



9.15. Apr. 1897  
last receipt

R.D.#5. Sept. 1897

Rat Microfilm

To the Honorable, The Judge of the Court of Quarter Sessions of the Peace for Cambria Co. Penna.

We the undersigned Viewers appointed by Your Honor in the annexed order of Court. Do report that notice of the time and place of meeting having been given. We met and having been sworn -

We reviewed the proposed road as laid out starting at a point on First Street in the Village of Croason, thence South  $55^{\circ}45'E$  along Keystone Avenue Twenty five hundred & forty six feet. Thence same course thro' land of Geo J. Swadder seven hundred and forty feet. Thence  $S. 67^{\circ} East$  thro' land of Dr. R. W. Leverant four hundred and ten feet. Thence  $S. 55^{\circ} 30'E$  through land of Eckley Estate five hundred and ninety eight feet to Township road leading from the Summit to Dawsons Mill.

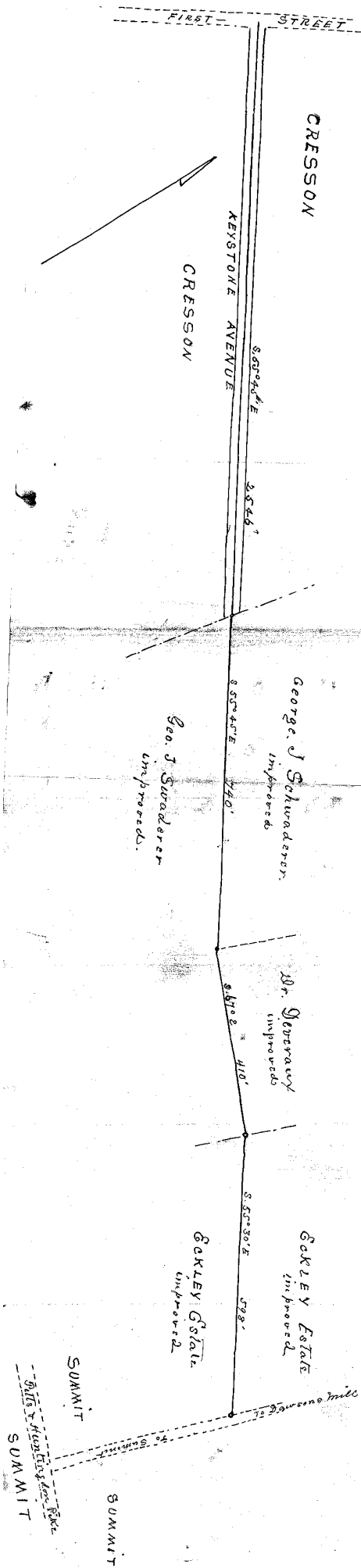
Having viewed the ground and finding a majority of the Citizens of the township of Croason that came on the ground were in favor of opening up said road. We therefore recommend the opening up of said road as laid out for a public road for the accommodation of public travel.

We assess the damage to Geo J. Swadder at Two hundred and twenty five dollars - To Dr. R. W. Leverant Fifty dollars and to the Eckley Estate Two hundred and twenty five dollars.

Witness our hands this 4<sup>th</sup> day of June  
A.D. 1898

J. A. Shumaker  
F. C. O'Hara Viewers  
John Sharbaugh

J. A. Shumaker 2 d. 24 m  
F. C. O'Hara 1 d. 6 m  
John Sharbaugh 1 " 4 m



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

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg in the said County, on the English day of March A. D. 1898, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the township of Cresson in the said County, setting forth that ~~they~~ <sup>road</sup> ~~labor under inconvenience for want of a~~ <sup>a road has been lately laid</sup> ~~or highway, to lead from~~ out by order of Court from a point on the public road near the house of C A Buck, to a point on a public road, at or near the Esley estate, in said Township, which road (if confirmed by the Court) will be very injurious to your petitioners and burdensome to the inhabitants of the Township through which the same will pass,

and therefore praying the Court to appoint proper persons to review and lay out the same according to law. The Court upon due consideration had of the premises, do order and appoint J A Shoemaker SURVEYOR, and Francis O'Hara and John Sharbaugh

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:

S W Davis

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. 5

Sept. Sessions 1897

Order to view a road from a private drive near house of C. A. Bisset to a private road at a near the Eastern Turnpike in Cream Township

Filed 6 June 1898

Viewers  
J. A. Shaver  
Frank O'Hara  
John Shanley

Old Davis 90 to

HERALD PRINT, EBERSBURG, PA.

59 Connor

Aug. 30/1898 approved and breadth fixed at 30 feet,  
60 ft. 2<sup>5</sup>th 11 - Confirmed absolutely  
Res the Court

-:IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY:-

To the Hon. A. V. Barker, Judge of the above named Court:

The petition of the undersigned inhabitants of Cression Township, in the said County, respectfully represents: That a road hath been lately laid out by order of Court from a point on the public road near the house of C. A. Buck, to a point on a public road, at or near the Eckley estate, in said Township, which road (if conferred by the Court) will be very injurious to your petitioners and burdensome to the inhabitants of the Township, through which the same will pass. Your petitioners therefore pray your Honor to appoint proper persons to review the said road and parts adjacent, and make report thereof to the next term of this Court. And as in duty bound your petitioners will ever pray etc.

James Humate

Daniel Dougherty

Daniel B. B. B.

Wm. Boyle

D. B. B. B.

~~John B. B. B.~~

Gas D. Crute

Luke P. Burgoon

John B. Eager

W. M. D. D. D.

Barnes M. D. D.

John Ruffel

Philip B. B. B.

Robert Shade

John Powers &

Dennis Bracken

Patrick Bradley

John Lynch

Thomas G. Lockman

J. A. Lynch

Wm. A. Lynch

Wm. A. Lynch

A. P. Storm

William D. Storm

David S. McCloskey

Philip D. D. D.

T. H. Dodson



no. 5 Sept. Session, 1897.

Petition for appointment  
of Receivers, In Re Roof  
in Cresson Township.

Filed 8 May 1898  
March 8<sup>th</sup> 1898

J. A. Shoemaker  
Frank O'Hara  
John Sharbaugh  
appointed receivers  
By the Court.

F. J. O'Connor  
Attorney at Law  
Johnstown, Pa.

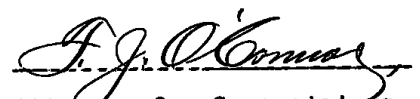
-:IN THE COURT OF QUARTER SESSIONS OF CALIFORNIA COUNTY:-

In re Road	:	Exceptions to report of Re-reviewers.
4n	:	Filed December 6th, 1897.
Cresson Twp.	:	No. 5, September Term, 1897.

The above report is excepted to for the following reasons:

- FIRST. The view was premature, as a report of viewers covering the same route was set aside by this Court within a year from the date of filing the petition. To this extent the petition was misleading.
- SECOND. The viewers did not comply with the law in relation to their duties in assessing damages.
- THIRD. The viewers were not sworn as the law required.
- FOURTH. The amount awarded the heirs to the Eckley Estate is grossly inadequate.
- FIFTH. The opening of the road would impose an unnecessary burden upon Cresson Township.
- SIXTH. The report does not state when the review was had.
- SEVENTH. The report is irregular for many other reasons appearing upon its face.

The right to file additional exceptions to said report at any time before the hearing is hereby reserved.

  
Attorney for Supervisors  
of Cresson Township, et al  
Exceptant,

Mo. 5. Sept. Mem 1896.

In Re Road in Curran Co.

Exceptional

Filed 2 Mar 1898

F. J. O'Connor  
Attorney at Law  
Johnstown, Pa.

W. V. DERMITT & CO. PRINTERS, ENGRAVERS, STATIONERS, 407 BRANT ST. PITTSBURGH.

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

The petition of the undersigned, inhabitants of Cresson Town-  
ship, respectfully represents:

That they labor under inconvenience for the want of a public  
road to begin in a public road leading from Cresson station to  
Gallitzin at a point near the store room and dwelling of C. F.  
Buck in the township of Cresson and to end in a public road lead-  
ing from the village of Summit to Dawson's mill, on the land  
of ~~the Exley Estate~~ <sup>the Exley Estate</sup> at a point about three hundred feet north of  
the Philadelphia & Pittsburg Turnpike in said township of Cresson.

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 according  
to law and make report of their proceedings to the next term of  
this Court.

And they will ever pray, etc.

Names.

Names.

Amey Taylor

R. H. Nelson

Berg M. Gemmelt

Edward O'Brien

S. Bruch

G. L. Waller

C. F. Buck

John F. Callan

C. Venderhoff

T. H. Surpe

H. A. Quartz

J. P. Conley

Names.

J. F. Sanders  
W. J. Simpson  
W. W. McAttee  
A. J. Buck  
J. W. Grove  
W. E. Dwyer  
T. B. Keweenaw  
Charles Freeman

J. A. Goodman  
S. R. Kellerman  
C. J. Hoff  
R. W. Sanders  
Geo. B. Bruce

Names

John Pratt  
John <sup>his</sup> ~~son~~ <sup>son</sup> Gonta  
John Lockyer  
Joseph Silvestre  
Thomas Drysdale  
Bernard Reismenger  
Charles Gudge  
John K. Powell

No 5 Sept Sess 1897

444

Petition of the Inhabitants of  
Greason Twp. for the appointment  
of viewers to view and lay out  
a public road beginning at or  
near the residence of C. A. Busch  
and ending at a point in land  
of the Eschley Estate in said Twp.  
of Greason.

Filed 10 Nov 1897

Nov. 10<sup>th</sup> 1897  
petition read and  
J. L. Elder  
Vincent P. Sanker  
J. R. Myers  
appointed viewers  
By the Court.

EVANS & LEECH,  
ATTORNEYS AT LAW,  
EBENSBURG, PA.

HENRY HALL, PRINTER, INDIANA, PA.

To the Honorable A. V. Barker President  
Judge of the Court of Quarter Sessions of Cambria  
County Pennsylvania We the undersigned viewers  
appointed by the annexed order respectfully report  
that after giving notice as required by law  
and J. L. Elder Vincent P. Barker and J. R.  
Kippers viewers having all been present at  
the view of the ground proposed for such  
road to be viewed and having all been  
personally sworn or affirmed to perform our  
duties according to law We in pursuance  
of said order have layed out and do return  
for public use the following road  
Beginning at a point in a public road leading  
from Creson Station to Callitzue near the  
Store room and dwelling of C. A. Buckin the  
Township of Creson Thence South fifty  
five and three fourth degrees East Twenty five  
hundred and forty six feet along Center  
line of Key Stone Avenue to George J.  
Schwardner land said Key Stone Avenue  
being shown on plan No 4 of lots laid out  
at Creson Pa by the Creson Coal & Coke Co. and  
said plan being recorded in Miscellaneous Record  
Book Vol 6 page 560 Thence through George J.  
Schwardner land South fifty five and  
three fourth degrees East Seven hundred and  
forty feet to Doctor R. Devereaux land thence  
through Doctor R. Devereaux land South

Sixty seven degrees East four hundred  
and two feet to land belonging to  
Eckley Estate thence through land  
belonging to Eckley Estate South fifty  
five and one half degrees East five  
hundred and ninety eight feet to a  
public road leading from the village  
of Summit to Dawson's Mill on the land of  
The Eckley Estate at a point 397 feet  
north of Philadelphia & Pittsburgh  
Turnpike in said township of Oregon  
said road as afore said laid out in Oregon  
Township Cambria County Pa We are of the opinion  
is necessary for a public road and we recommend  
the same We assess or award The Eckley  
Estate one hundred and fifty dollars  
damages Doctor R. Devore twenty five  
dollars damages and George J. Schwadower  
five dollars damages a plot  
or draft thereof is here with enclosed  
witness our hands this 2<sup>nd</sup> day of  
December 1897

J. L. Elder	2 days	8.00
N. P. Barker	12 miles	1.20
J. R. Myers	1 day	2.00
	1 mile	1.00
	1 day	2.00
	1 mile	1.00
		<u>\$13.40</u>

J. L. Elder  
N. P. Barker  
J. R. Myers



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

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg in the said County, on the Ten day of November A. D. 1897, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the township of Cresson in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from begin in a public road leading from Cresson station to Gallitzin at a point near the store room and dwelling of C. F. Buck in the township of Cresson and to end in a public road leading from the village of Summit to Dawson's mill, on the land of The Eckley Estate at a point about three hundred feet north of the Philadelphia & Pittsburgh Turnpike in said township of Cresson.

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 J. L. Alder SURVEYOR, and Vincent P. Danner and J. R. Myers

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:

S. W. Davis

Clerk.

"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 so viewed be necessary for a public or private road; they shall set out and return to the Court a plot or draught, showing the courses and distances, and noting briefly the improvements through which it may pass; and, whenever practicable, the viewers shall lay out the said road 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."

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Feb. 1, 1898 Approved and breath fixed at 30 feet.  
 Sept. 25<sup>th</sup> 1898 Confirmed Absolute, <sup>Rept. to Court.</sup>  
~~Rept. to Court~~