

1000-1000
1000-1000
1000-1000

R. 11 #10 - MAR 1897

Not Microfilmed



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

The petition of the undersigned, Respectfully represents, that they
labor under inconvenience for want of a public road, to begin at
the line of the Borough of Carrolltown at the end of Monastery
Street, and to end in Hopper Valley road at a point near the Car-
rolltown road station on the Cambria & Clearfield Railroad, Sus-
quehanna branch 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, etc., and make report of their proceed-
ings to the next term of this court.

And they will ever pray, etc.

Names.

Names.

Thos. A. Sharbaugh
M. M. Eckmoe
A. P. Candan
H. J. Walz
J. J. Seaman
John S. Wetzel
Peter J. Huber
James Full
John Smuckley
M. Bonahue
A. Eckmoe
M. J. Stolz
J. D. Kirkpatrick

E. J. Albert
W. B. King
C. J. Betham
Thomas Beaton
J. H. Harkley
J. J. Hawk
H. S. Stitt
Lawrence Volk
Francis P. Beard
Benjamin Stitt
Bert Brown
Henry Stolz
Charles Myers

Names.

Names.

J. J. Farabaugh
 C. A. Farabaugh
 Felix Barton
 H. J. Farabaugh
 Joseph A. Gray
 W. B. Bender
 V. Ring
 J. Muliff
 C. A. Bick
 T. C. Creble
 J. V. Maucher, m.d.
 W. A. Sharbaugh
 H. J. Sharbaugh
 Valentin Thomas
 O. Hotel
 James. Stolz
 P. J. Stolz
 C. A. Langbrin
 Ah. Glass
 E. A. Binder
 John Kane
 J. C. Sanborn
 Zerr Chester
 Prof. E. Kouty
 Wm. M. Desmott

P. J. Dietrich
 S. P. Huber
 B. A. Blum
 Joseph Michael
 Peter Mangold
 Edw. Blum
 M. C. Schroth
 C. L. Stolz
 C. J. Thomas
 P. L. Eck
 John Bueh
 Otto Stick
 George Metts
 Wm. Blum
 Wm. Schmier
 Adam Hees
 E. E. Dippel
 James B. Eck
 A. M. Eck
 H. C. Kunklin
 Julius Rager
 Matt. Beker
 J. L. Walters
 W. F. Sloan

Names ..

Names.

E. P. Reed
Hm Malou
Lat Burns
James Quinn
Pat Fogarty
Jno. B. Reed
J. D. Kirk
John A. Bender
A. White

J. J. White

Nicholas Retscha
Charlie Retscha
John Retscha
Joseph Retscha
Michael Retscha
Peter Elli
William Dryburgh
Joseph James

No 10.
March sess 1897

Petition of citizens
of the borough of Carroll
town, and Twp of Carroll
for appointment of viewers
to view and lay out a
public to begin at the termin-
us of Monastery Street and
to end at or near the Carroll
town Road Station in
Carroll Twp,

Filed 22 Apr 1897

Apr. 22 1897
Petition read and
J. S. Elder
E. P. Baker and
W. J. M. Combie
appointed viewers
By the Court.

EVANS & LEECH,
EBENSBURG, PA.

HENRY HALL, PRINTER, INDIANA, PA.

Know all men by these presents that
I, Charles Kane of the Township of
Carroll County of Cambria State of
Pennsylvania for diverse good causes
and considerations me then unto moving
and especially for the consideration of
One Dollar to me in hand paid by
the Borough of Cameltown at and
before the executing and delivery hereof
the receipt whereof I do hereby acknowledge,
have promised, released, quitclaimed
and by these presents do promise, release
and quit claim unto the said Borough
of Cameltown all the right title and
interest whatsoever which I now have
or of right claim, of, in, to, or out of,
all that the land described as follows
to wit being the ground upon which
the road known as the Cameltown Road
is laid out commencing at the line of
the monastery lands where it divides said
lands from my land and connecting
with the said road where it crosses the
said line and continuing in a westerly
direction to the crossing at the Railroad
Station of the Land Co. Railroad where
said crossing connects with the road lately
laid out to a point on the Public road
at or near what is known as The Gas
well in Cameltown Township Cambria Co
Pa to have and to hold the same
for the purposes and uses of public
travel for and during such term

or time as the same may be traveled
or used for said purposes

In witness whereof I the said Charles
Kane have hereunto set my hand and
seal the 19th day of August A.D. 1893

Signed sealed and delivered in } Charles Kane
presence of
Mr. W. Smith
Jas. B. Eck

State of Pennsylvania County of Cambria
Before me Mr. W. Smith Justice of the
Peace in and for said County and
State, personally came the above named
Charles Kane who in due form of law
acknowledged the foregoing release
to be his act and deed to the end
the same might be recorded as such
Witness my hand and seal this
19th day of August A.D. 1893

Mr. W. Smith, J.P. [Seal]

Know all men by these presents
That the Benedictine Society of West-
moreland Co Pennsylvania by their
Agent resident in Cambria Co Pa
The Rev. Raymond Daniel Prior at
Cameron for divers good causes
and considerations and especially the
sum of one Dollar to them in hand
paid by the Borough of Cameron
at and before the enrolling and
delivery hereof the receipt whereof
acknowledged, have promised, released,
quit claimed, and by these presents do
promise, release, and quit claim unto
the said Borough of Cameron all the
right title and interest whatsoever which
the said Benedictine Society now has
or of right claim, of, in, to, or out
of all that the land described as follows
being the ground upon which the
road known as the Cameron Road
is laid out, commencing at the Borough
line of said Borough at mouth of street
leading to monastery lands and con-
tinuing in a westerly direction as now
laid out to the line between said monastery
lands and land of Chas. Cain in Camer-
on township Cambria Co Pa, to have
and to hold the same for the purposes
and uses of a road for public travel
for and during such term or time as the
same may be traveled and used for said
purposes

Int. witness whereof, I, The said
Bro. Raymond Daniel, Agent for
said Benedictine Society and Prior
at Carrolltown have hereunto set my
hand and seal the 19th day of
August A.D. 1893

F. Raymond Daniel Seal

Signed sealed and delivered
in presence of
Joseph A. Gray

State of Pennsylvania County of Cambria
before me Wm. L. Schmith a Justice of the Peace
in and for said Co. and State personally
came the above named Bro. Raymond
Daniel O.S.B. Agent Prior &c. who in due
form of law acknowledged the foregoing
instruments to be the act and deed of the
said Benedictine Society made and done
through him as aforesaid to the end the
same might be recorded as such

Witness my hand and seal this 19th day
of August A.D. 1893

Wm. L. Schmith, J.P. Seal

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 22 day of April A. D. 1897, before the Honorable Judge of the said Court; Upon the petition of divers inhabitants of the township of Carroll and Borough of Carrolltown in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to ~~lead from~~ begin at the line of the Borough of Carrolltown at the end of Monastery Street, and to end in Hopper Valley road at a point near the Carrolltown road station on the Cambria & Clearfield Railroad, Susquehanna Branch 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 E. P. Baker and W. J. McConbie SURVEYOR, and

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:

A. 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, so 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 10
March 20 1894

Order to view a road to begin
at the terminus of
Monastery Street and
to end at or near the
Carnwell Road
Station in Carroll St.

Witness =
J. L. E. E. E.
J. P. B. B.
W. J. M. C.

Clk Davis for Exl 9065

HERALD PRINT, EBERSBURG, PA.

E. L.

We the subscribers having procured a right of way for a road through the Brundictine Society land and Charles Kane land from a point leading from Monastery street in Carrolltown Borough to the Carrolltown station on the line of the Cambria and Clearfield Railroad hereby release all claims to damages which said borough may be entitled to by reason of the opening of the same.

Witness our hands and seals the day of May in the year of our Lord one thousand eight hundred and ninety seven signed, sealed and delivered } T. H. Sharbaurgh (seal)
in presence of } Joseph A. Gray (President) (seal)
The B. Schmitt, (Clark) Carrolltown Borough } (seal)
(seal)

Cost of View.

T. L. Elder, -2- days,	\$8.00
J. L. Elder, mileage,	1.10
F. A. Barker, chairman, 1 day,	1.50
E. P. Baker, 1 day,	2.00
E. P. Baker, 7 miles,	.70
W. J. McCombie, 1 day,	2.00
W. J. McCombie, 1 mile,	.10
	<u>\$15.40</u>

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. Leard Elder E. P. Baker and W. J. McCombie
viewers having all been present at the view of the
ground proposed for said road and having all
been first severally sworn or affirmed to perform
our duties according to law We in pursuance
of said order have viewed and laid out
a public road and do return for public use
the following public road to wit Beginning
at the line of the Borough of Carrolltown Five hundred
and eleven feet from the end of Monastery Street
thence North eighty nine and one fourth degrees
West Five hundred and thirty one feet thence
South seventy two and one half degrees West Five
hundred and ninety eight feet thence South seventy
nine degrees West Three hundred feet thence
North eighty seven degrees West four hundred
and ten feet thence South eighty five
degrees West Eleven hundred and thirty
feet thence North seventy two and one fourth
degrees West two hundred and thirty seven
feet thence South eighty one and one half
degrees West two hundred and seventeen feet to
near the Carrolltown road station on the
Cambria and Clearfield Rail Road Susquehanna
branch in Hopper Valley Township road
The road passes through the lands of the

Prudential Society and lands of Charlie Kane
deceased both of whom have executed releases
in favor of the Borough of Carrolltown in which
they release all claims for damages by reason
of the construction of a road leading from Monastery
street in Carrolltown Borough to R.R. Station on the
line of C. & D. R.R. as will appear from said Releases
which are hereto attached and being the same ground
over which the road described in this report passes
also find hereto attached release for any and all
claim for damages which the Borough of Carrolltown
may by virtue of the releases which they procure
as aforesaid; said road as aforesaid laid
out we are of opinion is necessary for a public
road and recommend the same a plot or
draft thereof is herewith attached and made
part of the report. Witness our hands this
29th day of May 1897

J. L. Elder
E. J. Baker
W. J. McCombie

No 10 March Term 1897

In re road to begin
at the line of the
borough of Carrolltown
at the end of Monastery
Street and to end in
Hopewell Valley Road
at a point below the
Carrolltown Race Station
on the Cambria and Clear-
field Railroad, Susque-
hanna County, in
Carroll Township

Report of Viewers.

Filed 7 June 1897

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

HENRY HALL, PRINTER, INDIANA, PA.

Aug. 11, 1897 ^{approved} ~~confirmed~~ view and breadth of road
fixed at 16 1/2 feet.
14 Sept 1897 Confirmed
- W. G. Davis Clerk
By the Court