

To The Honorable Court of Quarter Sessions of Cambria County.

The undersigned Viewers appointed to view and locate a public road from a point in the public road leading from Flinn City, at or near the residence of John G. Gill, in the Village of St. Lawrence, to a point in the line between Chest and Elder Township, on the lands of the Chest Creek Land & Improvement Co., in Chest Township, beg to report as follows.

First. Each of the Viewers were sworn as indicated by order of Court, herewith returned.

Second. We believe that a public road as located is necessary for the better convenience of persons living along its route and for many whose homes are East of the village of St. Lawrence, because it is a shorter distance from their properties to the railroad, a better grade can be obtained and the road as located would be less liable to drifts during the winter months.

The personal knowledge of the viewers convinces them that at many times during the winter, the road now being used, in the same direction and for the same purpose that the proposed road will be used for, is at time almost impassable, and we believe that this road will not drift to any serious extent.

After examining several routes suggested by persons who were interested, we have obtained a location with favorable grades and on ground where the road would be cheaply constructed and easily maintained and where little or no damage is done to the greater portion of the property over which the road will pass.

Some years ago a road was laid out and built upon nearly the same line and we have endeavored to follow this old location as nearly as possible, keeping in mind the requirements for the present road.

We believe that a fair compensation, taking into consideration the benefits to be derived from the location of this road, would be as follows,

|                           |         |
|---------------------------|---------|
| Estate of Micheal Kibler, | \$75.00 |
| Jacob Warner              | \$55.00 |

From the corner of the properties of Jacob Warner and Charles Rhody, along the property of the Estate of Micheal Kibler to the end of the line at St. Lawrence, a lane is now in use for a distance of 3720 feet, and is of sufficient width for present purposes, and unless Mr. Warner is obliged to move his fence immediately upon the completion of the road, if built, then we think that damages

should not be awarded him at this time.

In the future, when his fences require repairing and rebuilding, then this change could be made without cost to him.

We think that none of the other lands are damaged, or will be damaged by reason of the construction of this road, but will be very materially benefited by it being built.

Respectfully

C. H. Frasen

Surveyor,

T. A. Delozier

Viewers.

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 18th day of April A. D. 1898, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the township of Chest in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from ~~begin~~ <sup>begin</sup> at a point in the public road leading from ~~Patterson to Union City~~ at or near the property of John E. Gill, in the village of St. Lawrence in Chest Township, and ending at a point on the line between said Chest Township and Elder Township, in the property of the Chest Creek Land and Improvement Company, at or near Aldburn (Flag) Station, on the Cambria and Clearfield Division of the P. R. R. in said Township of Chest

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 C. F. Fraser SURVEYOR and J. A. Delgize and Owen E. Terrell

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 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 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 releases 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."

You, C. F. Johnson, J. A. Delinger, J. A. Delinger & Bernice as surety that you will jointly and severally advise us as to whether or not you agree that there is occasion for the road, and if you agree that there is occasion for the road, you shall proceed to lay out the road in accordance with the plan and map as set out in the report of the viewers, and you shall be bound to pay the same.

Wm. H. Neff, Jr.  
 C. F. Johnson  
 J. A. Delinger

No. 4  
 Mar. Sess. 1898

Order to view a rough location  
 An ordinance to build  
 a main station in  
 Chest Township

C. F. Johnson, Surveyor 3 days  
 40 miles  
 J. A. Delinger 2 days  
 40 miles  
 O. G. Johnson 2 days  
 40 miles  
 Geo. W. Thomas, Chairman  
 2 days  
 40 miles

Viewers  
 C. F. Johnson  
 J. A. Delinger  
 Bernice & Bernice

Cost for atty 90 cts  
 Filed 8 June 1898  
 Herald Print, Ebensburg, Pa.  
 Davis

Aug. 30, 1898 approved and branch fixed at Chesley, Pa.  
 Pres. the Court.

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

In re report of viewers to locate road in Chest Township to begin at a point in the public road leading from Patton to Flinn City at or near the property of John G. Gill in the Village of St. Lawrence in Chest Township and ending at a point in the line between said Chest Township and Elder Township on the property of the Chest Creek Land & Improvement Company at or near Aldburn Station on the Cambria & Clearfield Division of the P. R. R. in said Township of Chest.

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

The undersigned, citizens of Chest Township in said County of Cambria respectfully represent: That the proposed road as shown by the report of viewers in above stated case is not necessary for the accommodation of the public and is burdensome to the Township. That there are but three or four citizens of the Township of Chest who would find it convenient to travel the road as laid out by the viewers in above case. That even granting that the said road is necessary for the accommodation of the public a better route can be adopted and one that would require less expense in construction.

Your petitioners therefore pray the Court to grant an order for review and they will ever pray, etc.

|                            |                 |
|----------------------------|-----------------|
| Anthony Dietrich           | Geo. Crook      |
| Joseph Happs               | John L. ...     |
| Simon Weiborn              | Joseph Brass    |
| Charles Gill Sr.           | William ...     |
| Martin Dietrich            | Laurice Krice   |
| Joseph A. Warner           | John ...        |
| Elizabeth Warner           | A. J. ...       |
| Joseph <sup>his</sup> Rapp | Adrian Albright |
| Anthony Dietrich           | George Warner   |

|                    |                 |
|--------------------|-----------------|
| Joseph Rhiner Sr.  | Jakob Kriess    |
| E. W. Hedinger     | Frank Kruse     |
| Daniel Gill        | Angela Kline    |
| Michael J. Kibler  | Albert Yalmer   |
| R. J. Hedinger     | John Casper     |
| Anthony Gill       | Lewis Dietrich  |
| James Gill         | Peter M. Swope  |
| John Rhor          | Jacob Warner    |
| William Lenhart    | John Becker     |
| Sebastian W. Kruse | A. M. Dietrich  |
| Michael Piebauer   | Albert Marow    |
| Michael Kuttruff   | Ezra Gilly      |
| Edward Kramer      | John M. Long    |
| John Drass         | Albert Long     |
| Albin Warner       | Jan J. McMullen |
| Michael Kruse      | J. Schmidbauer  |
| John Kline         | Th. M. Craver   |
| Joseph Mott        | Adam Hitch      |
| Harry Kertz        | Joseph Rame Jr. |
| John E. Johnson    | Francis Kelly   |
| Henry Suple        | Arthur Young    |
| Jacob Yalmer       | M. J. Ryan      |
| James G. Hatfield  | Michael Ropp    |
| Jacob Stuger       | Oliver Benning  |

CAMBRIA COUNTY SS:

Anthony Kibler Being duly sworn according to law deposes and says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Sworn and subscribed this 21<sup>st</sup>

day of July, A. D. 1898 before

James Mellon J.P.

at Anthony Kibler

No 19 March Session 1898

P. D.

In re report of assessors to locate road in East Township from property of John G. Gill in St Lawrence to Aldham Station.

Filed Aug 15 1898

Petition for Review.

Filed now Aug 1<sup>st</sup> 1898 read and J. S. Elden -  
D. S. Myers and E. R. Dunnington appointed, i.e. assessors to view said proposed road and make report to this court  
Bayville Court

A. J.

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

The undersigned, reviewers appointed by the annexed order to review the ground for a proposed road between the termini therein described respectfully report.

That having given due public notice of the time and place of their meeting and having all been present and having all been affirmed to perform the duties of their appointment impartially and according to the best of their judgment they reviewed the route of the proposed public road as laid out by the viewers (a copy of the draft attached to the report of viewers having been furnished us) and after careful consideration of the said route, and the parts adjacent we are all of the opinion that there is no occasion for such road, and that it ought not to be opened. The ground over which the proposed road was laid out by the viewers is nearly all unimproved land, and the road, if opened would be very expensive to the citizens and tax payers of the Township of Chest and when completed would not be needed to accommodate the travelling public.

We further report that there is no point on the line between Chest Township and Elder Township near Alburn Station as said station is located quite a considerable distance from the division line of said townships.

Respectfully submitted,

J. L. Elder  
D. G. Myers  
E. R. Dunningan

|                                |       |
|--------------------------------|-------|
| J. L. Elder 2 days             | 8.00  |
| " " 20 miles                   | 2.00  |
| D. G. Myers 2 days             | 4.00  |
| " " 14 miles                   | 1.40  |
| E. R. Dunningan 2 days         | 4.00  |
| " " 9 miles                    | .90   |
| John L. Elder, Chairman 2 days | 3.00  |
| George Dunningan " 2 "         | 3.00  |
|                                | <hr/> |
|                                | 26.30 |

In the matter of the order to re-  
view the route for a public road or  
highway in the Township of Chest to  
begin at a point in the public road  
leading from Patton to Flynn City  
at or near the property of John G.  
Gill in the Village of St. Lawrence  
in Chest Township

and

Ending at a point on the line be-  
tween said Chest Township & Elder  
Township on the property of the  
Chest Creek Land & Improvement Co.  
at or near Alburn (Flag) Station on  
the Cambria & Clearfield Division  
of the P. R. R. in said township of  
Chest.

In the Court of Quarter Sessions  
of Cambria County, Pennsylvania

No. 7 of March Sessions 1898.

Road Docket.

CAMBRIA COUNTY SS:

J. L. Elder, D. G. Myers and E. R. Dunegan, re-  
viewers in above case being duly sworn according to law say that they  
will perform the duties of their appointment impartially and according  
to the best of their judgment!

*affirmed*  
and subscribed this 29<sup>th</sup>  
day of August, A. D. 1898 before

*John L. Hill*  
J. L.

*J. L. Elder*  
*D. G. Myers*  
*E. R. Dunegan*

No 7 March 1898  
Road Street

In re Road from  
At Lawrence

to

Albion Station

Richard J. Lawrence

JKS

*[Faint, illegible handwritten text, possibly a signature or notes, located in the lower right quadrant of the page.]*

COMMONWEALTH OF PENNSYLVANIA. } S S:  
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 first day of August A. D. 1898, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Chest, in the said County, setting forth that ~~they labor under inconvenience for want of a~~

~~road or highway, to lead from the proposed road as shown by the report of viewers in above stated case is not necessary for the accommodation of the public and is burdensome to the Township. That there are but three or four citizens of the Township of Chest who would find it convenient to travel the road as laid out by the viewers in above case. That even granting that the said road is necessary for the accommodation of the public a better route can be adopted and one that would require less expense in construction.~~

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. Laird Elder SURVEYOR, and W. J. Myers and E. R. Drinegan

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:

S. 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."

Aug 29<sup>th</sup> - 9 a.m.  
No. 27, March Session, 1898

ORDER TO RE-VIEW ROAD

Ches. Township from  
property of John G. Gull  
in St. Lawrence to  
Aedun station

and  
Report of Viewers

Filed 5 April 1898

Louis Elder  
Viewers  
De Witt  
Ed. Dimegan

CLERK DAVIS for attys 90 CTS.

K. L.

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

The petition of the undersigned inhabitants of the Town-  
ship of Chest, in said County, respectfully showeth:

That your petitioners labor under a great inconvenience for  
the want of a public road or highway in the Township of Chest, to  
begin at a point, in the public road leading from Patton to Flinn  
City, at or near the property of John G. Gill, in the Village of  
St. Lawrence, in Chest Township, and ending at a point on the line  
between said Chest Township and Elder Township, on the property  
of the Chest Creek Land and Improvement Company, at or near Ald-  
burn (Flag) Station, on the Cambria and Clearfield Division of  
the P.R.R., in said Township of Chest.

Your petitioners therefore pray the Court to appoint  
three persons, qualified according to law, to view and lay out the  
same and make a report of their proceedings to the next Term of  
Court.

And they will ever pray, &c.

Names

Names

Chas. Kibler  
Chas. F. Gill  
John G. Gill  
Philip Gill  
Philip Keebler

Francis Swann  
Chas. Rhody  
H. B. Allison  
Wm. Cole  
L. L. Beringer  
James S. Gill  
A. H. Rhody

Nov 11 1898

Petition for road from  
St. Lawrence to Alderman  
Station in West Township.

Filed 11 Sep 1898

Done 18<sup>th</sup> 1898

Justices of the Peace

C. J. Thayer

J. A. H. Logan

Orville E. Merrill

of the County  
By the Court.

Done.

In the matter of the report of viewers laying out a public road or highway in the township of Chest to begin at a point in the public road leading from Patton to Flinn City at or near the property of John G. Gill in the Village of St. Lawrence in Chest Township

and

Ending at a point on the line between said Chest Township & Elder Township on the property of the Chest Creek Land & Improvement Company, at or near Alburn (Flag) Station on the Cambria & Clearfield Division of the P. R. R. in said township of Chest.

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

No. 7 of March Sessions 1898.

Road Docket.

#### EXCEPTIONS TO REPORT OF VIEWERS.

1st. The viewers did not make oath or affirmation to perform their duties impartially and according to the best of their judgment as will appear from their affidavit written on the order to view road.

2nd. The viewers did not comply with the order of the Court as to the termini named therein.



Attorneys for Supervisors of Chest Township and others, exceptants.

No 7 March Dec 1898.  
Road Market.

From Road from the  
course to  
Alburn Station.

Additional Receipts

411.5th fees  
milk lease  
Per 1/4 Acre.

7/2

In the Court of Quarter Session of Cambria County, Pennsylvania

In re report of viewers to locate road in Chest Township to begin at a point in the public road leading from Patton to Flinn City at or near the property of John G. Gill in the Village of St. Lawrence in Chest Township and ending at a point in the line between said Chest Township and Elder Township on the property of the Chest Creek Land & Improvement Company at or near Aldburn Station on the Cambria & Clearfield Division on the P. R. R. in said Township of Chest.

Exceptions to Report of Viewers.

1st. The report does not contain description of property and does not refer to any draft showing the route over which the proposed road is laid out.

2nd. The report does not set forth the width of the proposed road.

3rd. The report does not set forth that said proposed road is necessary for the accommodation of the public.

4th. The report does not state that the road is for public use or for private use.

5th. The report does not specify the damages given to each land owner along the proposed route or state that each and every of them not named in the report are entitled to no damages.

6th. The report does not state that notice of the time and place of view was given according to law.

7th. The report does not set out the courses and distances of the proposed new line of road.

*Anthony Siller*

CAMBRIA COUNTY SS:

being duly sworn according to law

deposes and says that the facts set forth in the foregoing exceptions are true to the best of his knowledge and belief.

Sworn and subscribed this 21<sup>st</sup> day of July, A. D. 1898 before

*James Mellon J.P.*

*Anthony Siller*

No. 7 March Sessions 1898.  
R. H.

In re report of Viewers  
to locate road in Chest  
Township to begin at a  
point in the public road  
leading from Patton to  
Hinn City at or near the  
property of John G. Gill in  
the village of St. Lawrence  
and ending at a point in the  
line between said Chest Town-  
ship and Elder Township on the  
property of the Chest Creek  
Land & Improvement Company  
at or near Aldburn Station  
on the Cambria & Clearfield  
Division of the P. R. R.

*Exceptions*

*Filed 23 July 1898*

*H. H.*