

In the Matter of the Report of viewers to view, vacate and supply a road from the bridge at or near Bernard Biglins to intersect the public road leading from the old school house on the public road to Conrads Mill in Washington Township.

Exceptions to Report of Viewers

- 1st The view was premature, less than a year having elapsed since the dismissal of a Report of Viewers on a road between the same points.
- 2nd The viewers fail to repeat the courses and distances of the road which they supply, merely referring in their Report to a Report of former viewers whose Report was rejected by the Court.
- 3rd Every view must be complete in itself and cannot be helped or supplemented by reference to a former view by different Viewers and hence this view must be set aside.
- 4th The Viewers report that there is no necessity for any change, and yet recommend a vacation and supply of the road.
- 5th The viewers fail to show that they endeavored to obtain Releases, and fail to file any Releases from property holders along line of said contemplated road and fail to Report whether any and if so what amount

of damage would be sustained by the said property holders -

7. The Old Road is not reported to be either inconvenient, injurious or burdensome. nor does the Report show that the Road as supplied ^{and ordered} Commoners for ends at points designated in Petition

8. The Report of Viewers is informal, insufficient and illegal and the Report cannot be sustained.

Ans P. Lenton
Atty for Exceptants

No 7 Sep June 88

In the morning the
first of rowers to leave
would readily find
from 13 to 15 miles
to each school house
on road to Concord
shall be working for
just

Freighters to Dept
of Labor

John March 1897

Exceptants to Read in Washington Township leading from Bridge at or near Bernard Bigland to intersect the public road leading from the Old School House on the Public road to Corvick's mill in Washington Twp.

1. The Vermin did not in fact review the ground after the same was referred back to them as is evidenced by decto
2. The Petition and view was presented one year not having elapsed since determination of prior view
3. The Report was made before the same was referred back to the viewers. It is not the result of subsequent consideration -
4. The view does not state at what time view was held nor what parties they asked for evidence nor whether all parties through (perhaps) before the same & tends to show as follows
No. P. Linton
Atty for Exceptants

No. 7 Sept. 1887

Prichard & Hark

Filed 27. 1887.

Carton

To The Judge of The Court of Quarter Sessions
 of The Peace in and for The County of Cambria
 We the undersigned viewers appointed by Your
 Honor in The annexed order to view vacate
 and supply a road from The bridge at or near
 Bernard Biglans to intersect The Public road lead-
 ing from The old school House on The Public
 road to Conrads mill in Washington Township
 do report - That legal notice of The time and
 place of meeting having been given - We met
 according to appointment, and first having
 been sworn according to Law - We viewed
 The road proposed to be vacated starting at a
 point on Township road leading from The old
 school House to The public road leading to Conrads
 mill as designated in The order - First running
 S. $16\frac{3}{4}^{\circ}$ E 18 ps Thence S $46\frac{1}{2}^{\circ}$ E 27 ps Thence S. $55\frac{1}{2}^{\circ}$ E $9\frac{1}{4}$ ps
 Thence N $15\frac{1}{2}^{\circ}$ E 15 ps Thence S $81\frac{1}{2}^{\circ}$ E $7\frac{1}{2}$ ps Thence S $84\frac{1}{2}^{\circ}$ E
 25 ps Thence N. 75° E $39\frac{1}{2}$ ps Thence N. $83\frac{1}{2}^{\circ}$ E 8 ps Thence
 N $53\frac{1}{2}^{\circ}$ E 12 ps Thence N. 75° E $12\frac{1}{4}$ ps Thence N 34° E 3 ps
 to a point on road leading to Biglans Bridge - Finding
 this road very steep hills & doing great damage
 to private property - We viewed The ground to
 supply - starting at same point on township
 leading from The old school house to The public
 road to Conrads Mill and running S $28\frac{1}{2}^{\circ}$ W
on line between James Brawley and Powell George
 Thence N. 78° W 105 ps on line between Jas Brawley
 on one side and M. Litzinger & James Benn, on the

and also on line ^{between} of Jos. Behe on one side and James Baum on other (see aft) Thence N 68 7/4° W 46 ps on unimproved land of Hm Behe to a point on road leading to Biglans Bridge finding this ground to be of less grade and the greater part on the division line between properties and doing no damage to private property. besides affording an outlet to several families living on the west side of said road that now enjoy no public outlet -

We therefore recommend the opening of this road as a public road as we have laid it out, and the vacating of that portion described in this report.

We asked for releases but did not get any
 parties to release
 Witness our hands this 1st day of December
 A. D. 1886

J. A. Shoemaker
 Andrew Smith
 Charles Lander

Given

J. A. Shoemaker 2d 20th

Andrew Smith 1 6th

Chas. Cooney 1 4th

Ed. Bravley 1 6th

Ed. Shoemaker 1 1st

To the Honorable the Judges of the Court of Quarter Sessions
in and the County of Cambria

The Petition of the undersigned Citizens of Washington
Township Cambria co

Respectfully Represents
that a public road beginning at a public road
at or near the Bridge on the land of Bernard
Beighin and to intersect the public road leading
from Corrado's Mill to the Turnpike at or near
the school house in said Township was laid out
and confirmed by your Honorable Court on the
6th day of January 1885. which road has been
in part opened.

Your Petitioners further Represents, that the said road
as laid out by the beavers, will be expensive, burdensome
and injurious to the Citizens, your Petitioners
therefore prays the Court to require of and vacate
or change so much of said road as to meet the
wants and convenience of the public, and for
that purpose to appoint a jury qualified accord-
ing to law to view the said road and make
Report at the next Term of this Court and as
in duty bound will ever pray &c.

P. A. Myers etc.

John McClaughy

David Shaffer

Dinis Lerie

Edgar Myers

A. M. George

John Montgomery Jr.

Barney Murray

John Matamoney

Michael Bradley

Geo. Bingham

A. M. George Geo. Bingham

George Myers John Noon

Joseph McLogue Wm. Noon

Robert Morrison John Eckhardt

John Meyer Denis Bradley

John Litzinger Adam Smith

E. B. Montgomery Michael Litzinger

James Bane George Litzinger

G. R. Bane

Michael Slattery

Daniel Dougherty

Mary E. Dougherty

William Eager

Joseph Boyland

Frank James McCarty

Thos. Murray

E. H. Montgomery

James Murray

John Montgomery

N.Y. Feb. 25. 1876

R.D.

Petition of ~~petitioners~~
of Washington County
for a review of a public
land matter laid out for
the Maryland & a new
Marshall Virginia to which
the public land belong
from the ^{old} District of Columbia
on the public land to which
bills in Washington D.C.

James A. Thompson

Andrew Smith

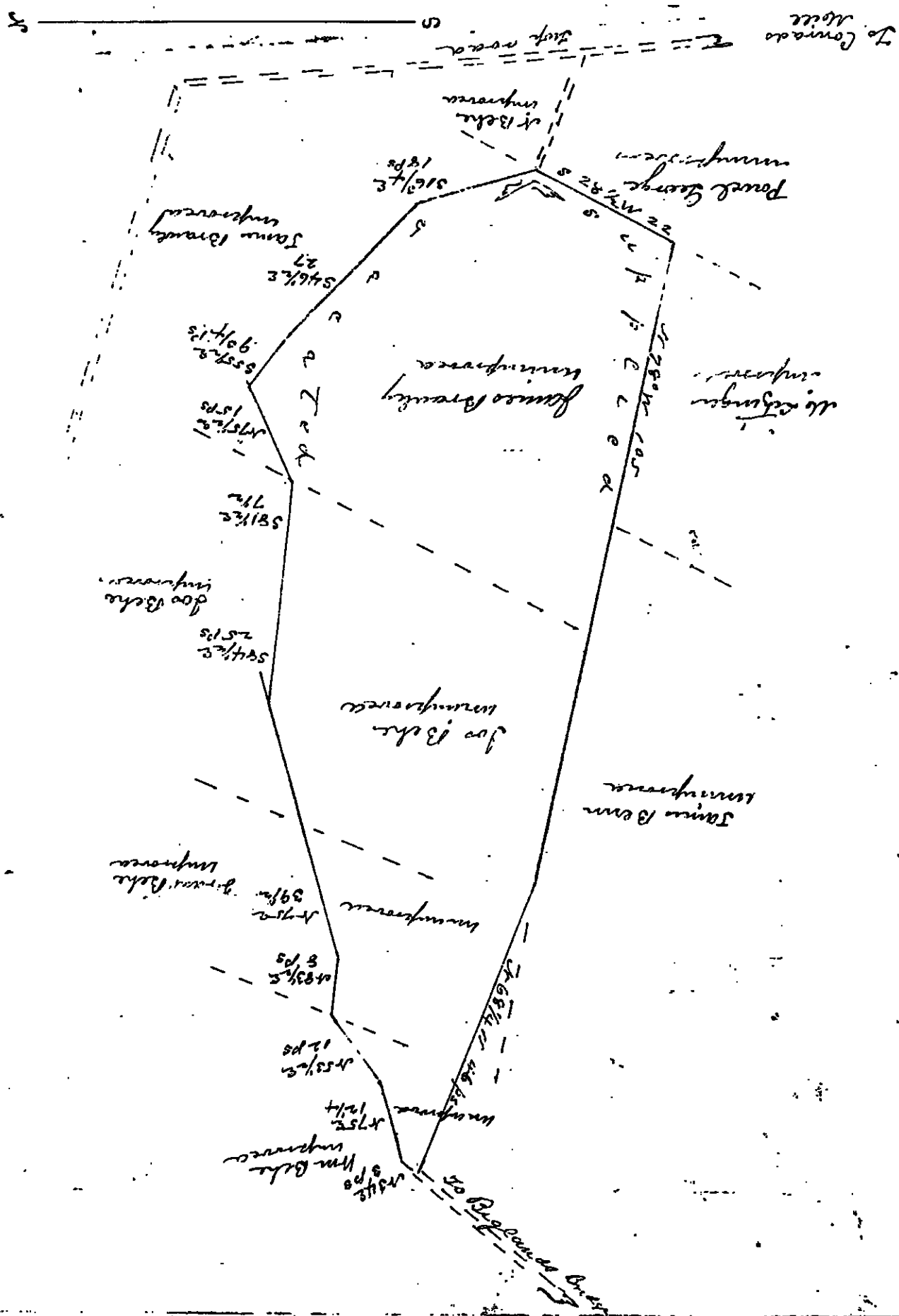
Charles Cooper

Wm. D. Williams

By the Court

Filed Oct. 25. 1876

John C. ...



Commonwealth of Pennsylvania,
County of Cambria, } SS.

At a court of Quarter Sessions of the Peace of the County of Cambria
held at Cherryburg in the said County, on the 25th day of
October A. D. 1880, before the Honorable the Judges of the same
court: Upon the petition of divers inhabitants of the township of Hickory
in the said county, setting forth that ~~they labor under inconvenience for want of a~~
~~public~~ road or highway, to lead from
a public road beginning at a public road at or near the
bridge on the land of Thomas Dighin and to intersect
the public road leading from Conrad's Mill to the Turn-
pike at or near the School House in said Township was laid out
and confirmed by your Honorable Court on the 6 day of January
1875 which road has been in part opened. Your petitioners
further represent that the said road as laid out by the
court will be expensive, burdensome and injurious
to the citizens, your petitioners therefore pray the
Court to enquire of and vacate or change so much
of said road as to meet the wants and convenience
of the public.

and therefore praying the court to appoint proper persons to ^{vacate & lay out} view and lay out the
same according to law. The Court upon due consideration had of the premises, do
order and appoint, James A. Shumaker SURVEYOR,
and Andrew Smith and Charles Leoney

^{and change} ~~road~~ ^{or change} ~~road~~ 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 or 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:

J. A. Shumaker

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. 7
September Term 1886
P.D.
Order to — view road, locate
and supply a road from
the bridge at or near Church
Highway to intersect the pub-
lic road leading from
the old School House on
the public road to Corns
Mill in Washington
Township.
Viewers: J. W. Thacker
Christian Smith
Charles Cooney
May 1887 Exception filed
7 Apr 1887 Referred back to
same viewers — By the Court
Filed 6 Dec 1886
Filed 6 June 1887
27 Sep 1887 Exception filed
J. W. Thacker 70
Seven

Jan. 4. 1887. Confirmed rise and part supplied
ordered to be opened 30 feet wide

7 April 1887 Referred back to same viewers

28 June 1887. Confirmed rise and ordered to be
opened thirty feet wide. By the Court

7 May 1888 Confirmed absolutely
(See Bench Book) By the Court