

# Trial called to settle Gosport road route controversy

Achieving a philosophical and legal balance between private interests and the "public welfare as a whole" is not a new controversy. It was the subject of a trial in December 1895 — one that created more heat than light, as the cliché goes.

The *Bloomington Courier* of Dec. 23 called it "A Celebrated Case." Individual Monroe Countians may have had another name for it — a "hot potato," legally and politically speaking.

Perhaps for that reason, Judge



## Looking back

By Rose McIlveen

Newton Crooke of Bedford was obliged to make the trip to Bloomington to sit on the bench of the Monroe Circuit Court to hear the pro and con arguments of the case.

The newspaper referred to the proceedings as "round three" in the controversy.

It began when the Monroe County Commissioners decided to plot a Bloomington-to-Gosport road. Most everyone agreed it was a good idea with certain exceptions. Those were taken by landowners between points A and B on the plat map.

Specifically, those offended by the proposed road were Hugh and James Marlin, James Blair and

Benjamin I. Owens, hardly "nobodies" in the power structure of county politics. Their objections had prompted the county commissioners to appoint three "viewers" to go over the proposed route and report back to the commissioners.

Explained the *Courier*, "The viewers reported to the board in favor of the new road, which they claimed would be a perfectly level one devoid of hills from the Johnston bridge on the north pike to the town of Gosport."

But before the board could decide how to react to the viewers' report, the Marlins, Blair and Owens turned up before the commissioners with attorneys to run interference for them. Their argument was spelled out in the newspapers: "... that the road would run directly through their farms, the bottom lands of which were very valuable, and that it would work an injustice upon them alone."

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