

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

To the Honorable F. J. O'Connor,  
President Judge of said Court:

The petition of the undersigned, inhabitants of the Township of Carroll, in said county, respectfully represents:

That a public road has been long since laid out from Schettig's Mill in said Township to the Borough of Carrolltown; a portion of this road was laid out from the residence of Michael Flannigan to the Borough of Carrolltown by proceedings of record in the Road Docket of said county, No. 2, pages 438 and 455; and the record of the laying out and erecting of the other portion of said road is to be found in the Road Docket of said county, No. \_\_\_\_\_, page \_\_\_\_\_.

(A diligent search of the records has failed to disclose the proceedings referred to, and the petitioners pray the Court for permission to file this petition omitting the reference to the Road Docket and page, as required by rule of Court.)

The petition further represents that four portions of the said existing road from Schettig's Mill to the Borough of Carrolltown have become inconvenient and burdensome to the inhabitants of said Township on account of the steep grades therein. The portions of the said road which have become inconvenient and burdensome as aforesaid are as follows:

First.- Beginning at a point in said road about 100 yards North of Cain's Run and ending in said road at a point about 125 yards South of the residence of Peter Farabaugh.

Second.- Beginning at a point in said road near the northwest corner of John Farabaugh's orchard and ending in the public road leading from Chest Creek to Carrolltown about 125 yards southeast of Eckenrode's school house.

Third.- Beginning at a point in said public road leading from Schettig's Mill to Carrolltown opposite said Eckenrode's school house and ending in the said public road at a point about 150 yards west of the said school house.

Fourth.- Beginning at a point in said Township road about 35 yards west of the pumping station of the Borough of Carrolltown and ending in the public road leading from Ebensburg to Carrolltown at a point where ..... Flick ..... Avenue, as shown in plan of lots laid out by heirs of John Flick, known as Flick's Extension to the Borough of Carrolltown, intersects the same.

And that said portions of the public road are frequently and for long periods in the winter season blockaded with snow-drifts

so as to be impassible, and that it is altogether practicable by a change in the course of the road between the points mentioned to overcome the steep grade and lay out the road in such a manner as to avoid both the steep grade and the annoyance from snow-drifts.

Your petitioners therefore pray the Court to appoint three persons qualified under the law to view, vacate and supply the ~~the~~ portions of the said existing road, agreeable to the Acts of the General Assembly in such cases made and provided. And they will ever pray, &c.

Pete Hasalough R. C. Hasalough

Detter Bertram E. P. Benders

J. L. Hasalough P. L. Hasalough

Harry W. C. W. Wincent Christ

Thos. J. Switzer James <sup>has</sup> Kirkpatrick  
mask

Sebastian Hasalough

J. J. Hasalough W. B. Beaver

Frank, Berrant L. W. Himmel

Helmut P. Rief Peter <sup>has</sup> Hasalough

S. P. Bertram Joe A. Bertram

Jos Leitz

John Leitz

John Herschel

Frank a Burton

Jos B Baker

Dennis H. Baker

Jos P Burely

Wm H. Hall

James P. Hott

Augustine W. Hott

Francis Schetting

Edward Springer

Rufus Hite

C. S. Bille

John Travabough

Cambria County, SS:

Before me, Prothonotary  
~~a Justice of the Peace~~ in and for said County,  
personally came E. P. Bender who being by me duly  
sworn according to law doth depose and say that the matters and things  
set forth in the foregoing petition are true and correct.

Sworn and subscribed before me  
this 3rd day of June A.D. 1904.

E. P. Bender

C. E. Troxell

~~Justice of the Peace.~~

Pro.

Case No. 1904 R. A.

In the Court of Quarter  
Sessions of Cambria County.

Petition to Vacate and  
Supply Four Portions of the  
Road leading from Schettig's  
Mill in Carroll Township to  
Carrolltown Borough.

Filed 2 August, 1904.

And now Aug 2, 1904  
the within petition, read  
and considered and it is  
ordered, John D. Schettig  
the above is  
represented various as  
within paragraph,

By the Court

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

Road 5-130

John D. Schettig  
110 E. Main St.

To the Honorable Francis J. O'Connor, President Judge of  
the Court of Quarter Sessions of Cambria Co. Pa.

We, the undersigned viewers, appointed by the annexed order  
respectfully report, that in pursuance thereof, after  
having been severally duly sworn or affirmed to  
perform our duties impartially and to the best of our  
judgment, and having given due public notice as  
required by law and having served copies of said  
notice upon the Supervisors of the territory through  
which such road passes, and also upon the County  
Commissioners of said County, properly attested  
copies of said notices being hereto attached

All the viewers appointed by said order viewed  
the ground described therein. And believing that  
portions of said road have become inconvenient  
and burdensome to the taxpayers of Carroll Township  
and have therefore vacated that portion beginning  
at a point about one hundred yards north of  
Cain's run, thence north fifty degrees, thirty minutes  
east one hundred and fifty feet, north fifteen degrees,  
fifteen minutes west three hundred and twenty feet,  
north eleven degrees, thirty minutes west, one hundred  
and ninety seven feet, north one degree, thirty minutes  
west one hundred and ninety two feet, north  
sixteen degrees, thirty minutes east seven hundred  
and three feet, passing through lands of Peter  
Bertrum and Peter Farabaugh, also vacating  
that portion beginning at a point near the north-  
east corner of John Farabaugh's orchard, thence

north fifty eight degrees east, three hundred and fifty five feet. thence north sixteen degrees east, sixty feet to the road leading from Chest Springs to Carrollton... We have surveyed and do return for public use the following road, Beginning at a point about one hundred yards north of Bain's run, thence north twelve degrees, forty five minutes east, one hundred feet, north two degrees, thirty minutes west, two hundred feet, north seventeen degrees, west, two hundred feet, north eleven degrees west one hundred feet, north eight degrees west one hundred feet, north four degrees west one hundred feet, north seventeen degrees east four hundred and seven feet, north twenty eight degrees east three hundred and twenty one feet, north twenty degrees east four hundred feet, north twenty five degrees east one hundred and fifty eight feet, north four degrees west three hundred feet, north six degrees west three hundred and eighty nine feet, north nine degrees, thirty minutes east six hundred feet, north thirty six degrees east two hundred and eighty two feet, north seventy three degrees east, one hundred feet, south seventy degrees, forty five minutes east, three hundred and ninety five feet, south eighty seven degrees east, one hundred and sixty three feet, north eighty two degrees east, forty six feet, north fifty four degrees east sixty four feet, north thirty four degrees east one hundred and thirty three feet, north sixty six degrees forty five minutes west five hundred and thirty three feet, north sixteen degrees east sixty feet, north eight degrees west, three hundred feet, north eighteen west, one hundred and sixteen feet.

north forty six degrees fifteen minutes west. three  
hundred and fifty feet. north two degrees, thirty  
minutes west. six hundred feet. north fifty seven  
degrees, thirty minutes west. four hundred and sixty  
three feet. north five degrees east. three hundred and  
eighty five feet. north sixty one degrees, forty five  
minutes west. two hundred feet. north sixty nine  
degrees west five hundred and forty one feet.  
north five degrees west four hundred and forty  
eight feet. south eighty five degrees forty five minutes  
west three hundred and seventy five feet. north  
sixty nine degrees thirty minutes west. four hundred  
and sixty nine feet. north twenty nine degrees  
west four hundred and sixty six feet. north  
thirty six degrees west, three hundred and thirty  
five feet. north seventy three degrees, fifteen minutes  
west one hundred and sixteen feet. north  
eighty one degrees, thirty minutes west, two  
hundred and sixty two feet. north fifty  
eight degrees, thirty minutes west fifteen  
hundred and forty two feet. north fifty six  
degrees fifteen minutes west. three hundred and  
sixty two feet. north thirty two degrees, thirty  
minutes west one hundred and fifty five feet  
north twenty three degrees west two hundred feet  
north forty five degrees, thirty minutes west  
one hundred and seventy nine feet. north  
sixteen degrees thirty minutes west two  
hundred and sixteen feet. north eighty



forty five minutes west two hundred and three feet north fifty  
three degrees forty five minutes west one hundred sixty nine feet north  
seventy five degrees west three hundred feet north forty three degrees west  
five hundred and fourteen feet north sixty one degrees thirty minutes  
west two hundred and thirty five feet south seventy nine degrees  
thirty minutes west seven hundred and seventeen feet south  
sixty four degrees east four hundred and ninety nine feet  
north eighty degrees thirty minutes west four hundred seventy  
two feet three north eighty six degrees west one hundred and thirty  
three feet south eighty one degrees thirty minutes west six hundred  
feet south eighty eight degrees thirty minutes west four  
hundred and four hundred and eight feet south sixty three  
degrees west one hundred and twenty nine feet north eighty  
eight degrees west four hundred and fifteen feet north  
seventy degrees thirty minutes west two hundred and seventy  
one feet north fifty four degrees thirty minutes west three  
hundred and fifty seven feet then along Tallitzon Avenue  
north eighty seven degrees west twelve hundred and eighty two  
feet to Ebensburg & Carrolltown road then north east along  
said road eight hundred feet to where Flick Avenue  
intersects said Ebensburg & Carrolltown road said road passes  
through lands of Peter Bertrun Peter Garabough John Garabough Michael Weber Jacob  
Weber Andrew Litz E. Ring Ed Bender Albert Garabough Mrs Kaylor Martine  
Miller Andrew Miller Estate Frank Strittmatter Estate John Hick Estate  
we have awarded or assessed damages as follows:  
to Peter Bertrun Twenty dollars damages to Peter Garabough Forty  
Dollars damages to Mike Weber one hundred  
Dollars to Andrew Miller Estate Twenty  
Dollars to Frank Strittmatter Estate

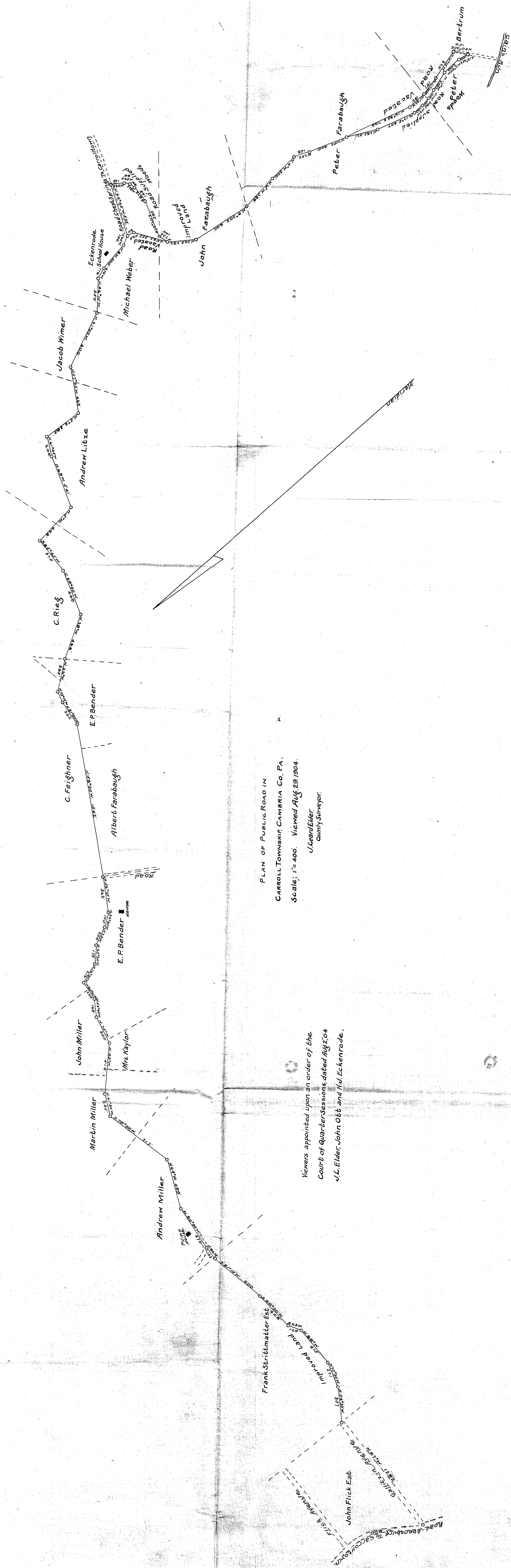
Two hundred and seventy five dollars  
a Plot or draft is hereto attached and  
made part of this report Witness our hands  
this 30<sup>th</sup> day of September. 1904

J. L. Elder

John Ott

H. J. Eckenrode

J. L. Elder	3 1/2 days	\$14.00
" " "	Mileage	1.70
John Ott	2 days	4.00
" " "	Mileage	.50
H. J. Eckenrode	2 days	4.00
" " "	Mileage	.50
Peter Garabough	2 days	3.00
Ed Bender	Chumman 2 days	3.00
		<hr/>
		\$30.70



ROAD VIEW.

N O T I C E is hereby given that the undersigned viewers appointed by the Court of Quarter Sessions of Cambria County to view vacate and supply four certain portions of a public road leading from Schettig's Mill in Carrolltownship to the line of the Borough of Carrolltown for the reason that the same have become inconvenient and burdensome to the inhabitants of the said township on account of the steep grades therein and the blockading of same by reason of snow drifts; the portions of the said road which have become inconvenient and burdensome, as aforesaid, are as follows:

FIRST:- Beginning at a point in said road about 100 yards north of Cain's Run and ending in said road at a point about 125 yards south of the residence of Peter Farabaugh.

SECOND:- Beginning at a point in said road near the northwest corner of John Farabaugh's orchard and ending in the public road leading from Chest Creek to Carrolltown about 125 yards southeast of Eckenrode's Schoolhouse.

THIRD:- Beginning at a point in said public road leading from Schettig's Mill to Carrolltown opposite said Eckenrode's Schoolhouse and ending in the said public road at a point about 150 yards west of the said Schoolhouse.

FOURTH:- Beginning at a point in said township road about 35 yards west of the pumping station of the Borough of Carrolltown and ending in the public road leading from Ebensburg to Carrolltown at a point where Flick \_\_\_\_\_ Avenue, as shown in plan of lots laid out by heirs of John Flick, known as Flick's Extension to the Borough of Carrolltown. intersects the same, will meet at the Central Hotel in the Borough of Carrolltown on Monday the 29th day of August, 1904, at 9 o'clock A. M., for the purpose of viewing said ground.

J. L. Elder

John Ott

H. J. Eckenrode.

*Service accepted Aug 16, 1904*  
*H. J. Eckenrode*  
*Chair*

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 Second day of August A. D. 1904, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Carroll, in the said County, setting forth that ~~they have under petition~~

~~there is want of a public road leading from~~  
a public road has been long since laid out from Schettig's Mill in said Township to the Borough of Carrolltown, a portion of this road was laid out from the residence of Michael Flannigan to the Borough of Carrolltown by proceedings of record in the Road Docket of said County, No. 2, pages 38 and 455; and the record of the paying out and erecting of the other portion of said road is to be found in the Road Docket of said County, No. page. The petition further represents that four portions of the said existing road from Schettig's Mill to the Borough of Carrolltown have become inconvenient and burdensome to the inhabitants of said Township on account of the steep grades therein. The portions of the said road which have become inconvenient and burdensome as aforesaid are as follows:

First:-Beginning at a point in said road about 100 yards North of Cain's Run and ending in said road at a point about 125 yards South of the residence of Peter Farabaugh.

Second:-Beginning at a point on said road near the northwest corner of John Farabaugh's orchard and ending in the public road leading from Chest Creek to Carrolltown about 125 yards southeast of Eckenrode's School House

Third:-Beginning at a point in said public road leading from Schettig's Mill to Carrolltown opposite said Eckenrode's school house and ending in the said public road at a point about 150 yards west of the said school house

Fourth:-Beginning at a point in said Township road about 35 yards west of the pumping station of the Borough of Carrolltown and ending in the public road leading from Ebensburg to Carrolltown at a point where Flick Avenue, as shown in plan of lots laid out by heirs of John Flick known as Flick's Extension to the Borough of Carrolltown, intersects the said

And that said portions of the public road are frequently and for long periods in the winter season blockaded with snow-drifts so as to be impassible, and that it is altogether practicable by a change in the course of the road between the points mentioned to overcome the steep grade and lay out the road in such a manner as to avoid both the steep grade and the annoyance from snow-drifts.

and therefore praying the Court to appoint proper persons to <sup>vacate</sup> view and lay out the same according to law. The Court upon due consideration had of the premises, do order and appoint

J. L. Elder. SURVEYOR, and

John Ott and H. J. Eckenrode

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 desires 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:

C. E. Troxell, 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 person or 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, June SESSION, 1904.

Order to view vacate and

supply public road in

Carroll Township.

Report of Viewers

Filed 9 Sept 1904

J. I. Elder

John Ott

H. J. Eckenrode

Viewers.

Clerk Troxell

90 cts.

E. L. & E.

MOUNTAINEER-HERALD PRINT.

Oct. 25, 1904, approved and breadth fixed at thirty feet.

May 1905. Confirmed

E. E. Truett

clerk

By the Court