

To The Honorable, R. L. Johnston  
 President Judge of the Court of Quarter  
 Sessions of the Peace and Justices County  
 The petition of  
 The undersigned inhabitants of Elder  
 Township, Cambria Co. Pa. are in need  
 of a ~~Public~~ road leading from a point  
 at or near The ~~Residence~~ of Sebastian  
 Holz, on a Public road leading from  
 St. Boniface to Mitchell Creek-ovens, to  
 intersect a Public road leading from  
 St. Boniface to Hocking Borough at or  
 near the residence of Philip Thomas in  
 said township of Elder and County afore-  
 said. And we pray your Honorable  
 Court to Appoint proper persons to  
 view and lay out the same, as directed  
 by the several Acts of Assembly made and  
~~provided~~ And the Will, ever your

Subscribers  
 Sebastian Holz  
 Henry Simon  
 John G. Ahn  
 Michael ~~St.~~  
 Fred Beck  
 Francis Yahrner  
 Louis Erdner  
 John Gutter

Thomas Ott  
 Charles Speidel  
 J. L. Brander  
 Frank Enidler  
 Joseph Kibler  
 Joseph E. Kline  
 J. Gratsberger  
 John Lantzy

No. 2 Oct. 1890

(Section of the Chicago

of Cedar Street. For a  
Pelle road to road from  
a point at or near, near  
of Dubuque Hills on Pelle  
road road from. All Bonfais  
is Michael's house, to a road  
at or near Philip's house.  
on Pelle road looking for  
at Bonfais to looking in  
looking south is to be

Aug 2 Oct. 1890

Land now Sept. 2<sup>nd</sup> 1890  
from road and the  
following names appeared.

Paul G. Baker  
George J. Miller  
William H. Miller  
By the Court

Sealed

Joseph J. Smith  
Philip Yeager  
Georg Schmelsberger

Commonwealth of Pennsylvania,  
County of Cambria, } ss.

At a Court of Quarter Sessions of the Peace of the County of Cambria  
held at Chesham in the said County, on the second day of  
September A. D. 1890, before the Honorable the Judges of the same  
Court: Upon the petition of divers inhabitants of the township of Eden  
in the said County, setting forth that they labor under inconvenience for want of a  
public road or highway, to lead from  
a point at a near residence of Deborah Kelly on a  
public road leading from St. Boniface to Mitchell's Ck  
Onward to intersect a public road leading from St. Boni-  
fice to Shadyside through or near the residence of Phil-  
ip Thomas in said Township of Eden and County for-  
ward

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 Paul Yahnert SURVEYOR,  
and George Kibbler & Amos M. Kibbler

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. C. Lanby  
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. 2  
Sept. Term 1890  
R.R.

Order to view a road from  
farm at or near residence of  
Abraham Kelly on road leading  
to Abington & Middlebury City  
Cross to westward and from  
Abington to Wading, etc.  
or nearest residence of Philip  
Thomas in Elder's Lot.

Viewers:  
Paul Johnson  
George Stedden  
Andrew Westland

Filed 24 Nov. 1890

Let it stand 909  
by Act of Assembly  
Revised

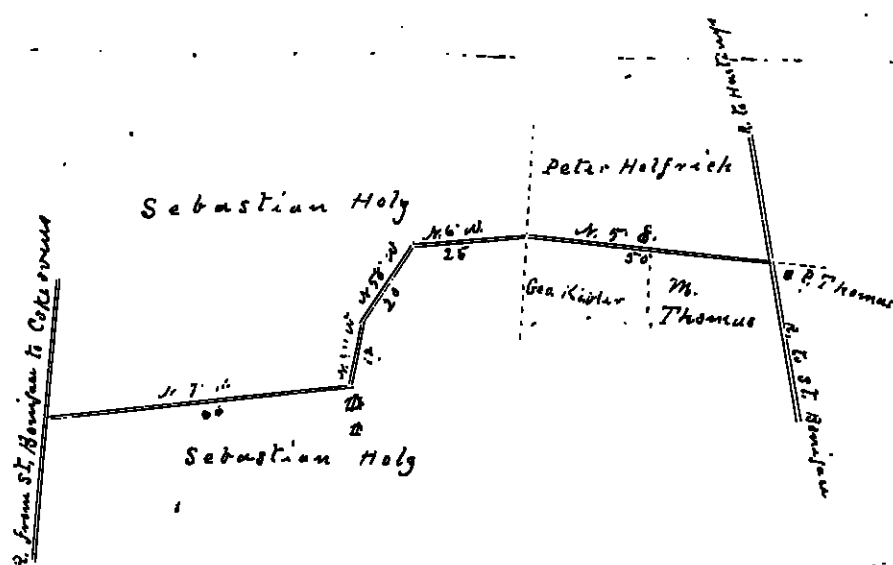
Jan 15<sup>th</sup> 1891 Read & confirmed and ordered to be opened  
30 ft wide  
By the Court.  
Apr. 15<sup>th</sup> 1891 Confirmed Absolutely  
By the Court.

To The Honorable, the Judge within named.

We, the undersigned persons appointed by the court to view and lay out the road therein mentioned, respectfully report: That having been present at the view of the said road, and having been duly sworn, in pursuance of the said order of Court, we have viewed and laid out, and do return for private use, the following road, to wit: Beginning on land of Sebastian Holz, at a point on the road leading from St. Boniface to Mitchells' coke-ovens, thence through improved land of said Sebastian Holz, N, 7° W, 66 rods. Thence N 80° W, 12 rods, thence N, 58° W, 20 rods, thence N, 6° W, 25 rods to corner of land of Peter Helfrich, and Charles Kibler. Thence on line of same, and in part by unimproved land of Peter Helfrich, (left) and improved land of Charles Kibler and Michael Thomas (right), N, 5° E, 50 rods to a point on the road from Hastings to St. Boniface, opposite the residence of Philip Thomas. As shown by the plot or draft hereto attached. Which said road as so laid out, we are of opinion is necessary for a private road. We further report damages, to landowners along the said road as follows. Peter Helfrich ~~Twenty~~ Dollars. Charles Kibler, and Michael Thomas, each ten Dollars: which we deem sufficient, in lieu of fencing the said road, considering the benefit which said parties may derive from the use of the same.

WITNESS our hands this tenth day of November, A.D. 1890.

Paul Yahner  
George Kibler  
Anselm Meaklen  
Viewers



Time

Paul Yahner Sur.	1/2 day, 2 Miles
George Kibler	1 day 1 mile
Anselm Meaklen	1 " 2 "