

June 12, 1894 – CHESTER TIMES

NORWOOD'S PARK – The Case is brought into the Wrong Court – A Common Pleas Case – Judge Clayton Directs a Verdict of Not Guilty in the Norwood-Myers Case.

The Borough Council of Norwood instituted proceedings against Frederick Myers, the contractor, for the building of a church at Norwood, claiming that the property where the church was to be erected was a public park and could not be used for private purposes. The indictment was "Nuisance," but the Court soon saw that the question was one of title and therefore for a Civil Court. He allowed Councilman Austin to testify, when instructed the jury in its verdict.

It appeared that the church desired title absolutely and conveyance from the original owner of the land, and disputed that the property in question had ever been opened and properly dedicated for public use.

The Court held that the Court of Quarter Sessions could not try and decide a question of title in such a proceeding and directed the jury to bring in a verdict of "Not Guilty," the costs to be paid by the prosecutor, and this was done.

Keith Lockhart Collection