

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 Carroll, in said County, respectfully represents:

That a petition was lately presented to your Honorable Court to Number 4, June Sessions, 1909, Road Docket, praying the Court to appoint viewers to vacate a certain public road leading from barn of James Cunningham on Township road from Hart's Sleeping Place, at Luther and Indiana County road, to land of John Barnicle and James Cunningham, at public road from Carrolltown to Elder's Mill, who, after appointment on the prayer of said petition, have reported in favor of the vacation of said road.

Your petitioners further represent that the said road is not useless, inconvenient, and burdensome, but that the same is absolutely necessary for the accommodation of the public, and therefore, pray the Court to appoint three persons, properly qualified, to review the said ground and road, and to make report of their proceedings to the Court, according to law.

And they will ever pray, &c.

J. B. Weckler	James P. Kirkpatrick
Joseph Farabaugh	George B. Boring
Michael Dishart	Francis Illig
W. J. Linner	Joseph Boring
W. C. H. H. H.	Michael Boring
Wm. A. Gray	Raymond J. Hoover
Albert J. Linn	John B. Boring
F. A. Linn	W. M. Boring
Wm. C. Linn	J. P. Linn
A. J. Kirkpatrick	Joseph P. Linn
E. L. Strickman	Otto C. Linn
	J. S. Strickman

C. D. Brawley

Andrew Stettin

L. P. Beare

P. Hartenough

J. G. M. Multy

J. W. Laflou

Lawrence Beemer

W. Robert Pesser

A. A. Binner

J. L. Kirkpatrick

William Snyder

Albert Baslet

John S. Springer

J. S. Lange

J. B. Baker

J. B. Baker

J. F. Thomas

P. H. Starn

F. O. Luther

For An Huber

Boniface Stettinmutter

Thomas H. Huber

Simon D. Miller

W. H. Leslie

Simon P. Gray

John F. Miller

Charles Gackle

Joseph T. Johnson

S. D. Johnson

A. Farahangt

James A. Miller

P. J. Spittler

B. J. Snyce

W. W. Channingham

Joseph Samuelson

W. Hertzog

Henry

John L. Miller

monk

L. J. Sawitzler

Edwin Switzler

Thos J. Switzler

Jos. Leitz

Jahr Leitz

Raphael Leitz

Joseph L. Leitz

Thomas Laughlin

John B. Paul

S. W. Himmel

Pius Biller

John H. Hershel

James P. Hott

H. J. Buck

Geo. G. Buck

Cochran Moll

D. A. Buck

J. H. Lerner

Thomas Kane

Thomas Springer

John Link

R. G. M. Multy

W D Apple  
 W H Luther  
 W J Quinn  
 John C. Yather  
 John J. Quinn  
 Peter A. Karlsson  
 Edward Springer  
 Vincent Albrecht  
 Ambrose Gray  
 Frank Quinn  
 P. J. Kippelick  
 John J. Quinn  
 Alex. Statterman 74  
 John J. Breakland  
 Wm J. Bearer  
 Geo. Goss  
 Howard Burley  
 Geo. J. Trexler  
 G. Hoover  
 Albert Taylor  
 Charles H. Harn  
 John Trexler

A M Holt  
 John J. Quinn  
 B. M. Luther  
 John Bear  
 John A. T. Abong  
 Leo Fairbairn  
 J. M. Hulver  
 A. Lipke  
 John E. Pinkney  
 J. W. Burley  
 C. M. Meisel  
 A. A. Bear

Cambria County, SS:

John W. Burley, one of the petitioners above named,  
being duly sworn according to law, says that the facts and mat-  
ters set forth in the foregoing petition are true and correct.

Sworn and subscribed before me  
this 4 day of Dec, 1909.

Geo Boone JP

Justice of the Peace.

My commission expires

MY COMMISSION EXPIRES FIRST  
MONDAY IN MAY, 1914.

John W. Burley

D E C R E E.

And now, December 6th, 1909, the within peti-  
tion read and J. L. Elder, L. J. Bearden, and  
W. J. Barney, are appointed reviewers as  
prayed for in said petition.

W. J. Barney

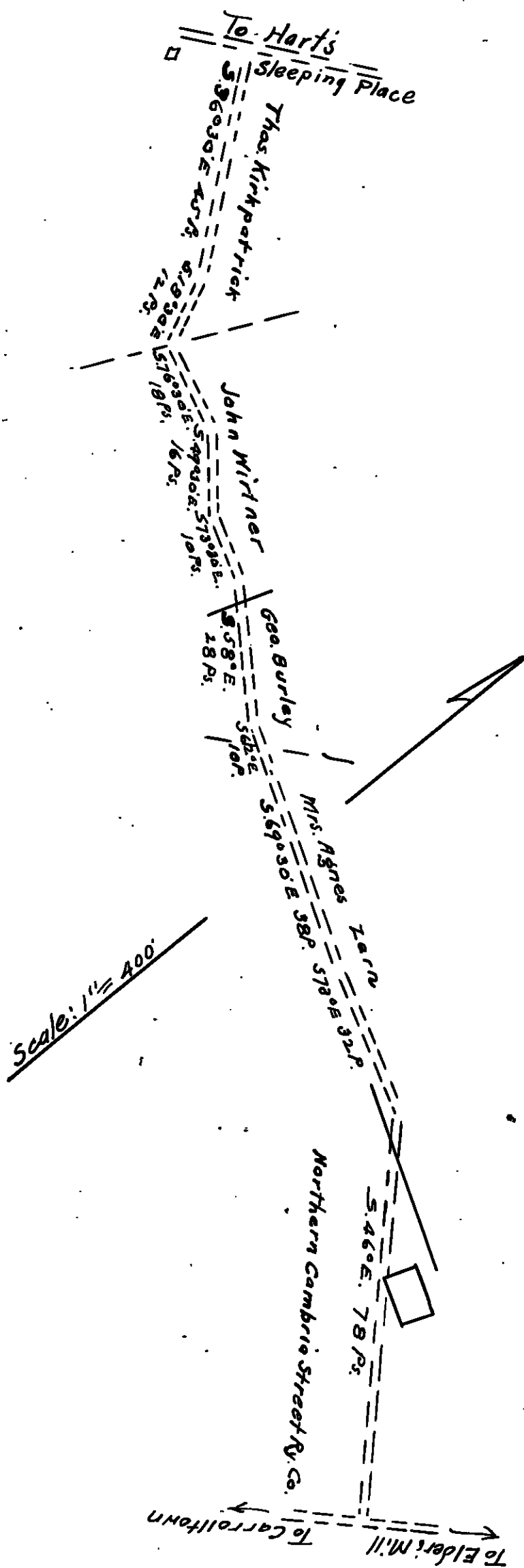
P E T I T I O N

of

Inhabitants of Carroll Township,  
for Appointment of Reviewers of  
Road from Hart's Sleeping Place  
to Land of John Barnicle and  
James Cunningham.

*Filed 6 December, 1909,*

*Roland,*



To the Honorable Francis J. O'Connor, President Judge  
of the Court of Quarter Sessions of Cambria County, Pa.  
We, the undersigned persons appointed by the within  
order of Court to review the road therein mentioned  
respectfully report. That all the viewers  
appointed by said order were present at the view, and  
having been first severally sworn or affirmed, and  
having given due public notice as required by law.  
In pursuance of said order we have reviewed the  
said road, and are of the opinion that the same  
has not become useless, inconvenient and burdensome  
and that there is no cause for vacating the same  
We therefore report against vacating the following  
described road, Beginning on township road leading  
to Hart's Sleeping Place thence South thirty six degrees, thirty  
minutes East forty five perches, thence South eighteen degrees,  
thirty minutes East twelve perches, thence South Seventy six degrees  
thirty minutes East eighteen perches, thence South forty nine  
degrees thirty minutes East sixteen perches, thence South seventy  
three degrees, thirty minutes East ten perches, thence South fifty  
eight degrees East twenty eight perches, thence South sixty two  
degrees East ten perches, thence South sixty nine degrees thirty  
minutes East thirty eight perches, thence South seventy three degrees  
East thirty two perches, thence South forty six degrees East  
seventy eight perches, to the public road leading from  
Carrolltown to Elders mill. said road passes  
through lands of Thomas Kirkpatrick, John Hirtner  
George Burley, Mrs. Agnes Gern and  
Northern Cambria Street Railway Co.

A plot or draft is hereto attached, and  
made part of this report.

Witness our hands this twenty fourth day  
of February 1910,

J. L. Elder  
L. J. Bearer  
W. J. Carney

J. L. Elder 2 days	10.00
mileage	1.20
Order	.40
L. J. Bearer 1 day	3.00
mileage	.50
W. J. Carney 1 day	3.00
mileage	.10



Commonwealth of Pennsylvania, }  
County of Cambria. } as

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the.... 6<sup>th</sup>..... day of... December..... A. D. 1909, , 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 labor under inconvenience for want of a..... road or highway, to lead from a petition was lately presented to your Honorable Court for Number 4, June Sessions, 1909, Road Docket, praying the Court to appoint..... persons to vacate a certain public road leading from farm of James Birmingham on Township road from Hart's Helping Place, at Luther and Indiana County road, to land of John Barnick and James Birmingham, at public road from Carrolltown to Elder's Mill, who, after appointment on the prayer of said petition, have reported in favor of the vacation of said road. Your petitioners further represent that the said road is not useless, inconvenient, and burdensome, but that the same is absolutely necessary for the accommodation of the public, and therefore pray the Court to appoint three persons, properly qualified to view the said ground and road, and to make report of their proceedings to the Court, according to law.

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. Elder..... surveyor, and.....  
E. J. Beaver and W. J. Barney.....

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:

J. S. Kirkhead....., 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. 4, June SESSION, 1909

Order to view road

Danville Township

Filed 7 March 1910

Open Court

Viewers.

G. S. Elden

G. J. Braun

M. J. Barney

By J. H. E.

90 ds.

Clerk

Kimhead

Poland

REXELING MOUNTAIN-HEAD ELECTRIC PRINT.

March 7, 1910, Approved and breadth fixed at thirty feet,  
 now Jan'y 24<sup>th</sup> 1912 upon argument  
 and due consideration the report of  
 reviewers is confirmed.  
 By Peter Cant

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

The petition of the undersigned, qualified electors and free-  
holders, citizens of Carroll township, Cambria county, respectfully  
represents:

That the Township road leading from barn of James Cunningham  
on Township road from Hart's Sleeping Place at Luther and Indiana  
County road to land of John Barnicle and James Cunningham at public  
road leading from Carrolltown to Elder's Mill, which was laid out of  
a width of thirty feet, in 1873, Road Docket Vol. 3, Page 200, has  
become useless, inconvenient, and burdensome; therefore the undersigned  
pray the court to appoint viewers to vacate said road in accordance  
~~with the acts of assembly in such case made and provided.~~

Thomas T. Kirkpatrick

Simon Link

Jas. McFarland

Thomas E. Harwood

Henry A. Miller

Paul

G. H. Barker

Ambrase Pfister

~~Mr Tom Harwood~~

Dear Sir Will you please  
put our names down as  
that of patrons and oblige  
Jacob G. Kirkpatrick and  
James P. Kirkpatrick.

E P Bander

J no B. Reed

W P J. J. J.

E P Reed

Christen D. Nord

C. T. Williams Jr.

Patrick Hagan

W. J. McCombie

A. J. McCombie

Frank Dietrich

J. L. McNeil's

Cambria County, ss:

W. A. Deuling being duly sworn according to law deposes and says that the facts set forth in the foregoing petition are correct and true to the best of his knowledge, information and belief.

Sworn and subscribed this

9th day of Feb., 1909.

James Mellon  
J.P.

W. A. Deuling

E. P. Bendish  
near water works  
Cambridge

C. A. Schmitt

Vincent Reig

*[Faint, illegible handwritten notes]*

*[Faint, illegible handwritten notes]*

RECEIVED  
JAN 10 1900  
THE COLLEGE OF THE CITY OF NEW YORK  
LIBRARY  
JAN 10 1900

No. 4 June 18, 1909

Filed 18 June 1909,

June 18, 1909, this pe-  
tion presented con-  
sidered and N. J. Hui-  
terlighter, James  
Mellon and H. J. Eckhardt  
are appointed viewers  
By the Court

P. J. LITTLE,  
ATTORNEY AT LAW  
EBENSBURG, PA.

Baltimore Office Supply Co., Balto., Md.



TO THE HONORABLE JUDGE OF THE COURT OF CAMBRIA  
COUNTY, STATE OF PENNSYLVANIA:-

We, the undersigned, appointed by the annexed order, do report that in pursuance thereof, after having been severally duly sworn, all the viewers appointed by the said order, viewed the ground of the within mentioned road; <sup>that said road is inconvenient and burdensome and that</sup> and the undersigned do agree that there is no occasion for the said road, and therefore this same said road should be vacated.

We further agree, that said road to be vacated and described as follows, should be returned to owners of lands:-

Beginning at a point at public road from Hart's Sleeping Place at Luther and Indiana County Road, at the barn of Thomas Kirkpatrick, formerly James Cunningham, thence through the lands of Thomas Kirkpatrick South 36°- 30' East 45 perches, thence South 18°- 30' East 12 perches, thence through the lands of John Wirtner South 76°- 30' East 18 perches, thence South 49°- 30' East 16 perches, thence South 73°- 30' East 10 perches, thence South 58°- 00' East 8 perches more or less to a point on the Cambria County Railroad; thence through the lands of George Burley South 58°- 00' East 20 perches, thence South 62°- 00' East 6 perches more or less; thence through the lands of Agnes Zern South 62°- 00' East 4 perches more or less, thence South 69°- 30' East 38 perches, thence South 73°- 00' East 32 perches, thence South 46°- 00' East 10 perches more or less; thence through the lands of the Northern Cambria Street Railway Company, formerly Mrs. Agnes Zern, South 46°- 00' East 68 perches to a point at public road leading from Carrolltown to "Elder's Mill".

The undersigned further report that before the said view, public notice of the time and place of meeting of viewers was given by notices posted along the line of said road ten (10) days before the meeting of the viewers; that printed notices were given to the Supervisors of the Township,

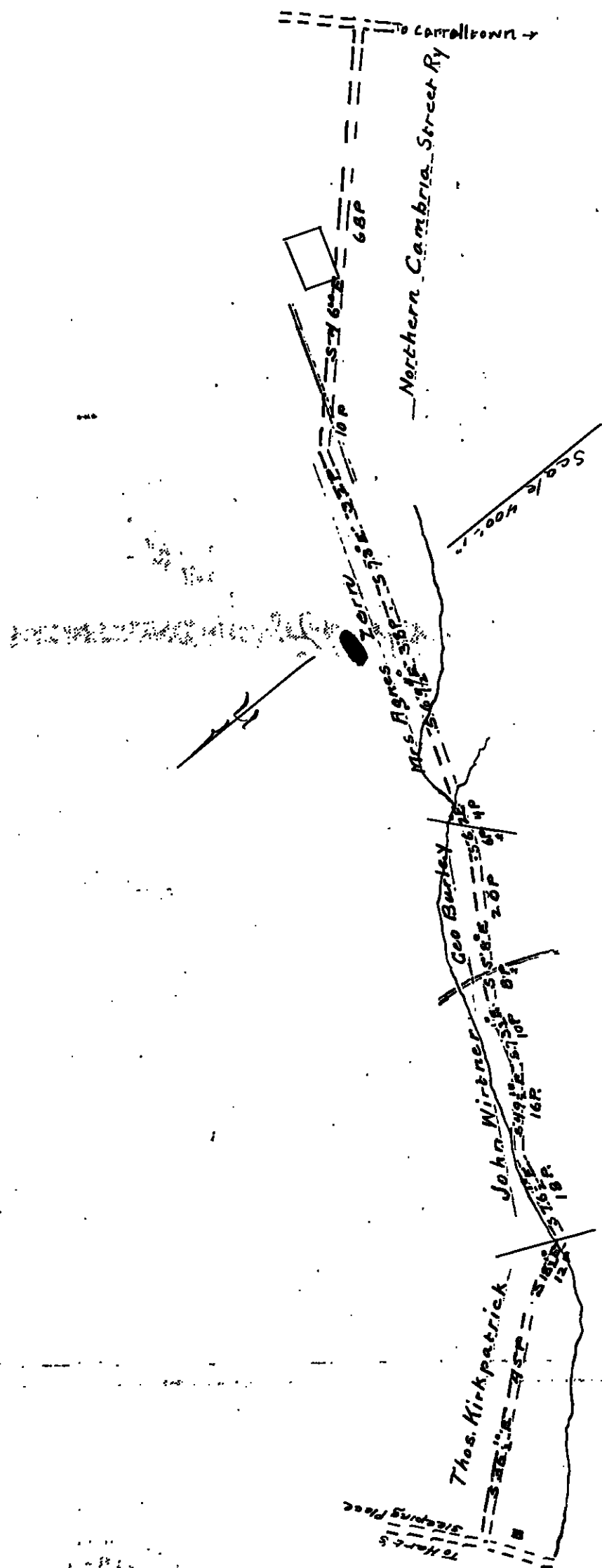
Witness our hands and seal  
this 30th day of July, 1909.

H. J. Hintelstein (Seal)

James Mellon

H. J. Eckersode  
Viewers.

H. J. Hintelstein 2 days 43 miles  
Geo. Zern  
H. J. Eckersode



# ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view the ground <sup>to make a road leading</sup> ~~for a proposed road to lead~~ from barn of James Cunningham on Township road from Hart's Sleeping Place at Luther and Indiana County road to land of John Barnicle and James Cunningham at public road leading from Carrolltown to Elder's Mill, which was laid out of a width of thirty feet, in 1873, Road Docket to Vol. 3, Page 200/

will meet at Sunset Park in the Township of Carroll aforesaid, on the 30<sup>th</sup> day of July, 1909, at Two o'clock Morning for the purpose of performing the duties of their appointment.

July 15<sup>th</sup> 1909

H. J. Hittlighter  
Geo. Mellon  
H. J. Eckenrode

Viewers.

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 Eighteenth day of June A. D. 1909, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Barre,

~~in the said County, setting forth that they labor under inconvenience for want of a~~ road or highway, to lead from the Township road leading from farm of James Birmingham on Township road from Hart's Sleeping Place at Luther and Indiana County road to land of John Barwick and James Birmingham at public road leading from Barre town to Elder's Mill, which was laid out of a width of thirty feet, in 1873, Road Docket Vol. 3, Page 200, has become useless, inconvenient, and dangerous; therefore the undersigned pray the court to appoint viewers to locate said road in accordance with the acts of assembly in such case made and provided.

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 H. J. Hinterlightner surveyor, and

James Mellon and H. J. Eckenrode

viewers, to <sup>vacation</sup> view the ground proposed for said road, and if they <sup>vacate</sup> view the same, and shall agree that there is <sup>no</sup> 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:

J. S. Kinshead, 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."

18

NO. 11, JANUARY SESSION, 1909.

Order to view and locate road in Harrell Township.

Filed 6 September, 1909, in open Court.

Viewers.

H. J. Waterlightment  
James Mellon  
J. J. Edwards

Clerk Kirkhead 90' cts.  
Atty. gen. S. M. H.

REPRODUCED BY THE NEW YORK PUBLIC LIBRARY

*[Signature]*

Sept. 6, 1909, Approved,

*[Signature]*

# Know all Men by these Presents,

THAT we John W. Burley and A. J. Bearer  
and George Burley, are held and firmly bound  
unto the County of Cambria, ~~its heirs, executors,~~  
~~administrators~~, or assigns, in the sum of Fifty




Dollars, lawful money, for the payment of which  
sum, well and truly to be made, we do bind ourselves, our and each of our heirs,  
executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 6th day of December,  
A. D. One Thousand Nine Hundred and Nine

## THE CONDITION OF THIS OBLIGATION IS SUCH,

That if the petitioners for review  
of a public road, at No. 4 June  
Sessions, 1909, in the Court of Quar-  
ter Sessions of Cambria County,  
shall <sup>and</sup> do pay the costs <sup>and</sup> fees  
of the reviewers as the Court  
may direct, then this ob-  
ligation to be void, other-  
wise to be <sup>and</sup> remain  
in full force and vir-  
tue.

In presence of

<u>Wm. Bearer</u>	}	<u>J. W. Burley</u>	
<u>Frank Dietz</u>		<u>A. J. Bearer</u>	
		<u>George Burley</u>	

No. 4 June Session, 1908,  
Road Book.

Bond

Petitioners  
for Review

TO

Cambria County.

Filed 6 Decemr. 1909.

Now, Dec. 6th, 1909,  
within bond  
approved.

By the Court

Roland.