



Commonwealth of Pennsylvania,
County of Cambria } SS.

At a court of Quarter Sessions of the Peace of the County of Cambria
held at Ebensburg in the said County, on the 9 day of
December A. D. 1885, before the Honorable the Judges of the same
court: Upon the petition of ^{Charles H. Suffer} ~~divers inhabitants~~ of the township of Upper Yoder
in the said county, setting forth that ~~they~~ ^{Private} labors under inconvenience for want of a
road or highway, to lead from
the Ice House of Charles H. Suffer on his land to
the Johnstown and Ligonier Turnpike road
at the house of John Sell in the Borough
of Grubbtown

and therefore praying the court to appoint proper persons to view and lay out the
same according to law. The Court upon due consideration had of the premises, do
order and appoint, John Downey SURVEYOR,
and Alvan Atkins & J. P. McConaughy

VIEWERS, to view the ground proposed for said
road, and if they view the same, and shall agree that there is occasion for such
road, they shall proceed to lay out the same, having respect to the shortest distance
and the best ground for a road, and in such manner as shall do the least injury to
private property, and also be, as far as practicable, agreeable to the desire of the
petitioners, and that they make a report of their proceedings to the next Court
of Quarter Sessions to be held for said county, stating particularly whether they
judge the same necessary for a ~~public~~ private road, together with a plot or draft
thereof, and the courses and distances, and references to the improvements through
which it may pass.

BY THE COURT.

Attest:

H. A. Shormaker
Clerk.

NOTE.—"It shall be the duty of all persons appointed in the several counties of this Commonwealth to view and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to endeavor to procure from the persons over whose land such location may be made releases from all claims for damages that might arise from the opening of such road or the building of such bridge; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof signed by a majority of their number, and return the same, together with all releases obtained, to the Court of Quarter Sessions, and the damages so assessed shall be conclusive, or may be subject to appeal, review or modification, as may be provided by existing laws in the different counties of this Commonwealth."

"The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desire of the petitioners."

"The viewers, as aforesaid, shall make report, at the next term of said Court, and in the said report shall state particularly: first, who of them were present at the view; second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a public or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances, and noting briefly the improvements, through which it may pass; and whenever practicable, the viewers shall lay out the said roads at an elevation not exceeding five degrees, (except at the crossing of ravines and streams) where, by moderate filling and bridging, the declination of the road may be preserved within that limit."

No. 1
December Term 1885

Order to view a road leading
from the Ice House of
Charles H. Suffer and his
land in Upper Garden Township
to the Johnstone & Cigarman
Turnpike at house of
John Sell in Grubbsland Township

Viewers
John Dorney
William Allen
J. P. McConaughy

Dec 1. March 1886.

Wm Shoemaker
Clerk of the Court

M. H. Rose

75

April 6-1886
Road and confirmed and
and Road confirmed to be opened
By the Court
Adopted 3.18.86 Confirmed absolutely

To the Honorable the Judge of the Court
of Quarter Sessions of the County of Cambria.
The Petition of Charles H. Supper
of the said County respectfully represents;
That your petitioner labors under great
inconvenience for want of a private road,
to lead from the ^{on land of} ~~the~~ house of Charles
H. Supper to the Johnstown and Legionier
Turnpike at the house of John Sell in
^{the Township of Embury}
he therefore prays the Court to appoint
proper persons to view and lay out the same.
And he will ever pray &c.

Charles H. Supper

no. 1. 1852

bank of the Stony Creek. Thence along said beach and bank, $N 64^{\circ} 48' W$ 668 feet $N 58^{\circ} 05' W$ 505 feet. $N 41^{\circ} 37' W$ (passing under S & C. R.R. Bridge) 459 feet to the south end of a twenty (20) foot Alley, in the Borough of Grubbsville. Thence by said Alley $N 87^{\circ} 45' W$ 220 feet to the Johnstown and Ligonier Turnpike, at the house of John Sell, in said Borough.

We believe this road is necessary for use of Charles H Suppes, and that the building of, and maintaining the same, will not cause any damage or injury to any property holder. Through which, or along whose lands it would pass.

A Draft, showing center line of road as marked on the ground by us, is herewith attached, All of which is respectfully submitted.

Viewers - { John Downey
Alvar Peters
L. P. McConaughy

To the Honorable the judges of the court
of Quarter Sessions of Cambria County.
Your petitioner George W. Osborn of Upper
Yoder Township, County aforesaid respectfully
represents:

That the return of the viewers appointed to survey
and lay out a road leading from the premises of
Chas H. Suppiss of Twpnd County aforesaid to a
point on the public highway in Grubbtown Borough
was filed at March Term of Court of Quarter Sessions.

That said road passes over lands of Your peti-
tioner causing him great damage thereby.

That viewers returned "no damage," and that
notice was not served on Your petitioner who is own-
er of the land over which said road passes.

Sworn and Subscribed
April 3rd 1886
John H. Fisher

G. W. Osborn

No 100. Sessions 1885.

View of a
Road from the "dugger"

⁶
Gustavson. Dugger.

Applicant of E. M. As soon.

File 5. 1885

London 102 Pa. 1885.

Report of Road View

To the Honorable, the Judges of the Court of Quarter Sessions, of Cambria County, Penn^a.

The undersigned having been appointed by your Honors, at the December Sess. 1885, the Viewers, to view - and if found necessary to lay out - a Private road, to lead from the Ice House of Charles H Suppes, on his land in Upper Redden Township, to the Johnstown and Ligonier Turnpike, at the house of Jno. Sell in the Borough of Grubbtown. would respectfully submit the following report -

After notifying all parties that might be concerned, by ten written notices of day appointed for view, posted for twelve days along the premises, and after being duly sworn, and after one adjourned meeting, went on the premises, the 23rd day of February 1886, the day adjourned to, and made the view, and laid out a road twenty (20) feet wide as follows -
Center line; Beginning at the Ice House of Charles H Suppes, Thence through lands of Conrad Suppes, S 88° 17' W 290 feet to a point on the beach - left