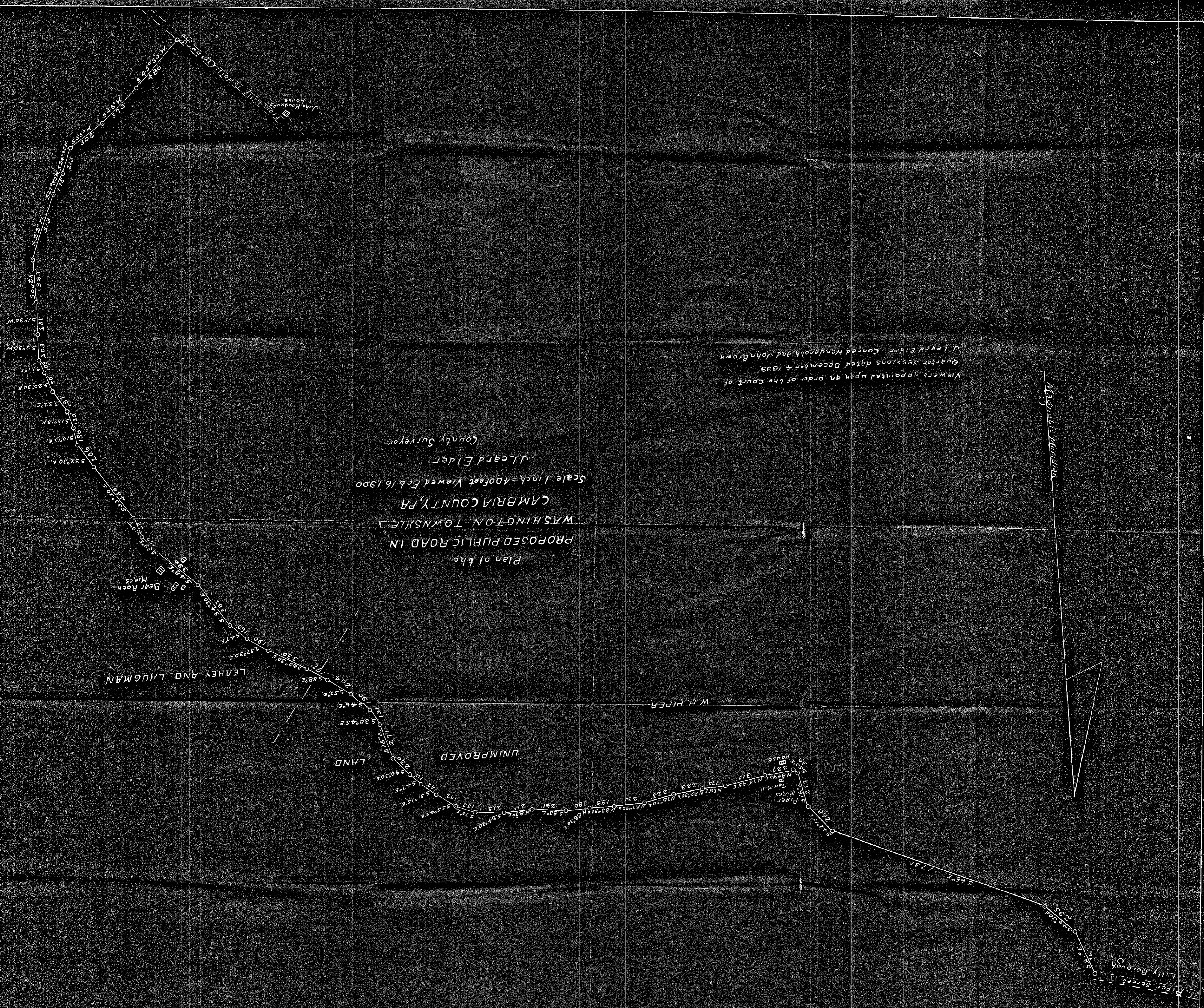


Plan of the
 PROPOSED PUBLIC ROAD IN
 WASHINGTON TOWNSHIP,
 CAMBRIA COUNTY, PA.
 J. Leard Elder
 County Surveyor

Scale: 1 inch = 400 feet Viewed Feb. 16, 1900

Viewers appointed upon order of the Court of
 Quarter Sessions dated December 4, 1899
 J. Leard Elder, Conrad Wenderoth and John Brown.

Magnetic Meridian



R. D. #3. Dec. 1895
Not Microfilmed

In the Court of Quarter Sessions of Cambria County.

In the matter of a Public Road In Washington Township and Lilly Borough.

To the Honorable A.V. Barker President Judge of said Court.

The undersigned inhabitants of Washington township and Lilly Borough, in said county, respectfully remonstrate against the confirmation of the report of viewers appointed by Your Honorable Court, to view the ground "beginning at a point on the line of the borough of Lilly at the head of Piper street and ending in a public road leading from said borough of Lilly to Hollidaysburg at a point about one thousand feet east of the residence of John Hoodouf in the township of Washington".

For the following reasons.

- First: That there is no necessity for the proposed road, to accommodate the Public:
- Second: There is now and has been good roads ^a reaching through the territory to be traversed by the proposed road.
- Third: The proposed road is for the benefit a few private interests, in which the inhabitants have no interests.
- Fourth: The proposed new road will entail a very heavy expense upon Washington township, which is already overburdened with roads.
- Fifth: For these and other reasons, your remonstrators pray Your Honorable Court not to confirm said proposed road.

And they will ever pray &c.

Names:

Names:

A. M. George
 James H. Sheridan
 Alfred H. Boyle P.M.
 Daniel P. Coloque
 Alexandra Robb Sr.

J V McCall
 Jacob Eckhardt
 James S. Galt
 Robt W. James

Michael A. Leap	Harry H. Elder
Thompson Leap	W. J. Jones
Martin Leap	Bernard Baylin
David W. Jones	George Wilson
Harry Hill	W. J. Jones
Martin Leap	J. P. Young
Chas. W. Jones	James Rodgers
Frank Leap	John Eckenrode
A. J. Jones	D. H. Brown
James Sanders	Edward Mahoney
John Cavanaugh	Pat McEntosh
Peter Robinson	W. A. Myers
John M. Sloan	John Sheridan
Hugh W. Russell	William George Sr.
Allen Behe	James Bigler
Robert Monahan	Thomas Hanna
John S. Cassin	Andy Donohue
D. H. Sharp	Jack S. Best
Hugh M. Kelly	George Seabell
Wm. Brown	John S. Singer
James M. Tammery	Martin Leap
Chas. Siesko	Michael Monahan
Martin Burk	Simon Rubine
	J. A. Smith

+

Joseph Sanders
Michael R. Brady
Lynus Smith
Patrick Louice
John J. Auen
P. Bender

M. M. Boylan
Terance Herman
John Bodey
John B. Swadlow
Albert W. Welford
G. J. Brown
John Seabalt

to Dec 1899 Rd
In the Quarter Sessions

Remonstrance of inhabitants
of Washington Township and
Lilly Borough.

against

Confirmation of Report of
viewers, to view and lay out

a road from Lilly Borough to

Hollidaysburg road, near

~~John Hoodouf in Washington~~

township

Filed 5 Mar 1900

J. F. MCKENRICK,
Attorney at Law,
EBENSBURG, PA.

W. V. DERRITT & CO. PRINTERS, ENGRAVERS, STATIONERS, 407 GRANT ST. PITTSBURGH.

In Re Road : No. 2, December Sessions, 1899.
 in :
 Washington Township. : Road Docket.

The report of viewers in this case was filed 5th March, 1900, and the same day a remonstrance was filed alleging that the road is not necessary, ~~and~~ that it is for the benefit of a few private interests, and that it will entail a heavy expense upon Washington Township. No exceptions were filed prior to the first Monday of June Term, nor any petition for the appointment of reviewers, and it is therefore apparent that the report of viewers is entitled to confirmation, as the matters raised by the remonstrance are such that the Court can only take cognizance of them on the report of the viewers. The necessity for the road has, therefore, been conclusively disposed of, but counsel for the objecting parties, at the time of the hearing, presented a petition asking the Court to consider the remonstrance as in the nature of exceptions and that he be allowed to file further exceptions nunc pro tunc. The case is not one that appeals to us very forcibly in behalf of the present application, because of the length of time that has intervened since the filing of the report. If, however, it appeared from the report of viewers that there was any such irregularity in their proceedings as affected the merits of the case we might, notwithstanding the delay, yet entertain the exceptions. After carefully examining the report of viewers, and having regard to the matters in which it is alleged to be defective we find that the omissions in the report as to the performance of certain duties required by law to be performed by viewers are such that they do not affect the merits of the case ~~and~~ ^{or} such as would

probably not defeat the proceedings if we allowed exceptions to be filed at this time. We therefore decline to permit additional exceptions to be filed and approve the report of viewers as of the date of the Argument Court. *(see order on back of report of viewers)*

NO. 2, DECEMBER SESSIONS, 1899,

IN RE ROAD
IN
WASHINGTON TOWNSHIP.

--: OPINION OF THE COURT: -

Filed 8 Mo-1900

In Re Road in Washington
Twp., beginning at the
head of Piper Street at
line of Lilly Boro., etc.

In the Court of Quarter Sessions of Cambria
County, Pennsylvania.

No. 2 December session 1899, R. D.

-----e00-----

PETITION FOR LEAVE TO FILE EXCEPTIONS, etc.

---0---

To the Honorable A. V. Barker, President Judge of said Court:

The petition of Peter Robine, Jr., respectfully represents:

1.- That he is a resident and taxable inhabitant of the Township of Washington said County, in which the road mentioned in the report of the viewers filed to the above number and term of said Court is located, and that he is one of the supervisors of said Township.

2.- That a number of inhabitants of said Township, believing that the road as laid out in said report is not necessary and for other reasons set forth at length in a certain paper by them filed to said number and term on the 5th day of March, 1900, and called a remonstrance expressed themselves as being opposed to the confirmation of said report and the opening of said road and remonstrated against the same, for the reasons set forth in said paper.

3.- That your petitioner and the persons who signed said paper called a remonstrance were of the opinion until recently that they had fully complied with all that was necessary in order to prevent the confirmation of said report, being very desirous for the reasons set forth in the said paper called a remonstrance that the said report of viewers should not be confirmed.

Your petitioner therefore on behalf of the signers of said paper called a remonstrance, and on his own behalf as a taxable inhabitant and as one of the supervisors of said Township prays that the said paper so filed on the 5th day of March, 1900, be considered by your honorable court as in the nature of exceptions to the said report of viewers, and that he be allowed to file nunc pro tunc such further exceptions to said report of viewers as may be made to matters appearing upon the record of said report; and he will ever pray, etc.

P. R.

Peter Robine, Jr.

11

State of Pennsylvania
County of Cambria

SS.

Peter Robine, Jr., the above named petitioner being duly sworn according to law says that the statements of fact as set forth in the above and foregoing petition and also that the statements of fact set forth in the reasons given in the paper termed a remonstrance and filed to the number and term mentioned in the above caption, on March 5th, 1900, and purporting to be a remonstrance of *inhabitants* Washington Township and Lilly Borough against the confirmation of the report of viewers above mentioned, are true and correct, and that the signatures affixed to the said remonstrance are those of taxable inhabitants of the said Township and Borough.

P.R. x Peter Robine Jr.

Sworn and Subscribed to before me this twenty-second day of October, A.D. 1900.

J. P. [Signature]

D. M. George J.P.

No. 2 December Session, 1899, R. D.

In the Court of Quarter Sessions
of Cambria County, Pa.

Petition of
Peter Robine, Jr., for leave
a certain paper filed as a
re-substant considered
as exceptions to the report of
viewers, and for leave to file
further exceptions.

Filed 22 Oct 1900

THOMAS J. ITELL,
ATTORNEY AT LAW,
JOHNSTOWN, PA.

HENRY HALL, PRINTER, INDIANA, PA.

In Re Road in
Wash. Terr,
Com. at Pipe St.
etc.

No. 2 Dec. 7, 1879, W. D.

Further exceptions:

1. - The report of the viewers does not show that any attempt was made to obtain ~~the~~ releases from the land owners.
2. - The report does not show or note the improvements, or whether there ~~are~~ ^{was} any improvements on some of the lands through which the road passes.
3. - The report does not show that the viewers had respect to the shortest route and the best ground between the termini.
4. - The report does not show that the viewers ~~had~~ considered the advantages and disadvantages to the owners of the land etc.

Thos. J. Stahl

In Re Road in
Washington Twp.

To the Hon A. V. Barker President
Judge of the Court of Quarter Sessions
of Cambria County Pennsylvania
We the undersigned jurors appointed
by the annexed order respectfully
report that after giving notice
as required by law and J. Leard Elder
Conrad Wendroth and John Brown,
having all been present at the
view of the ground proposed for
such road and having all been
severally sworn or affirmed to
perform our duties according to
law, we in pursuance of said
order, have laid out and do
return for public use, the following
road. Beginning at the head of
Piper St. in Lilly Borough, thence
through lands of W. H. Piper, south
twenty one degrees east, three
hundred and sixty one feet, thence
thence south forty six degrees
and thirty minutes east, two
hundred and ninety five feet,
thence south sixty six east,
seventeen hundred and thirty one
feet, thence south forty two degrees
and fifteen minutes two hundred
and sixty eight feet, thence south
sixteen degrees east, two hundred
and seventy seven feet, thence south

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

thence south fifty one degrees and
fifty minutes east one hundred
and forty two feet. thence south
forty seven degrees east one hundred
and eleven feet. thence south forty
degrees and thirty minutes east two
hundred and thirty feet. thence south
eighteen degrees east two hundred
and seventy one feet. thence south
thirty degrees and forty five minutes
one hundred and thirty one feet.
thence south forty six degrees east
one hundred and ninety feet. thence
south fifty two degrees east two
hundred and four feet. thence south
fifty eight degrees east one hundred
and seventy seven. thence by land
of Leakey and Loughman, south sixty
degrees and thirty minutes east three
hundred and thirty feet. thence south
fifty seven degrees and thirty minutes
east one hundred and ninety feet. thence
south forty seven degrees east one
hundred and sixty feet. thence south
thirty four degrees and thirty minutes
east three hundred and eighty seven
feet. thence south forty eight degrees
east three hundred and ninety six
feet. thence south thirty nine degrees
east one hundred and seventy feet.
thence south nineteen degrees east

one hundred and seventy feet, thence
south thirty three degrees and thirty
minutes east four hundred and eighty
nine feet, thence south thirty two degrees
and thirty minutes east two hundred
and six feet, thence south ten degrees
and fifteen minutes east one hundred
and thirty six feet, thence south fifteen
degrees and fifteen minutes east one
hundred and twenty five feet, thence south
thirty two degrees east, one hundred and
eighty seven feet, thence south twenty
degrees and thirty minutes east one
hundred and fifty feet, thence south
seventeen degrees east one hundred and
three feet, thence south two degrees and
thirty minutes west two hundred and
three feet, thence south one degree and
thirty minutes west two hundred and
fifty one feet, thence south three
hundred and twenty three feet,
thence south twenty two degrees
west five hundred and thirteen
feet, thence south twenty seven degrees
and thirty minutes west, one hundred
and seventy five feet, thence south
twenty four degrees and thirty minutes
west two hundred and thirteen feet,
thence south fifty five degrees west
three hundred and eight feet

thence south forty eight degrees west
three hundred and seventy eight
feet thence south forty five degrees
and thirty minutes west four
hundred and eighty six feet to
the township road leading from
Lilly to Hollidaysburg at a point about
one thousand feet east of the residence
of John Hoodorf in the Township of
Washington. Said road as
aforesaid laid out in Washington
Township, Cambria County, Pa. we are
of the opinion is necessary for a
public road and we recommend
the same. No damages awarded.
A plot or draft thereof is herewith
enclosed. Witness our hands
this the day of February 1900.

J. Leard Elder
J. C. Shenderoth
John Brown

COMMONWEALTH OF PENNSYLVANIA. }
COUNTY OF GAMBRIA, } SS:

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg in the said County, on the fourth day of December A. D. 1899, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of ^{Lilly Bros and} the Township of Washington, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, ~~to lead from~~ beginning at a point on the line of the borough of Lilly at the head of Piper street and ending in a public road leading from the said borough of Lilly to Hollidaysburg at a point about one thousand feet East of the residence of John Hoodorf in the Township of Washington

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 Conrad Wenderoth and John Brown

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. 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 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."

14
No. 2, December Session, 1899.
17 16

ORDER TO — VIEW the ground
for a Road beginning at
the head of Piper St. in
Lilly Bars and ending
in a public road
leading from Lilly to
Holidaysburg in
Washington Twp
County of Newcast
Filed 5 Mar. 1900

J. L. Elder
Viewers
Conrad Wendenwith
John Brown

CLERK DAVIS — 90 CTS.
E. J.

23d Oct, 1900 approved and breadth of road
fixed at 30 feet. —
By the Court

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

The petition of the undersigned respectfully
represent:

That they labor under inconvenience for
want of a public road or highway beginning
at a point on the line of the borough of Lilly
at the head of Piper street, and ending in a
public road leading from the said borough of
Lilly to Hollidayburg at a point about one
thousand feet East of the residence of John Hood-
ouf, in the Township of Washington.

The petitioners therefore pray the Court to ap-
point three persons qualified according to law,
to view the ground proposed for such road, and
if they see occasion, lay out the same, and
make report of their proceedings to the next term
of this Court. And they will ever pray &c.

Witness:

Witness:

James Rodgers

David Diehl

Daniel Leachey

John Dougherty

W. W. McCloskey

Joseph Rainey

Otto F. Kelly

Chas. B. Kelly

John W. Kelly

C. A. McLaughlin

Edward Bradley

Thos. Leachey

Francis ^{W. Warner}

Philip ^{W. Warner}

Geo. ^{W. Warner}

John Ball

R. Pulaver

John Hester

J. A. Brown

Samuel Stagon

Dashie ^{Chief} ^{Deputy} ^{Marshal}

James:

James:

Calaveras County, Cal.

Before me, a Justice of the Peace in and for said county personally came John Leakey, one of the above-named petitioners, who being duly sworn according to law says that the facts set forth in the foregoing petition are true to the best of his knowledge and belief.

Sworn and subscribed before me this second day of December 1899

C. A. McLaughlin

John Leakey

Justice of the Peace

Justice of the Peace

one of the petitioners

No. 2 Dec. 1899

Petition of certain of the in-
habitants of Lilly Borough
Washington Twp for the
appointment of viewers to
view and lay out a public
road beginning at a point
on the line of the borough
of Lilly at the head of Piper
street, and ending in a pub-
lic road leading from Lilly
Borough to Hollidayburg at
a point about one thou-
sand feet east of the resi-
dence of John Woodruff,
in the township of Washing-
ton.

Filed W 4 Dec 1899

Recd. 12/18/99 read
and J. L. Eder,
Clerk Madison Twp
John Brown ap-
pointed viewers.

E. L.

No 2 Dec 2007 899

Ebensburg, Cambria Co., Pa. _____

J. L. Elder	4 1/2 days	\$ 18.00
" " "	15 miles	1.50
C. Wendroth	3 days	6.00
" " "	3 miles	.30
John Brown	3 days	6.00
" " "	3 miles	.30
Frank Mamer	Chairman 2 days	3.00
W. A. McEugle	" 1 -	1.50
Jeremiah Feakins	" 1 -	1.50
Harry Feakins	" 1 -	1.50
John Haley	- 1 -	1.50
		<hr/>
		41.10

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground beginning at a point on the line of the borough of Lilly at the head of Piper street and ending in a public road leading from the said borough of Lilly to Hollidaysburg at a point about one thousand feet East of the residence of John Hoodorf in the Township of Washington

will meet at the house of Robert Smith

in the borough of Lilly

aforsaid, on the 16th day of Feb 1900, at 9 o'clock AM.

for the purpose of viewing said ground.

J. L. Elder
Konrad Wendroth
John Barr

Viewers.

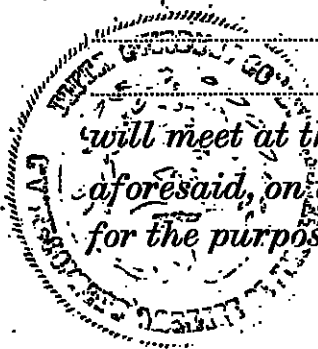
Feb. 3. 1900 ~~1899~~

Feb. 10 1900 served the within notice on
County Commissioners of Cambria County
by handing them a copy thereof

J. Leath Elder

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground beginning at a point on the line of the borough of Lilly at the head of Piper street and ending in a public road leading from the said borough of Lilly to Hollidaysburg at a point about one thousand feet East of the residence of John Hoodouf in the Township of Washington



will meet at the house of Robert Smith in the borough of Lilly
aforesaid, on the 16th day of Feb'y 189, at 9 o'clock AM.
for the purpose of viewing said ground.

Feb. 3 1900 489

J. L. Alder
George Kentroth
John Brown

Viewers.

