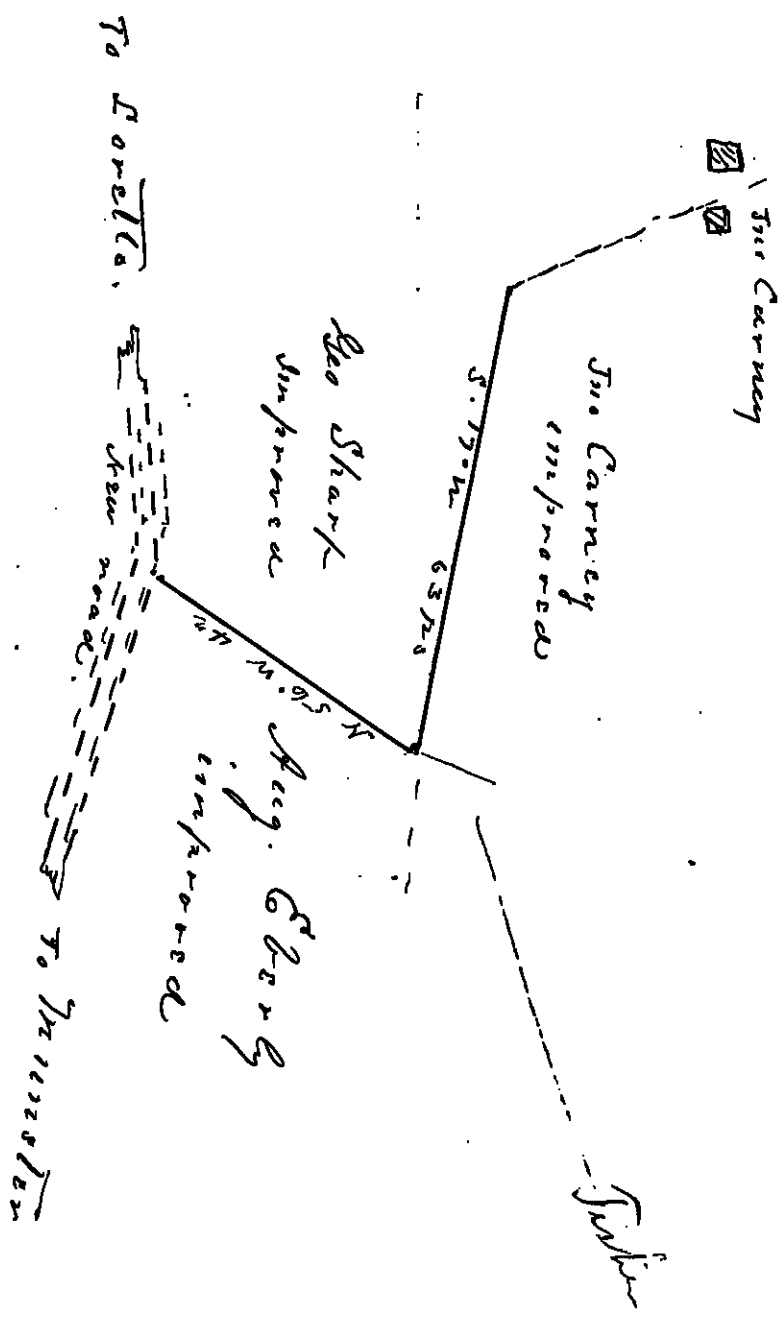


To The Honorable The Judge of
The Court of Quarter Sessions
of the Peace in and for the County
of Cambria.

We the brewers appointed by your
Honor in the annexed order of
Court - Do Report: That first
having given notice of the time
and place of meeting according
to law - We met at appointed
time and place and having
been sworn proceeded to perform
the duties of our appointment
Starting at a point on line of John
Camey & Geo Sharp at or near line of
Allegheny & Munster Townships, and running
S. 77° W on line of Barney & Sharp 63
ps. Thence N 56° W on line of Eberly
& Sharp 42 ps to new road leading
from Munster to Loretto - Believing this
road necessary as a private ^{road}, as the pe-
titioners have no other outlet - And the
road being already open there is no
damage to private property - We therefore
recommend leaving same, as laid out
for a private road. Witness our hands
this 26th day of August 1889 J. A. Shuman

John Daugherty
W. A. B. Little

Witness



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

At a Court of Quarter Sessions of the Peace of the County of Cambria
held at Clearburg in the the said County, on the 3 day of
June A. D. 1887, before the Honorable the Judges of the same
Court. Upon the petition of divers inhabitants of the township of Allegheny
in the said County, setting forth that they labor under inconvenience for want of a
private road or highway, to lead from
point on corner of land of John Carney and
ending on road on land of Augustine
Cherly

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. A. Shomaker SURVEYOR,
and John Dougherty & W. A. B. Little

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~~ 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. A. Shomaker,
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. 2
June Term 1859

Order to view a road to lead
from the corner of
land of John Carney
and leading in new
road on land of
Augustine O'Leary

Viewers
J. P. Hammond
John W. Long
Wm. D. Bittel

Filed Sep 18 59
Exception

John W. Carney
90

M. Donald

Now Oct 11 1859 Road was confirmed and
order to be opened 20 feet wide By the Court

To the Hon. R. L. Johnston Judge of the Court
of Quarter Sessions of the County of Cambria

The petition of the undersigned respectfully sheweth: -
That a private road has lately been laid out over the
lands of your petitioners by order of the Court, on the
petition of Pius Branner and others: Beginning at a point
on line of John Barney and George Sharp at or near line
of Allegheny Township, and Muncaster Township in said County
and running S. 17 W. on line of Barney and Sharp 63 perches
thence N. 56 W. on line of Eberly and Sharp 42 per. to new
road leading from Muncaster to Tonetto, and passing this whole
distance through the improved lands of your petitioners.

Your petitioners therefore, pray Your Honor to appoint
three proper persons, to re-view the said road; and to
re-view the damages sustained by your petitioners for their
improved lands aforesaid taken up for the use of said road
and the expenses of fencing, and keeping the same in repair along
the line of the same; and to settle and ascertain the proportions
to be paid to them by the several persons for whose use the same is
laid out.

And they will your pray &c.

George H. Sharp

George H. Sharp

No. 2 June Sessions 1889

Petition for re-view of
Private Road in Allegheny
and Hunster Townships,
filed to No. 2 June Sessions
1889. -

And now: Dec. 2, 1889

Henry Scamman Esq.

Francis Steel Sen.

Peter Willibrant appointed

viewers. By the Court

Filed Dec. 1889

Read.

Peter Willibrant.

Francis Steel Sen

Henry Scamman Esq.

To the Hon. Robert S. Johnston President Judge of the
Court of Quarter Sessions of the Peace of the County of Cambria.

The petition of the subscribers residents of Allegheny Supp.
respectfully sheweth. That a public road was lately
laid out by order of the Court from the road leading
from Loritto to Kaylors Station commencing at land of
St Francis College and leading past land of Joseph A.
Cross George Sharp and others to point on land of Augustin
Eberly to supply a road leading from land of George
Eberly on line of Loritto and Crawford road to land of
Augustin Eberly where the new road laid out connects.
Now your petitioners respectively represent that by
vacating the road leading past the farm of John
Carney will cause the said John Carney a great
inconvenience in getting from his farm to the new
road and as the old road to be vacated runs
through the farm of the said John Carney. Your petitioners
therefore pray your Honor to appoint disinterested
persons to view said road commencing at corner
of land of the said John Carney and running along
~~said vacated road~~ to intersect land of Augustin Eberly.
~~Said road~~ ~~at the~~ new road on land of the said Augustin
Eberly and have the same remain as a private road
for the use of the said John Carney. And your petitioners
will ever pray.

Thomas Gallan
Joseph L. Conner
James D. Taylor
John E. ...
Elizabeth Maury

Peter ...
James W. Daily

J. H. McLaughlin
Peter ...
Thomas ...
John S. McBoyle
A. W. ...
Aug Smeltzer

No 2 June Sess 1889

Rel. to an order to
Quit & Private Roads
for John Carney.

Filed 3 Jun 1889.

And now, June 3, 1889

J. N. Shoemaker, John
Dougherty and
W. A. B. Little appointed.

By the Court

McDonald.

In the Quarter Sessions of Cambria County.
No. 2 June Sessions 1889

Ex captions to the report of viewers laying out a private road, in the Townships of Allegheny and Mounster, filed to the above No. and Term.

- 1st The proceedings are erroneous and void for the want of notice to the owners of improved land through which the same are laid out.
2. That the proceedings are erroneous because the viewers report that no damages are sustained; yet it appears that the road is laid out through cleared land, requiring fencing, and keeping of the same in repair.
3. That the petition is signed by citizens of said Townships having no interest in the land, nor occasion to use the same.
4. That John Carney did not sign, nor petition for the said private road; and is not entitled to the same.
5. That the said proceedings are erroneous, because, they lay the said road, out through improved land, requiring the making and maintaining fences along the line of the same, and failed and refused to report and find fair amount of damages to the persons injured.

Geo. M. Reade
Atty. for George Sharp
and George H. Sharp.

No. 2 June Session 1889

Exceptions to the
report of receivers laying
out a private road
over lands of George N.
Sharp in Allegheny and
Monster Townships

Filed 21st Dec 1889

Reade.

To the Honorable R. S. Johnston President
Judge of a Court of Quarter Sessions and for the
Peace in and for the County of Cambria at March
Term A.D. 1870

We the undersigned Receivers appointed by
the aforesaid Order of Court do report that we had
three Notices of time and place of the meeting of the
receivers posted in three public places adjacent to
the road to be reviewed in the Townships of Alleghany
and Munster And having met at time and place
designated by said Notices and after being first sworn
according to law we proceeded to the duties of our app-
ointment and did review said Private Road beg-
inning at a Point on line of land of John Barney
and George Sharp in deserted road from Munster to
Loretto near where line of Alleghany and Munster Town-
ships crosses said deserted road thence by line of land of
George Sharp and John Barney thence by said line
South Seventeen degrees west Sixty three perches to Post
thence by said of Hirs of Francis Eberly and George Sharp
North fifty six degrees west Twenty Eight perches to a
point in New road laid out and opened from Munster
to Loretto all of said reviewed road being in Munster
Township which said road as reviewed is in our opinion
necessary to accommodate John Barney as a way to get to
and from his farm aforesaid herunto find release
of damages as to Mrs Mary Eberly for land occupied
by said road and we further assess a damage

Show all men by these presents that we
Mary Eberly

of the Northern Township in County of Cambria
State of Pennsylvania for divers good causes and con-
sideration and especially for the convenience of the
advantages to be derived by me from the road
passing through our land as located this day
in pursuance of the aforesaid order of Court of
Quarter Sessions of Cambria County have received
released and quit claim and by these presents do
arrise release and quit claim unto John
Harvey

~~Commissioners of Cambria County and their
Successors in Office~~ all damages which may
or can accrue to us for or by reason of the loca-
tion or construction of said road

Witness our hands and seals this 28th day of January
A.D. 1879

Broken and delivered in presence of

Mary Eberly

Seal

Seal

Seal

Seal

Seal

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

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Cheshburg in the the said County, on the second day of December A. D. 1889, before the Honorable the Judges of the same Court: Upon the petition of divers inhabitants of the township of _____ in the said County, setting forth that they labor under inconvenience for want of a ~~private~~ road ~~and has lately been laid~~ road or highway, to lead from ~~east over the lands of your petitioners by order of the Court, on the petition of Peter Kramer and others. Beginning at a point on line of John Carney and George Sharp et al corner line of Allegheny Township and Muncie Township in said County~~ beginning at a point on line of Carney and Sharp 63 perches thence N. 56 W. on line of Cheryl & Sharp 42 perches to new road leading from Muncie to Lantz and passing thro' whole distance thro' the improved lands of your petitioners. Your petitioners thus ~~for your Honor to appoint three proper persons, to re-view the said road; and to re-assess the damages sustained by your petitioners for their improved lands as said taken up for the use of the said road and the expenses of surveying and keeping the same in repair along the line of the same and~~ settle and ascertain the proportions to be paid to them by the several persons for whose use the same is laid out ~~and~~

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 Henry Scoulan SURVEYOR, and Francis Steel Sr. & Peter Millebant

Re- VIEWERS, to re-view the ground proposed for said road, and if they re-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:

Al Shuman
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. *2*
June Term 1890
R. D.

Order to view a road (private)
 between corners of land of
 John Lemmy and instant
 near road on land of August
 W. Eberly.

Viewers:
 Henry Seaborn
 James Stet
 Peter Willenbach
 Wm. A. Hoops, published
 for Peter Willenbach
 dated June 6, 1890.

Filed 20 July 1890.

Clk Chamberlain .90
 P. D. 4 9. 1890

Approved Apr 1890. Road and confirmed in and Road order to be opened to
 feet. Indis.
 By the Court