

To the honorable Judge of the Court of Cambria
 County The petition of the subscribers respectfully
 Represents That a road Wase formerly laid out
 from Carrolltown to Jacob Thomas mills in Elder
 Township Cambria County said Road or part of
 said Road has become burdensome and useless and
 inconvenient from a point at the fork of the Road at
 the farm of Jacob Kirkpatrick on Road leading from
 Carrolltown to St Boniface thence running through
 the Farm of Francis Yahner on to the west end of
 the Bridge crossing Chest Creek at Jacob Thomas saw
 mill about two mile in length your Petitioners
 therefore pray that the said piece of Road may be vacated

Thomas Ott.
 Anthony Anna
 Jacob S Klein.
 Francis Glasden.
 Abraham Holz
 Jacob Kirkpatrick
 Gregory Miller
 P. C. Glasser.
 Caleb A. Gray
 Jacob King
 J. E. Thomas
 Chas. Miller
 Charles Gessler
 J. A. Baker
 C. Byrns

Adam Miller
 John W. Sennelsberger
 Isaac Thomas
 George Kibler
 Archy Kirkpatrick
 John A. Watt
 E. M. Hugh
 T. Helfrich
 Andrew Miller
 Johann Gubner

No. 3 June Dec 1879
rhe

Petition to vacate

The Road Leading
From Jacob Thomas
To Jacob Kirkpatrick
in Elder Twp. Cambria
Co. Pa.

And now to wit July 1st
1889. Petition presented and
the following surveyors ap=
pointed.

Nehoy Scaulan Surveyor

Anaelus Heatkane

James Kirkpatrick

By the Court

Filed 1 July 1889

Scaulan,

To the Honorable W. S. Johnston President Judge
now holding a Court of Quarter Sessions and for
the peace in and for the County of Cambria at
September Term A.D. 1889

We the undersigned Jurors
appointed by said Court do report First that we
gave due and timely notice by three written Notices
posted in three public places in Eldon Township in
County of Cambria Second we further report that
having met time and place designated by said Notices
and after first being all sworn according to law
proceeded to the duties of our appointment and did
view and locate following parts of said mentioned in
the annexed order of Court in consequence of several
steep hills dangerous expensive and useless as a public
road Beginning at a Post on road leading from J.
Lautzys Mills to Carrolltown on farm of Jacob Kirkpatrick
in Eldon Township thence by said road to be located North
forty five degrees East forty perches North fifty degrees
East sixteen perches North forty two degrees East thirty two
perches North forty nine degrees East fifty two perches North
forty three degrees East twenty perches North forty five degrees
East twenty perches North thirty degrees East thirty two per-
ches North thirty two degrees East sixty perches North thirty
four degrees East twenty perches North twenty three degrees
East thirty two perches North fifty two degrees East fourteen per-
ches North twenty three degrees East forty four perches North
twenty degrees East twenty perches North forty two degrees

Witness our hands this 29th July 1889

[illegible]

June

Henry Saulow Surgeon 2 days 3 miles direct
 Marcus Wohland Bermer 1 " 1 " "
 James Kirkpatrick " 1 " 1 "
 James Wohland Chaimson 1 "
 Marcus Kirkpatrick " 1 "

Commonwealth of Pennsylvania, }
County of Cumberland, } ss.

At a Court of Quarter Sessions of the Peace of the County of Cumberland
held at Greensburg in the the said County, on the First day of
July A. D. 1889, before the Honorable the Judges of the same
Court: Upon the petition of divers inhabitants of the township of Eldersburg
in the said County, setting forth that they labor under inconvenience for want of a

road or highway, to lead from
a road was formerly laid out from Carrolltown to Jacob
Thomas Mills in Eldersburg Township, Cumberland County said
road or part of said road has become landlocked and
useless and inconvenient from a point at the fork of the
road at the farm of James Kirkpatrick on road leading
from Carrolltown to St. Boniface thence running through
the farm of Fannie Yuhner on the West end of the Bridge
crossing Chest Creek at Jacob Thomas, said mill about
two miles in length,

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 Henry Sealand SURVEYOR,
and Anselm Neakland Jacob Kirkpatrick

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:

H. H. Maunier
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. 3
June Term 1879
R.D.

Order to view a road to be made
between the farm of Jacob L. Thomas
Miller to the farm of William L. Thomas
in Eden Township

Viewers
Henry Scamman
William M. Thomas
James L. Thomas

Filed 19th July 1879

Attest
J. R. Scamman
19th July 1879

Oct. 11 1879 Read and confirmed nisi.
By the Court
Jury 7y. 1890. Confirmed absolutely
By the Court