

To The Honorable The Judge of the Quarter Session of
Lancaster Co.

The petition of Citizens of Chest Township in said County
respectfully represents, that a portion of the road leading
from "Elders mill" to Geo. Walter's mill, to wit: beginning
at a point near "Jup's water-tough", thence to a point near the
intersection of the Thomas Mill & Chest Springs road, has
become useless, inconvenient and burdensome to the
inhabitants of said Township. Your petitioners pray
your Honor to appoint proper persons to view, vacate
and supply the same & they will ever pray &c.

John Medinger	Joseph Higgs
Jacob Warner	John H. Gill
Martin Kutuff	John Becker
James Gill	Johann Elsin
Thos. F. Gill	Simon Melrose
James Gill	Anthony Gill
Michael J. Raibles	William Gill
Anthony Dietrich	Martin Dietrich
Jacob Gihner	
Jacob Knise	Edward Warner
Sebastian W. Knis	George Warner
Sebastian A. Knis	John W. Denny
John Kutuff	William J. Gihner
Frank Givah	James Gihner
Philip Gill	J. A. Warner
Michael Rapp	Jacob J. Leiden

Michael Hubler
Philip Kuber
Lawrence Harris
Joseph Raff
Michael Harris
Selvester Manner
Henry Linden

Anthony
Jacob Stoltz
John Deke

Simon a Lee

Adrian

John

James & C. A. Miller

No. 5 Dec. 1892. P. 20

Petition of Citizens of
Chest-Downship for the
Appointment of Officers &
Over and Great a portion
of the Road leading from Elds
mill to Whitten mill. Cont to
begin at a point above over
Whitten's road thence to a point
at or near the intersection
the Thomas mill & Chest-Down
road -

Filed 5 Dec. 1892

5th Sept. 1892

Petition read
and Paul Walker
Callis Gray and
Martin Worthel
appeared and were
asked to sign

W. C. M. C.

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

At a Court of Quarter Sessions of the Peace of the County of Cambria
held at Chesconburg in the said County, on the Fifth day of
September A. D. 1892, before the Honorable the Judges of the same
Court: Upon the petition of divers inhabitants of the township of Chesh
in the said County, setting forth that ~~they labor under inconvenience for want of a~~
~~road or highway, to lead from~~
~~a portion of the road leading from Elders Mill to~~
~~Geo. Walters Mill to wit: Beginning at a point near~~
~~Swoopes Hutches trough, thence to a point near the inter~~
~~section of the Thomas Mill & Clark Springs road has~~
~~become useless, inconvenient & burdensome to the~~
~~inhabitants of said Township.~~

and therefore praying the Court to appoint proper persons to ^{view & supply} view and lay out the
same according to law. The Court upon due consideration had of the premises, do
order and appoint Paul Mahner SURVEYOR,
and Caleb Gray & Martin Dietrich

^{view & supply} VIEWERS, to ^{view & supply} view the ground proposed for said
road, and if they ^{view & supply} view the same, and shall agree that there is occasion for such
^{view & supply} road, they shall proceed to ^{view & supply} 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. H. Parry

Clerk.

To the Honorable, the Judge within named.

We, the undersigned persons appointed by the within order of Court, to view the road therein mentioned, respectfully report: That having been present at the view of the ground proposed for such road, and having all been first severally sworn, in pursuance of the said order, we have viewed, vacated, and supplied the said road, as shown by the accompanying draft; on which the black lines represent the parts of the old road retained; the dotted lines the parts vacated, (being heavy grades), and the red lines showing the parts supplied by lighter grades.

We further report damages, to the land-owners along said road as follows:

Eliza Swope,	390.
John Hipsch,	60.
Hipsch's Heirs,	120.
Frank Erhart,	25.

Which said road, so as aforesaid supplied, we are of opinion, is necessary for a public road.

Witness our hands, this second day of February, A.D. 1893.

Paul Yahnner
Leah & Gray
Martin D. Dierks

No. 57

September Term

1892

R.D.

Order to view a road vacated &
rightly located. 4th & 5th
from Cedar Mill & Geo. Holton's
Mill beginning at point near
Annapolis Station - through their new
inhabitation of Thomas Mill &
Black Springs Road in Liberty
Town.

Witnesses:

Charles Holton

Charles Gray

Martin Dietrich

See 5th Cont. with same
recipients. By the Court.

Feby 13 Feby. 1895

14 Aug. 93 order is

see K. Shirley as by act. paid
90th

Monahan

Apr. 12, 1893. Read and confirmed said order & facts
supplied ordered to be opened 30 ft wide.
By the Court.
3 Aug. 1893 confirmed absolutely,
By the Court.

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."