

In the Matter of the Report  
of Viewers, laying out a  
road for public use,  
from and or near Thom-  
as' Mills, Elder Township,  
to Patton, in Carroll  
Township.

In the Court of Quarter  
Sessions of Cambria County,  
No. 9 June Session, 1892.

### Exceptions to Report of Viewers.

1. The report does not state courses and distances, nor definitely locate the termini, of the road laid out.
2. The notice of meeting of viewers was not given as required by law.
3. The road laid out by the viewers is not necessary for the travelling public.

Harvey Raland,  
for John L. Autry, Jr., and others, exceptants.

No. 5 Fine Session, 1893.

Ad

Ample Report of the same  
laying out a road for  
public use, from the  
Mills, Elder Town-  
ship, to Patton, Carroll  
County.

Stephiana

Dec 20th, 1893.

Harvey Poland.

To the Honorable the Judge of the Court of  
Quarter Sessions of Cambria County.

The petition of the  
undersigned, inhabitants of the Township  
of Elder, in said County, respectfully  
represents:

That a petition was presented to  
your Honorable Court, and filed to No. 9 June  
Sessions, 1893, for a road beginning at  
a bridge across Chest Creek, at or near  
Thomas' Mills, in Elder Township, and  
ending at a point where the road from  
Hastings intersects Fifth Avenue, in the  
Town of Patton, Carroll Township."

That in pursuance of said petition, viewers  
were appointed by your Honorable Court,  
who have reported in favor of laying  
out a public road between the points  
designated therein.

That it will be very expensive to make  
said road; and that it is unnecessary  
for public travel, and would be use-  
less and burdensome to the Town-  
ship.

They therefore respectfully reiterate  
against the laying out of said road, and  
pray the Court to refuse confirmation  
of the viewers' report, and that same be set aside.  
And they will ever pray, &c.

Lute Brest  
J. M. Bradley

Miller

George S.

Thomas Ott

August Stricker

Frank L. Stone

William Remington

Jacob Stetz

August Semelberger

...

John W. Entler

Jacob Hartmann

Luig Pankert

August R. Herber

St. W. Deluz

1st Lieut

James A. Walby

Miller

P. J. ...

...

...

John Lantzy, Sr.

...

Joseph ...

Adolphus D. Libby

Joseph M. Libby

...

Jacob Eckert

...

Joseph Eckert

...

John ...

James Mertrick

...

...

James ...

Less. Mc ...

Joseph ...

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John D. Deluz

John ...

William ...

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John ...

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No. 3 June Session, 1853.  
Ad

Read:

Thomas, Miller, & Son  
Township - No.

Ballou, Carroll Township.

Remembrance

Dec 28 Jan 173,

Harvey Poland.

To the Honorable A. V. Barker  
President Judge of the court of  
Quarter Session of Cambria County

The petition of undersigned  
respectfully represents,

That they labor under incon-  
venience for want of public road  
to begin at the bridge across Chest  
Creek at Thomas' Mills in Elder  
Township, to a point where the road  
from Hastings intersects Fifth Avenue  
in the town of Patton in Carroll  
Township.

The petitioners therefore pray the  
Court to appoint three persons,  
qualified according to law, to view  
the ground proposed for such road  
and if they see occasion lay out  
the same &c. and make report of  
their proceedings to the next term of  
this court.

And they will &c.

David Thomas  
J. R. Cordell  
Frank L. Stone  
J. W. Anna  
George K. Rile  
John Cutler  
William Krumminger  
C. B. Miller

P. A. Barker  
P. H. Kearney  
J. E. Ross  
George Curtz  
Frank Linegar  
J. Robinson  
J. B. Norman

Wm. W. Wynn  
C. B. Miller

John Maher  
Jacob Gabner

J. B. Norman  
J. F. Mayhew  
F. H. Mellon  
Jos H. Fough

George Semich <sup>Sup. Elder</sup>  
Jacob Kibler

Martin Thomas  
Gureus Jager

Adam Glass  
Conrad Jager

Charles Becker  
Chas E. Arice

Michael Holty  
Albert Thomas

John Burk  
Martin Duckett

Wm. Lence  
Adam Lence

John Lauer  
John H. Howe

Edward Thomas  
Michael Thomas <sup>Sup. Elder</sup>

John Semelberger  
Philip Thomas

R. J. Duckett  
John Wagner

John Gabner  
Wm. W. Loran

Jacob Warner <sup>Sup. Elder</sup>  
A. J. Jackson

S. H. Worrell  
Chas. Hodgkins  
D. A. Buck  
H. E. Barton

John D. Jones  
Jessie Ball

James Mulligan  
J. R. Coruhis

S. M. Cornelius  
L. M. Stamer

J. M. W. W. W.  
J. J. Donnelly

Samuel W. W.  
J. B. W. W.

Thomas H. W. W.  
Harry W. W.

W. W. W. W.  
A. E. Smith

E. Stiller  
Ed A. Mellon

E. Brown

petition for the appointment  
-ment of Lawrence & Layman  
a public road beginning  
at the bridge over the  
Creek at or near ~~the~~  
Thomas' mill in Deer  
Park and ending at a  
point where the road from  
Hastings intersects the  
Creek in the town of  
Pitts in Carroll Co.

Free 16 June 1878

16<sup>th</sup> June

R. S. Goff

A. Green

H. J. E. H. H. H.

Approved

and

W. H. H.

Green



Commissioners of Cambria County  
To following named persons Dr.  
For services rendered in survey  
for public road from Thomas Mills  
to Patton July 27-28-29-1893  
Order #9 June Sec. 1893.

R. L. Eoff, Surveyor. 3 days, 3 miles.  
Anthony Anna, Beaver. 2 days, 4 miles.  
Henry J. Eckhardt, Beaver. 2 days, 5 miles.  
~~Jacob Thomas, Guide. 2 days.~~  
E. O. Hartshorn, Chairman. 2 days.  
Howard Thomas, do. 2 days.  
~~John Buck, Assessor. 2 days.~~  
~~George Sowlesby, do. 2 days.~~

Patton Pa.

July 31-1893.

No 9 June Secs 1893  
Road Docket

Bill of Viewers

Filed Apr. 1894

To the Hon. A. V. Barker, President  
Judge of the Court of Quarter  
Sessions of Cambria County.

We, the undersigned, appointed  
to view the place proposed for  
a public road in the within  
order mentioned, respectfully  
report: That having all been  
present at the view of the  
site proposed for said road,  
and having first given due  
and legal notice of the time  
and place of meeting and  
having all been first severally  
affirmed we have examined  
the premises aforesaid and are  
of the opinion that a public  
road connecting the two points  
mentioned in the within order  
is necessary and recommend  
its construction according  
to the attached plan.

Witness our hands and seals  
the 29<sup>th</sup> day of July A.D. 1893.

R. L. Edff.

Anthony Anna

J. J. Eckenrode  
Viewers

Seal

Seal

Seal

CHEST CREEK LAND AND IMPROVEMENT COMPANY.

OFFICE OF ENGINEER.

PATTON, Cambria County, PA., *Aug 1* 189 *3*.

The release not claim for damages for a  
Public Road - across lands of CHEST CREEK LAND & IMPROVEMENT CO.  
as surveyed and located July 27<sup>th</sup> 28<sup>th</sup>, said road  
to not exceed thirty three feet in width - and line  
as surveyed to the centre of road. In addition  
to above conditions, it is also stipulated, that  
as a branch railroad to run, across the  
the said CHEST CREEK LAND & IMPROVEMENT CO. is now being surveyed &  
located, that where the said railroad line and  
the grading of said road conflict - or may conflict with  
said public road as located and July 27<sup>th</sup>  
& 28<sup>th</sup>, the said railroad line is to have prefer-  
ence of right of way, and no liability for  
trespassing on ground of said Public road. is to  
rest in either said CHEST CREEK LAND & IMPROVEMENT CO. or Railroad  
Company operating said branch R.R. or its contractors  
who grade line. This release is granted - subject  
to the acceptance of each and all the above conditions

CHEST CREEK LAND & IMPROVEMENT CO.

by its Superintendent

*E. C. Brown*

Patton Pa.

July 28 1893.

I hereby release all claims for damages  
for public road surveyed July 27<sup>th</sup> 1893  
from Thomas Hill to Patton through  
my lands Jacob Thomas

Release

Jacob Thomas

Commonwealth of Pennsylvania,  
County of Canaan, } ss.

At a Court of Quarter Sessions of the Peace of the County of Canaan  
held at Chewheeny in the the said County, on the fourteenth day of  
June A. D. 1893, before the Honorable the Judges of the same  
Court: Upon the petition of divers inhabitants of the township of Carroll  
in the said County, setting forth that they labor under inconvenience for want of a  
public road or highway, to lead from  
the bridge across Chest Creek at St. Thomas Mills  
in Eldon Township to a point where the road from  
Hustings intersects Fifth Avenue in the town of  
Ratton in Carroll Township

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 R. L. Gaff SURVEYOR,

and A. Anna & W. J. Eckersode

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. Darby,  
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. 9  
June 1893  
R. A.

Order to view a road from  
Thomas' Mill is located  
Township and ending at  
a point where the road  
from the bridge intersects  
the river is the town  
of Patton is located.

Viewers:  
R. D. Giff  
A. J. Giff  
W. J. Giff

June 7 Aug. 1893.

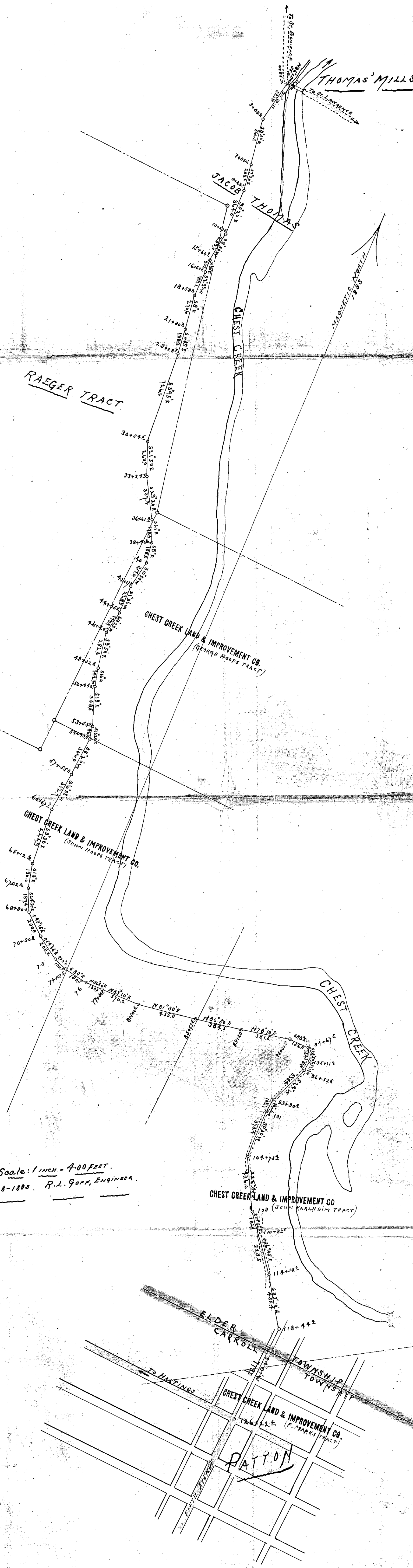
Let the County pay 90

Now Nov. 2, 1893. Read & confirmed said report & find the same  
ordered to be opened 30 ft wide

By the Court

20 Dec.





Scale: 1 INCH = 400 FEET.  
July 28-1893. R.L. Goff, ENGINEER.