Public road
VERSUS

Goshen Township

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Report submitted

X

Samuel Carstensen
Austin Legal

~~W. H. Shaw~~

W. H. Dougherty

Dr. S. Shaw

George Shaw

Thomas Sayre

A. C. Shively

R. L. Legal

~~James H. Shaw~~

~~H. H. Shaw~~

Jacob Amos

W. M. Lingle

~~Dr. H. Shaw~~

George M. Shaw

~~George Shaw~~

John H. Ogden

W. H. Shacer

A. C. Shaw

W. J. Livergood

John Livergood

R. G. Shaw

W. A. Nelson

J. Selfridge

J. R. Geddes

~~Arch. Shaw~~

H. H. Bumgarner

Robert C. Leonard

To The Hon. Judges of Quarter Session
of Clearfield County, Penna.

The undersigned citizens of
Goshen Township respectfully remon-
~~strate~~ and except to the confirmation of
a road lately laid out from it or
near George Owens place to it or near
the foot of Lick Run Hill, for the fol-
lowing reasons:

First, The said road is unnecessary and
will not accommodate any considera-
ble number of persons, but would only
benefit a few persons.

Secondly, within a few years a large
number of roads have been made in
said township, until the township is to
a great extent cut up by roads, and
the same have become expensive
and burdensome far beyond any ben-
efit derived from them, and your pe-
titioners respectfully ask that care-
ful attention be given the matter be-
fore any final action be taken there-
in, and they will ever pray etc.

No. 8. Sept. 3. 1878

Remonstrance

against Road from
George Owens to near
foot of Dick Run
Mill.

Filed 29 March 1878

1685

George Selfridge
Dickens Lumber

To the Honorable, the Judges of the Court
of Quarter Sessions of the Peace of the County
of Cleaveland.

The petition of the undersigned,
Respectfully represents: That a public road,
beginning in Lawrence township running
through Goshen township, known as the
Goshen road, laid out and opened
many years ago. Is in a certain portion
of it, in Goshen township on the north side
of Lick run, steep and inconvenient for
travelling, that is to say from the Spring
near the foot of the Lick Run hill to an
old improvement, known as Young's improv-
ment, near George Cowie beyond the top
of the hill, making a distance of a mile
more or less.

Your petitioners, citizens of Goshen township,
pray that the said road between the points
mentioned be vacated and that the same
be supplied by a new road between said
points ^{to be} laid out on other ground so as
to make and easier and better grade

And so they will pray

Thompson	Reed	Geo. Owens
John Sankey	Jim G. Perry	
J. Graham	Wm. B. Owens	
J. Graham	M. J. Owens	

S. B. Taylor	Wm. H. Shaw
A. J. Sherry	L. Shaw
Geo. Cunningham	E. O. Morrison
Wm. L. Fisher	S. L. Lee
E. R. Sherry	S. Barker
	Wm. N. Owens
	Geo. B. Owens
	John C. Smith
	M. M. Wilson
	A. S. Shaw
	Wm. H. Shaw
	J. B. Shaw
	Wm. E. Shaw

Nov 28 Sept 87

Notice to

Recs to supply fuel
Road from the Spring
at foot of side trail
to Spring's suspension
near Camp Brown in
Hudson Township -

Nov 28 Sept 87

Nov 28 1877 the
Court appointed as surveyors
John & Gustaf
Baird to locate
the line & record
the same.

W. L. Smith.

W. L. Smith
Judge of the Court
Hudson Township

Deposition of witnesses produced, sworn
and examined by me, the 19th day of Feb. A.D.
1879 at the office of Murray & Gordon in the Borough
of Chelsea between the hours of 8 O'clock A.M.
and 12 O'clock P.M. by virtue of the annexed
rule of Court of Common Pleas, and notice
hereto attached for the examination of
witnesses ~~in a certain~~ Cause depending
in said Court. In the matter of the order
to vacate and supply road in Goshen
Township.

Samuel Lounsbury - Sworn, and says:
I live in Goshen Township, Chelsea
County Pa. I am acquainted with the
Road now in controversy. The proposed
Road commences at a point on the
old Goshen Road near the Barn of
George Owens, and strikes or comes in
to said Road at a point near the
foot of Dick Run Hill. I have been
over the route of this proposed Road
as reported by the witnesses, and am
well acquainted with the ground
over which it passes. I am also
well acquainted with the old Road
which it is proposed to vacate, and

have travelled it ever since it has been a Road, namely for about thirty Years, -

Question - In the petition for this Road filed in the Prothonotarys Office, the part that is asked to be vacated & supplied is that part of the Gasken Road, from the Spring near the foot of Lick Run Hill to an old improvement known as Youngs improvement near George Owens beyond the top of the Hill "Does the Road that has been returned by the Viewers commence & end at the points thus stated,

Ans. - No Sir,

The terminus at the Spring near the foot of Lick Run Hill is all right, - The terminus at the other end is not at the point stated, the distance between the points set out in the petition & that to which the Road was returned by the Viewers is from 35 to 40 Rods, - It comes out near the Barn of George Owens, Since thinking about the matter & considering the fields I believe it to be 45 Rods, -

The part of the Old Road that it is proposed to vacate is good, there could not be a better road made, there

has been a great deal of work done upon it. It has been graded & filled up with dirt & stoned. There is not a better piece of road in Claiborne County.

The road bed is solid & dry & smooth. As to the grade it is less steep than it is on the same road both beyond it & on this side of it. It is not any steeper than the other roads in Goshen Co. It is not as steep, we have other roads that is steeper than it is. - I never heard of any body stalling with a load on that part of the road.

The new road which it is ~~pro-~~posed to supply instead of the old one would make a good road in time but it would take 20 years to do it.

This proposed route is down lower on the Hill than the old one, part of the road would go over swampy ground. To make a good road out of it or as good as could be made out of it would cost not less than a thousand dollars, and then it would not be as good a road as the old one. To make the new road passable it would have to be graded & stoned. - I suppose the grade of the

proposed road would not be so heavy as on the old one, - The steepest grade on the broken road is before you come to this proposed road, the two roads run almost parallel, the widest part between them being only about 150 yards, - The proposed route is longer than the part to be vacated, at most places the two roads are very close together, the widest point being 150 yards, The grade of the new road is not much better than the old one,

There has been a great deal of expense put upon the part proposed to be vacated within the past few years,

It was considered a good route and a great deal of work was put upon it,

The proposed road passes through part of my property, it runs through in an angling direction, cutting off a strip about 40 rods wide at one end & 5 or 10 rods at the other, it runs through the whole length of my property,

I consider that it would damage me one hundred dollars, not taking into account of building & keeping up fences, - If this road be vacated as proposed it will leave four persons without a road, namely, Geo. Duffrig

Mrs Doughinbaugh, Austin Hlegal and
 myself. - If vacated in order to get on
 to the main road I would have to go
 back north about one fourth mile. -
 Sulphur would have to go about $\frac{1}{2}$
 a mile, Doughinbaugh about $\frac{1}{2}$ mile,
 & Hlegal not quite so far, for coming
 to Chapfield we would be compelled
 to travel twice the distances named
 more than by the old road, all
 the three persons named would also
 have to change their fences & lanes,
 & in that respect would cause
 them considerable trouble, If this
 road is vacated & supplied in the
 manner proposed we would be
 compelled to have a new road, the
 ground between the two roads is very
 steep, - If this road is changed each
 of us four would have to have a new
 road, - It is not practicable to go
 from the old road to the route of the
 new one, - I don't know of anybody
 in the Township that would be accommodated
 by the change, all the people in that neigh-
 borhood want the road as it is, I
 only know of about four people in
 the Township who want the change, -

Cross Examined—

The old road to be vacated & the new road to be supplied, run into Chama land only at one end, at George Owens, he has now possession of that Chama land, Geo. Owens has had it about ^{four} years, Youngs improvement is not on the ^{new} road it is on the old road, Youngs improvement & Owens corner together, they do not join, there is ^{about} two Rods of a strip runs down between the corners, they do not corner, there is only one field there called Youngs improvement, the field contains about three acres, There are about fifty acres in the Young claim, - It is the cleared part that corners within two Rods of Owens fields, The strip of woods about two Rods wide spoken of as between the corners of the Chama land I think is included in Owens claim, I think the new road runs about 40 Rods through Geo. Owens land, The new road if made is somewhat easier grade than the old one that is supplied, Geo. Sulfrige lives about $\frac{1}{4}$ of a Mile from the old road that is vacated by the report, and has a

road of his own into the old road,
he is about 35 Rods from the Spring
at Lick Run, Doughenbaugh lives
about 50 Rods above Sulfrige, I live
above Doughenbaugh & join Youngs
improvement, Austin Hegal lives
joining me & also Youngs improvement,
he is about 60 Rods from the old
road, The old road is higher up on
the Hill than the new one, I and ~~the~~
Doughenbaugh & Hegal & Sulfrige live
above the old road,

S. Lansberry

Genas Shaw. - I own, and say,
I live in Goshen Township,
about a mile from the road in
controversy, I have been travelling
over the part that is proposed to be
vacated about 24 years, I travel
it a great deal, I also know the
proposed route of the new road, &
which it is desired to supply.

I have been present during
the Examination of said Lansberry
the preceding winter and have
heard his testimony read over by
the Notary, My views as to the con-
-dition, quality of ground, grade &c,

of the part of the road that is proposed to be vacated & its superiority over the new one accord entirely with his, I can & do adopt his testimony as my own, all the facts as stated by him are correct, I think the people are better served & will be better satisfied with the road as it is, than as it is proposed to be vacated & supplied.

Genos. Shaw

Robert C. Leonard, Sworn & Says.

I live in Goshen Township, about a mile from where this new road commences at Geo. Owens.

I was present & heard Samuel Lansbury testify and have heard his testimony read over since. My views accord entirely with his as to the distance between the points where the road was to start as set out in the petition & where it is to start as reported by the viewers, also as to the condition, grade & amount of work done on the old road & its superiority over the new one, all of the facts stated by him are correct, and I adopt his testimony

as my own. - I have travelled over
that road in the neighborhood of 15
or 20 Years. I have no property affe-
-cted by this road, and am merely in-
-terested in it as a tax payer of the
Township & because I use the road,

Robert C Leonard

Allen C. Shaw, - Sworn and says
I live in Goshen Township about
a mile from the road in controversy.
I have heard the testimony of Saml.
Lansberry and so far as I am acquaint-
-ed with the facts, they are correct.
I have never been on the view of
the new road. - his testimony as
to all other matters I believe to be
correct

Allen C. Shaw

I hereby Certify that the above witness-
es were duly qualified and examined at
the time and place stated in the above
caption, and subscribed their depositions
in my presence.

Wm. H. Radabaugh, N.P.

RULE TO TAKE DEPOSITIONS.

Clearfield County, ss:

In the matter of the order
to vacate & supply road
in Eoshen Twp

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

NO. 8 Sept TERM, 1879.

AND NOW, to wit, the 10 day of Feb, in the year of our Lord one thousand eight hundred and seventy-nine, the Sup Eoshen 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 Eoshen Twp on five days' notice.

Eli Bloom
Prothonotary.

To Mr. Enally M. E. Curdy Esq: s

You will please take notice, that in pursuance of the foregoing rule, Depositions will be taken before Cyrus Gordon Esq: or some other person authorized to administer oath or affirmation in Pennsylvania, in and for the county of Clearfield, at the office of Murray Gordon, in the Borough of Clearfield, in the county of Clearfield, and State of Pennsylvania, on the 19th day of February, A. D. 1879, between the hours of 8 o'clock A. M., and 12 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa., February 10, 1879.

Served on us 10th Feb A. D. 1879
M. Enally M. E. Curdy
attys for road

Murray Gordon
attys for
Remond & Co

RETURN TO CLERK OF THE DISTRICT COURT

in the year of our...

...

in the year of our...

...to the District Court...

...of it is...

Notes

Must accompany this \$3.00

Rule to Depose

AND COM
order to a sale
supplied road in 3.00
omission

1882

...at the office of the Clerk of the District Court...

...and cross-examination...

1882