

Know all men by these presents that we
Henry Mellon Chas Wharton and
Dr H Jomerville all of the county of
Cambria are heed and firmly bounden unto
the Commonwealth of Pennsylvania in
the sum of Five hundred Dollars
lawful money of the United States to be
paid to the said Commonwealth her
certain attorney or assigns, to which pay-
ment we do bind ourselves our heirs, ex-
ecutors, administrators or assigns. -

Signed and sealed, the 23 day of Nov a.d.
1889. -

Whereas The said Henry Mellon
is engaged in lumbering in said county, and
it is necessary for him and his employ-
ees to pass and repass over the unimproved
land of Elizabeth Thomas in Clearfield
township, to have ingress and egress to and
from the timber lands upon which
he is operating and for, has purpose to
lay out and open road for the purpose
of transporting logs and timber over said
land ~~and occupy such unimproved~~
~~land as shall be necessary for the purpose~~
of ~~logging and~~ ~~transporting~~ said logs.

Now the condition of this obligation is
such that if the said Henry Mellon
his heirs, executors or administrators shall

well and truly pay or cause to be paid to
 the said Elizabeth Thomas, her heirs
 Executors, Administrators or assigns the
 damages which may be awarded and
 ascertained by the viewers and con-
 firmed by the Court, together with the
 costs in accordance with the provisions
 of the acts of assembly approved
 May 15th 1871. and March 15th 1872
 Then this obligation to be void, otherwise
 to be and remain in full force and
 virtue. -

Witness Present } Henry Mallon Seal
 } C. D. Wharton Seal
 } J. H. Townville Seal
 Andey Burkhart }

Nov 11 Sep Dec 1879
 RAL

And of Henry
 Mallon and Burkhart

Apr 27 1889 And
 approved and
 ordered by the
 R. L. Johnston
 Court Judge

Apr 28 Jun 1889

Barth

To the Honourable R. L. Johnston, Pres.
Judge of the Court of Quarter Sessions
of Cambria County:

The petition of Henry Allen
respectfully represents, that he
is engaged in the business of lumber-
ing in the county aforesaid and that
in order to have ingress and egress
to and from the lands upon which he
is cutting timber and removing the
same ^(or as necessary) to pass and repass over the
unimproved land of Elizabeth Thomas
in Elder Township and to have over
and open roads upon said land for
the purpose of transporting logs and
timber ~~and to use and occupy~~ certain
parts of the same for the purpose of ~~filling~~
~~and burning~~ said logs and timber.

His petitioner further represents
that he has been unable to agree
with the owner of said land aforesaid
for the amount of damages to be paid
for said use and occupancy and
he therefore prays your Honor to
appoint three disinterested persons
to view and assess said damages in
accordance with the provisions of the
Act of Assembly approved 15th May 1871
applied to Cambria County by act

approved March 15th 1872.

And he will ever remain
Sincerely
Henry Mellon.

Cambridge County Co.

Before me personally appeared Henry Mellon who being duly sworn according to Law says that the facts set forth in the foregoing affidavit are just and true according to the best of his knowledge and belief —

Sworn and Subscribed
before me this 23rd day
of Nov. 1889

Signed
Henry Mellon

Anthony Mills J.P.

Nov 11 Sep. Dec 1887
R.D.

In the Court of Quarter
Sessions of Cambridge
County.

Return of Henry
Mellon for appoint-
ment of survey ac-
cording to the provisions
of the Act of Assembly
approved 15 May 1871
applied to Cambridge Co.
by Act of March 15th 1872.

Dec. 9th 1889 petition
read &c. and

Joseph Barber

John H. Hough

Wm. D. Dodson

App't. W. W. Wiggins

Filed 28 Nov 1889

Barker

We the Viewers appointed
by the Court to assess
damages to Elizabeth Thomas
for the passage over her unim-
proved land by Henry Mello-
report- January 15th 1890
after being sworn according to
law we viewed the same
and find damages in favor
of Elizabeth Thomas to the
amount of Three dollars &
ninetyseven cents \$3.97

J. J. Zerbe } Viewers
William Dodson }

John Hoover

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

At a Court of Quarter Sessions of the Peace of the County of Cambria
held at Clearburg in the said County, on the 9 day of
December A. D. 1889, before the Honorable the Judges of the same
Court: Upon the petition of diverse inhabitants of the township of Eldersburg
in the said County, setting forth that ~~they labor under inconvenience for want of a~~
~~he is engaged in the business of~~ road or highway, to lead from
Clearburg in the Township of Eldersburg and that in order to have in
gress and egress to and from the lands upon which he is cutting
timber and removing the same it is necessary to have a pass
over the unimproved land of Elizabeth Thomas, in Eldersburg and to lay
out a road where said land for the purpose of transporting
logs & timber. Sam. Belknap further represents that he has been un-
able to agree with the owner of said land of said for the amount
of damages to be paid for said use & occupancy & he therefore prays
your Honor to appoint three disinterested persons to view
& assess damages in accordance with the provisions
of the Act of Assembly approved 15 May 1871, entitled
to Cambria County by Act approved 15 May 1872

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 Joseph Furber, John K. Horner SURVEYOR,
and Wm. Dodson,

VIEWERS, to view the ground proposed for said
road, and if they view the same, and shall agree that there is occasion for such
making into consideration the advantages and disadvantages
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
have given at least five days notice to the parties, their
agents or attorneys
thereof, and the courses and distances, and references to the improvements through
which it may pass.

J. J. Furber.
Wm. Dodson
BY THE COURT.

Attest:

H. H. Haenrichs,
Clerk.

Sworn and subscribed
before me this 14th day of
January A D 1890
Anthony Mills J. D.

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. 11
Sept. Term 1890.
R.R.

Order to view a road and
assess damages in case
viz to Edgemoor Station
for the passage over land
unimproved land, by
Henry Miller, Lumberman
near

Viewers - Joseph H. Fisher
John Thomas
Mr. DeLan

Report of Viewers.
2700 230 1000 1000

Wickhampton
Perry Aug 13. 90
Perry

June 16 Apr. 1890 Confirmed nisi
July 10, 1890 Confirmed Absolutely. By the Court
By the Court