

1
To the Honorable Francis J. O'Connor President Judge
of the Court of Quarter Sessions of Camden County Pa
We the undersigned viewers appointed by
the annexed order do 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
new road is laid out and also upon the
County Commissioner of said County properly
attested copies of said notice being hereto
attached - All the viewers appointed by
said order viewed the ground proposed for
the within mentioned road and do agree
that there is occasion for vacating and
supplying parts of the Public road leading
from Dean to Ashville through Dysart as desired
by the petitioners - We have vacated the
following road to wit Beginning at
a point at Joseph Rommets stable on the public
road leading from Dysart to Dean thence
North twenty seven degrees West one hundred
and ninety feet thence South sixty two degrees West
Six hundred and ninety seven feet thence South
sixty two degrees West eighty five feet thence South
forty nine and one half degrees West eighty feet
thence South fifty four degrees West one

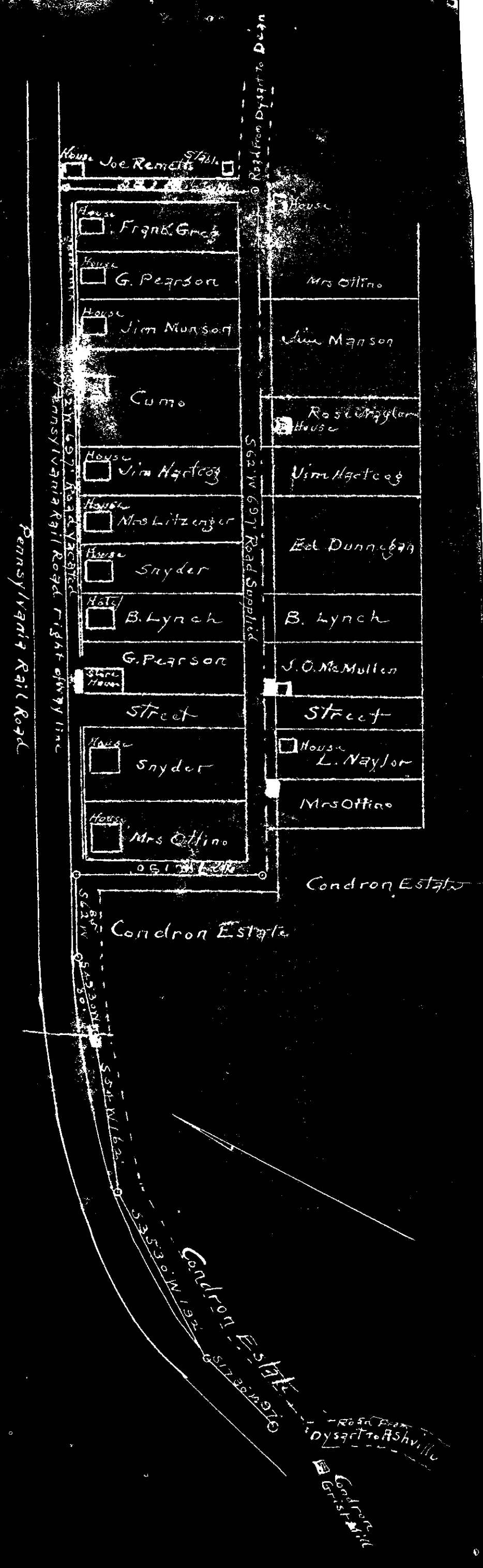
41
Hundred and sixty two feet thence south
thirty five and one half degrees west one hundred
and ninety two feet thence south seventeen
and one half degrees west ninety seven feet
to a point at or near Conrads Grist mill
on the public road leading from Dyson to
to Ashville because the same is too narrow
and cannot be widened because of the buildings
on one side and rail road property on the
other and have surveyed viewed and
laid out and do return for public use
the following road to wit: Beginning
on road at a point at Joseph Romettes stable
on the public road leading from Dyson to Dean
thence south sixty two degrees west six hundred
and ninety seven feet thence north twenty seven
degrees west one hundred and ninety feet
thence south sixty two degrees west eighty five
feet thence south forty nine and one half degrees west
eighty feet thence south fifty four degrees west
one hundred and sixty two feet thence south
thirty five and one half degrees west one hundred and
ninety two feet thence south seventeen and
one half degrees west ninety seven feet
to a point at or near Conrads Grist Mill
on the public road leading from Dyson
to Ashville said road as fore said laid
out we are of the opinion is necessary
for a public road and we recommend

The same said road passes through land belonging to Mrs Ottus J. Munson Rose Taylor Jim Hartog Ed Dunningan Barney Lynch J. O. McMullen L. Taylor and Condron Estate. We have assessed or awarded to Mrs Ottus fifty five dollars damages to Jim Munson twenty dollars damages to Rose Taylor two dollars damages to Jim Hartog two dollars damages to Ed Dunningan twenty dollars damages to Barney Lynch two dollars damages to J. O. McMullen fifty dollars damages to L. Taylor two dollars damages to Condron Estate Thirty dollar damages a plot or draft is herewith attached and made part of this report witness our hand this 31st day of May 1907

J. L. Elder
 Frank Kapp
 John Finerty

J. L. Elder	25 miles	\$10.00
Frank Kapp	1 day	3.00
John Finerty	1 day	3.00
H. J. Thompson	Shannon	1.50
		<hr/>
		\$20.60

Plan of the proposed public Road in
 Dean Township Cambria County Penna.
 Scale: 1 inch = 100 feet Surveyed May 10 1907
 J. L. Elder
 Surveyor



viewers appointed upon an order of the court of
 quarter sessions dated April 23 1907
 J. L. Elder Frank Kapp & John Finerty

Duplicate

ROAD NOTICE.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view, ~~the ground vacate~~ and supply a public road in Dean Township, beginning at a point near Joseph Rometto's stable in the public road leading from Dyar to Dean, and ending at a point near Conrad's Grist mill in the public road leading from Dyar to Ashville.

will meet at the house of B. Lynch in the Township of Dean aforesaid, on the 10th day of May 1907, at 10 o'clock A.M. for the purpose of viewing said ground.

Apr 27 1907.

J. L. Elder
Frank Kapp
John Finerty
Viewers.

Service of within notice is hereby accepted

Supervisors { H. S. Thompson
E. H. Curfman
W. J. ...

ROAD NOTICE.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to ~~view the ground~~ vacate and supply a public road in Dean Township beginning at a point near Joseph Ronietto's stable on the public road leading from Dysart to Dean and ending at a point near Conrad's Grist mill on the public road leading from Dysart to Ashville.

will meet at the house of B. Lynch in the Township of aforesaid, on the 10th day of May 1907, at 10 o'clock AM, for the purpose of viewing said ground.

Apr. 27 1907.

J. L. Elder
Frank Kapp
John Finerty
Viewers.

April 30, 1907.

Service on within accepted for
County Commissioners

J. P. Sherman
Clerk

Commonwealth of Pennsylvania, }
County of Cambria. }

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the twenty third day of April..... A. D. 190 7, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Deam....., in the said County, setting forth that they labor under incon-

venience ~~for want of a~~..... ~~road or highway, to lead from~~
by reason of the narrowness of a certain portion of a certain
public road, in said Township, the same being but sixteen
feet wide, and not capable of being widened, because of the
location of buildings and the railroad, in and through
the Village of Dysart, being part of a certain road laid
out in 1897, at No. 1 March Sessions, 1897, and since duly
opened, which portion of said road, with possible same...
greater length than mere narrow portion as aforesaid.
They desire vacated, and another laid out to supply the
same, as hereinafter more particularly described. Your
petitioners pray that the public road from a point at Joseph
Bennett's stable, on the public road leading from Dysart
to Deam, to a point at or near Conrad's Grist Mill, on the
public road leading from Dysart to Ashville, all in
the said Township of Deam, should be vacated, on ac-
count of its being too narrow, and because it is so
located that it cannot be widened, or improved.

account the railroad and buildings, as aforesaid, and that
a new road to supply the same, from the same point to the
same point, be laid out according to law so as to remove
the aforesaid burden and inconvenience by reason of the
present location of the said road.

and cause 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."

42

NO. 6, March Session, 1907.

Order to view road in
Dean Township.

Filed 5 June 1907

Viewers.

J. C. Elden
Frank Kaph
John Timmerly

Clerk J. W. L. Elder 90 cts.
Polansky

PHILADELPHIA: MOUNTAIN-HERALD ELECTRIC PRINT.

August 6, 1907, approved and breadth fixed at
thirty feet.

By the Court

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY

)
) In re Road in Dean Township,
)
No. 6 March Sessions, 1907.

Road Docket.

-----o-----

THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF SAID
COURT:

EXCEPTIONS TO REPORT OF VIEWERS.

No. 1- The petition for the appointment of viewers prays the court to appoint three persons "for the purpose of vacating and supplying the aforesaid road", and as the order to view is based on the petition for the appointment of viewers, no discretionary power is given the viewers.

No. 2- The viewers may not have known, from reading the decree of court, that they were permitted to make an unfavorable report.

No. 3- The report of the viewers fails to disclose when the view was held, or who of them were present at the view.

No. 4- The report of viewers fails to disclose that the viewers endeavored to procure releases of damages from the land owners over whose land the proposed road passes.

No. 5- The report of viewers fails to disclose that the viewers, in assessing damages, considered the advantages of accruing to the land owners to whom damages were allowed.

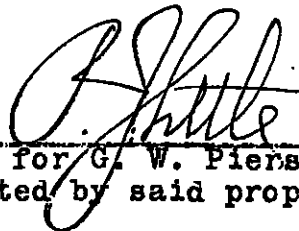
No. 6- The petition for appointment of viewers and report of viewers both state that on of the termini of the road laid out is at "a point at or near Conrad's Grist Mill" and, therefore, too indefinite.

No.7--The report of the viewers and the draft attached thereto, disclose that the viewers did not have respect for the shortest distance.

No. 8-- The draft attached to the report is misleading and defective, otherwise the viewers first vacated and then adopted a portion of the old road, and re-laid a road over a public road long since laid out.

No.9--The report of the viewers fails to disclose that the viewers were sworn according to law.

No. 10--A bond to indemnify the County of Cambria for the expenses and costs of the view was not filed with the petition for the appointment of viewers, as required by the Act of April 4th, 1907.



Att'y for G. W. Pierson, a landowner
affected by said proposed road.

In the Court of Quarter Sessions
#6 March Session 1907.
Road socket.

Exceptions to report of
viewers for road in
Dean Township.

Filed 2 September, 1907,

Little.

PETITION FOR A REVIEW OF A PUBLIC ROAD RECENTLY LAID
OUT IN DEAN TOWNSHIP, CAMBRIA COUNTY, TO NO. 6, MARCH
SESSIONS, 1907.

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TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF THE COURT OF
QUARTER SESSIONS OF CAMBRIA COUNTY:-

The petition of the undersigned, inhabitants of the Township
of Dean, in said County, respectfully sheweth:

That a petition was presented to your Honorable Court praying
that viewers be appointed to vacate and supply a road in Dean Township
beginning at a point at Joseph Rometto's stable on the public road lead-
ing from Dysart to Dean, and extending thence to a point at or near Con-
rad's Grist Mill, on the road leading from Dysart to Ashville, and an ord-
er to view was granted to No. 6, March Sessions, 1907, and a favorable re-
port was made by the viewers so appointed.

That a great portion of the road so vacated extends through
the Village of Dysart, and practically all the residences in said Vil-
lage, including the stores, post-office and other places of business, are
located along that portion of the road so vacated, while that part of the
proposed road supplied through the Village of Dysart passes by but three
houses.

That great and irreparable loss would result to the property
owners along the part of the road proposed to be vacated, if the same
were vacated, and great loss and injury would follow, if your Honorable
Court confirm said report, and the road as laid out now be vacated.

Your petitioners, therefore, pray your Honorable Court to ap-
point proper persons to re-view the said road and parts adjacent, and
make report to the Court, according to law.

And they will ever pray, etc.

~~Geo. W. Pierson~~

~~Romanus Lynch~~

~~Joe ^{his} ~~X~~ Remetto. J. W. Pierson ^{Witness}~~

~~J. H. Mills~~

~~John ^{his} ~~X~~ Paretto. J. W. Pierson. ^{Witness}~~

~~Lomenio ^{his} ~~X~~ Concel. J. W. Pierson. ^{Witness}~~

~~Daniel Cummings~~

~~A. B. Condron~~

~~J. B. Condron~~

~~W. B. Condron~~

~~per A. B. Condron for
Condron & Co.~~

~~Mr. W. L. Balch~~

~~W. B. Condron~~

~~L. B. Condron~~

~~A. L. Linger~~

~~O. P. Caswell~~

~~Geo. Cole~~

~~David Post~~

~~Raymond Caswell~~

~~David Holbe~~

~~G. D. Greg~~

~~M. R. McDonald~~

~~A. J. Thompson~~

~~Frank McKinnon~~

~~Gertrude Cella~~

~~Wm. Cella~~

~~Valentina Ottina ^(now Mrs. Wells)~~

~~Frank. Gates~~

~~L. C. Norton~~

~~M. E. Holcomb~~

~~Philip Haple~~

~~John J. Smith~~

~~William ^{his} ~~X~~ Dickson ^{Frank ^{Witness}}~~

~~M. G. Collins~~

~~Frank Lauer~~

~~R. E. Peterson~~

~~Charles ^{his} ~~X~~ ^{Witness} ^{3. Lynch}~~

~~J. W. Davis~~

~~James Shertoz~~

~~Wm. H. Hughes~~

~~A. Dougherty~~

~~Jacob Males~~

Benj 27 Brainerd

Lauby Brainerd

Wm Brainerd

John Russell

Albert Thompson

Edward Stertzog

W. H. Byrne

Phil^{his} Dowers Witness his mark

Joseph Carl

W. G. Snyder

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

Wm. H. Brainerd

STATE OF PENNSYLVANIA:
COUNTY OF CAMBRIA : SS.

On this 31st day of August, 1907, before me the subscriber,
a Justice of the Peace, in and for said
County and State, personally came George W. Pierson, who being duly sworn
according to law doth depose and say that the facts set forth in the
foregoing petition are true and correct to the best of his knowledge and
belief.

Witness my hand and official seal the day and year aforesaid.

J. J. Rhoades, Jr. (Seal)
BY COMMISSIONER OF THE STATE
(My Commission expires)

(Seal)

In the Court of Quarter Sessions
6 March Session 1907
Road Docket.

Petition for the appointment
of a viewers for
road in Dean Stile.

April 6, 1907, Robert Fitzgerald
Augustine DeLo of free
will James Campbell
are appointed viewers

By the Court

Filed 6 September 1907.

Little.

BOND.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned residents of Dean Township, Cambria County, Pennsylvania, are held and firmly bound unto the County of Cambria, in the State of Pennsylvania, in the sum of Fifty Dollars, lawful money of the United States, to be paid to the said County of Cambria, or its certain attorney or assigns; to which payment well and truly to be made, we do bind ourselves, our heirs, executors, and administrators and every of them, firmly by these presents; sealed with our seals and dated this 29th day of August, 1907.

The condition of this obligation is such that if the above bouden residents of Dean Township, in said County and State, or their heirs, executors, administrators or any of them, shall and do well and truly pay or cause to be paid unto the said County of Cambria, its certain attorney or assigns, the costs and expenses connected with the review to vacate and supply a road in Dean Township, Cambria County, Pennsylvania, a petition to vacate and supply the said road being filed to No. 6, March Sessions, 1907, without fraud or further delay, then this obligation to be void and of non-effect, or else to be and remain in full force and virtue.

Signed, sealed and delivered
in the presence of

William J. Dill as to Geo. W. Pierson

Geo. W. Pierson as to J. B. Carson

Harvard Lynch

James Hertog as to Harvard Lynch

James Hertog as to James Hertog

Geo. W. Pierson as to F. D. Gieg

Geo. W. Pierson (SEAL)

A. B. Londron (SEAL)

Harvard Lynch (SEAL)

James Hertog (SEAL)

James Hertog (SEAL)

F. D. Gieg (SEAL)

In the Court of Quarter Sessions
6 March Session, 1907.
Road Docket

Bond with Petition
for Re-View for
Road in Dean Trh.

Filed 6 September, 1907.

Little

To the Honorable Francis

J. O'Connor, President

Judge of the Court of Quarter

Sessions of Cambria County;

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

That they labor under great inconvenience by reason of the narrowness of a certain portion of a certain public road; in said Township, the same being but sixteen feet wide, and not capable of being widened, because of the location of buildings and the railroad, in and through the village of Dysart, being part of a certain road laid out, in 1837, at No. 1 March Sessions, 1837, and since duly opened, which portion of said road, with possibly some greater length than more narrow portion as aforesaid, they desire vacated, and another laid out to supply the same, as hereinafter more particularly described.

Your petitioners pray that the public road from a point at Joseph Racette's stable, on the public road leading from Dysart to Dean, to a point at or near Gaurat's Grist Mill, on the public road leading from Dysart to Ashville, all in the said Township of Dean, should be vacated, on account of its being too

narrow, and because it is so located that it cannot be widened or improved, on account the railroad and buildings, as aforesaid, and that a new road to supply the same, from the same point to the same point, be laid out according to law, so as to remove the aforesaid burden and inconvenience by reason of the present location of the said road. Wherefore your petitioners pray the court to appoint three persons, qualified according to law, for the purpose of vacating and supplying the aforesaid road, and to make report of their proceedings, according to law, at the next sessions of your Honorable Court,

And they will ever pray, &c.

Names

J. E. Reed

H. R. Batto

Geo. H. Brown

John C. Cook

W. M. Dwyer

John Russell

David W. Mungling

James C. Campbell

Geo. H. Brown

Benjamin B. Brown

A. J. Thompson

Names

J. H. Miller

E. A. Thompson

John Conway

Peter C. Brown

Frank A. Lauer

Therry Lauer

C. J. Lauer

Geo. V. Loe

Ab. H. Byrne

R. E. Peterson

Philip Byrnes

To Supervisors of
Dean Township:

You are hereby notified that application
will be made, on April 23rd, 1887, to the Court of Quarter
Sessions of Cambria County, for appointment of viewers to
view and supply a public road, in Dean Township, from
Joseph Rouettes' stable to Bourd's Grist Mill, to get
a better and wider road between those
points, and that said application will be made
at the Court House, Ebensburg, at ten o'clock in
the forenoon of said day.

April 18th, 1887.

Harvey Roland,
Att'y. for petitioners.

Received, April 20th, 1887, written notice,
of which above is a true copy.

Witness our hands the day of aforesaid

H. B. Thompson

E. H. Curfman

1887

Supervisors of Dean
Township



E. Talunyan
 Edward L. Lippert
 D. M. Gosh

S. S. Brecken
 M. G. Collins

Mr Hildebrand

David Smith
 Thos Brenner
 John Martin
 Wm. Bella

James W. Woot
 John L. Swires
 John L. Swires
 Charles Conrad
 Walter Conrad

Sanilua County, S.D.

E. H. Karfman, being duly sworn
 according to law, says that the
 facts set forth in the foregoing
 petition are true and correct, as
 he readily believes.

Sworn and subscribed
 before me this 20th day
 of April, A.D. 1907.
 Michael G. Collins
 Justice of the Peace.

E. H. Karfman

Nov 6 March Session, 1887. R.D.

Petition

of
Inhabitants of Dean
Township for Appointment
of Viewers to locate and
Supply Public Road
from Joseph Ramester's
Stable to Courser's Grist
Mill, in Dean Township.

Filed 23 April, 1907.

Reland.

And now, April 23rd, 1887, the within
petition read, and J. L. Elder, Frank
Kapp and John Finerty are appointed
viewers for the purposes therein
prayed for and mentioned.

By the Court,