



Colorado River

Part of the Grand Canyon, 1909. The Grand Canyon is a massive chasm, the source of the Colorado River. It is a natural wonder, and a great attraction to the people of the West.

Grand Canyon National Monument, Arizona

Hualapai

Kaibab



Scale 1:50,000

Sept 1900

Not Microfilm



No. 5 September Session 1901, A.D.,  
in the Court of Quarter Sessions  
of Columbia County,

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Petition for Review

Filed 2 Sept 1901

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Thomas J. Still,

In Re Report of Viewers on  
Public Road in Washington  
Township etc., commencing near  
house of Joseph Ritchey.

In the Court of Quarter Sessions of  
Cambria County, Pa.  
No. 5 September Sessions, 1900  
Report of Viewers filed June 3, 1901.

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      PETITION FOR RE VIEW.

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To the Hon. A. V. Barker, President Judge of the above named Court:

The petition of the undersigned citizens and taxable inhabitants  
of the Township of Washington, Cambria County respectfully repre-  
sents:

1. That a public road hath lately been laid out by order of  
Court from a point on the public road leading from Benscreek to  
Lilly near the house of Joseph Ritchey in said Township and ending  
at a point on the county line, where a public road laid out in Blair  
County to the Cambria County line intersects said county line, a  
greater part of which said road as laid out is in the aforesaid Town-  
ship of Washington, and that the road so laid out, if confirmed by  
the Court, will be injurious to your petitioners, and extremely  
burdensome to the inhabitants and taxpayers of the Townships through  
which the same will pass, owing to the great expenses necessary to  
open the said road as located and of maintaining the same on the  
heavy grades prevailing along much of the road.

2. That it does not appear from the report of viewers as filed  
that they had regard in laying out said road to the shortest dis-  
tance and the best ground for the road between the termini and that  
in their efforts to keep within the order of view, which prescribed  
the lands through which the roads should be laid out, the viewers  
were obliged to not take advantage of a considerable length of what  
is now a private road in fair condition, excepting for some distance  
in the direction and almost parallel with the route as located, and

which if taken advantage of, would reduce the cost of construction very materially and would be a more direct and better route than the road as located by the viewers;

3. That there are other more suitable locations for a road between the termini as mentioned than the one of which said road was laid out.

4. That there are other public roads by which persons can travel from one of the termini of said road to the other; to wit, (1) on the north the road by way of Lilly across the mountain to Blair County and (2) on the south by way of Portage, which two roads are not more than four miles apart and at the Blair County line are considerably less than that distance apart, yet it is proposed to construct at great expense a new road across the mountain from Benscreek to a point about midway between the two roads mentioned, which would make three almost parallel public roads across the mountain to Blair County within a distance of about four miles on the Western side and very little, if any, over three miles at the Blair County line, which is a greater expense than public necessity or convenience would require, and the said road, if laid out as proposed, would serve the convenience of but a comparatively small number of persons.

Your petitioners therefore prays the Court to appoint proper persons to review said road, and part adjacent, and make report to the Court, according to law, and they will ever pray, etc.

Peter Robine

Alce Sanders

Andrew Bost.

John W. Bost.

Wm. Long

W. Shieban

Ch. of Ironabau

Henry Ellis

Michael Leaf

John Broadwell

Martin Leaf Jr

Humphrey Lewis

Martin Leaf Jr

John

To the Hon. A. V. Barker President Judge  
of the courts of quorum sessions of the State  
in and for Cambria County Penna We  
the undersigned citizens of Portage & Washing-  
ton Townships do respectfully represent that  
we are at a great inconvenience for want of  
a public Road or high way leading from  
a point <sup>on lands of Cambria mining and manufacturing company</sup> at or near Joseph Richey in Wash-  
ton Township <sup>on the public road leading from Richey to Hill</sup> to a point at the Blair County  
line running through the lands of the Cambria  
Mining and Manufacturing Co lands of the  
Walter Heis and lands of A. H. Boyle in  
Portage Township to intersect with a Town-  
ship Road laid out by the Blair County  
authorities to the Cambria County line and  
would ask said Court to give the matter  
consideration and appoint viewers for  
said Road and we will ever pray the  
Honorable Court

Names

Joe Ritchey  
J. G. Stanton  
Jacob Bender  
Chas. Sisko  
Joseph M. Hasselt  
J. A. Gauntner  
Samuel Stambaugh  
Andro Uhrin  
John Bost  
Levi Diehl  
Wm. Helwell

W. S. Curran  
W. L. Stambaugh  
S. J. Killinger  
Charles Stambaugh  
R. W. Davies  
C. A. McYoungle  
Gorials Baabett  
Francis Stambaugh  
Milton Adams  
Jas. B. Gauntner  
Daniel Diehl  
Henry Ehrenbrecht

No. 5 Sept 1890, 1900

Petition of Eugene F.

Bozage and Washington

Bozage, for the Appraisers

Went to view to view

the site for a proposed

beginning with a point on the

Ambria Mining and Manufacturing

Company, on Public Road leading

from Lawrence to Elly near the

House of Joseph Rieley, and many

at a point on the County line in

County township which is public

and is known as Plain County

to the Ambria County line, and

said County line.

Filed J. Sept. 1900

Sept. 5<sup>th</sup> 1900 -

J. S. Eder -

Geo. C. Wick

P. M. Brown et al.

for the view of

the Court

Mar. 4<sup>th</sup> 1901 petition presented and

J. S. Eder Geo. C. Wick and P. M.

Brown appointed viewers

Beulah

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

We, the undersigned jurors, 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 public  
road is laid out, and also upon the  
County Commissioners of said County,  
properly attested copies of said notice  
being hereto attached, all the jurors  
appointed by said order viewed the  
ground proposed for the within  
mentioned road; and the undersigned  
do agree that there is occasion for a  
road as desired by the petitioners, and  
that the same is necessary for a  
public road, we have laid it out  
in such manner as shall do the  
least injury to private property, and,  
so far as practicable, agreeably to  
the desire of the petitioners and  
do return for public use the following

described road, to wit: Beginning at  
a point on land of Cambria Mining and  
Manufacturing Co. near Joseph Rickup's in  
Washington Township on the public road  
leading from Benscreek to Lilly, thence  
through land of Cambria Mining and  
Manufacturing Co. the following courses  
and distances; south forty one degree  
east, six hundred and forty five feet,  
south fifty six degree east two hundred  
and twenty nine feet, south sixty six  
degree, thirty minutes east two hundred  
and sixty seven feet, south fifty two  
degree east two hundred and sixty feet,  
south forty one degree, forty five minutes  
east two hundred and thirty seven  
feet, south forty four degree, thirty minutes  
east, four hundred and forty feet, south  
thirty seven degree east four hundred  
and seventy eight feet, south fifty six  
degree east, three hundred and fifty seven  
feet, south seventy nine degree east  
five hundred and twenty two feet, south  
forty one degree thirty minutes east, two  
hundred and fifty seven feet, south fifty  
degree east, three hundred and eighty  
nine feet, south forty two degree  
thirty minutes east three hundred  
and sixty nine feet, south thirty

degrees, thirty minutes east, three hundred  
and ninety feet, south thirty nine degrees  
forty five minutes east, four hundred and  
fifty six feet, south thirty two degrees east  
two hundred and sixty five feet, south  
forty six degrees fifteen minutes east two  
hundred and fifty one feet, south forty  
five degrees east two hundred and fifty one  
feet, south thirty seven degrees east  
four hundred and sixty eight feet, south  
twenty degrees east one hundred and  
seventy eight feet, south sixteen degrees  
thirty minutes east three hundred and  
thirty four feet, south three degrees  
thirty minutes east four hundred and  
eight feet, south sixteen degrees, thirty  
minutes east two hundred and fifteen  
feet, south eight degrees east two  
hundred and eighty eight feet, south forty  
one degrees east two hundred and sixty  
feet, south thirty three degrees fifteen  
minutes east two hundred and eighty  
six feet, south forty seven degrees,  
thirty minutes east one hundred and forty  
feet, south ~~sixty~~ four degrees east  
one hundred and ~~forty~~ two feet,  
south sixty nine degrees east three  
hundred and eleven feet, south  
eighty four degrees east eighty one

feet, south seventy nine degrees, thirty  
minutes east, two hundred and forty feet,  
north eighty nine degrees east one hundred  
and six feet, north eighty three degrees  
thirty minutes east two hundred and sixty  
feet, north eighty six degrees, thirty minutes  
east two hundred and forty two feet, south  
sixty seven degrees, thirty minutes east one  
hundred and ninety feet, south sixty five  
degrees, fifteen minutes east, one hundred  
and fifty feet, south forty three degrees  
forty five minutes east four hundred and  
twelve feet, south eight degrees, forty five  
minutes east, four hundred and seventeen  
feet, south twenty eight degrees, thirty  
minutes east, six hundred and three  
feet, south thirty eight degrees, thirty  
minutes east two hundred feet,  
south thirty one degrees east, one hundred  
and eighty five feet, south thirteen degrees  
thirty minutes two hundred and nine  
feet through land of Harter heirs,  
south thirty degrees, thirty minutes  
east, one hundred and eighty five  
feet, south fourteen degrees east one  
hundred and eleven feet, south five  
degrees, thirty minutes east, one hundred  
and ninety feet, south seventy nine  
degrees, thirty minutes east, eighty two

feet. South forty five degrees, thirty minutes  
east, one hundred and forty seven feet.  
South four degrees thirty minutes east, two  
hundred and forty feet. South one degree  
thirty minutes west, four hundred and  
thirty feet. South fifty seven degrees  
east four hundred and ninety five feet, South  
fifty five degrees fifteen minutes east three  
hundred and twenty seven feet, thence  
through E. Has. McGregor's land, South sixty  
degrees east two hundred and ninety six  
feet. South sixteen degrees, thirty minutes  
west, one hundred and forty two feet,  
South thirty six degrees thirty minutes  
west, two hundred and twenty feet,  
South forty three degrees west one hundred  
and thirty six feet. South twenty nine  
degrees thirty minutes west one hundred  
and twelve feet through A. H. Boyler  
land. South twenty six degrees east,  
one hundred and sixty six feet. South  
five degrees west, three hundred and  
eighty six feet. South eleven degrees,  
thirty minutes east two hundred  
and seventy seven feet, South fourteen  
degrees east, three hundred and twenty  
eight feet. South ten degrees thirty  
minutes west, five hundred and  
sixty five feet. South thirty one

degrees east, three hundred and seventy three feet, South fifty three degrees, thirty minutes east three hundred and twenty six feet, thence through land of Samuel Knox south sixty one degrees east one hundred and thirty six feet, south seventy five degrees two hundred and five feet, South forty five degrees east one hundred and twenty nine feet, south fifteen degrees east two hundred and sixty feet, South ten degrees west eighty feet, South forty three degrees east two hundred and eighty one feet to the Blair County line, intersecting with a Township Road laid out by the Blair County authorities to the Cambria County line.

A plot or draft is hereto attached.  
 Witness our hands this, the 29<sup>th</sup> day  
 of May 1901

J. Leard Elder  
 P. M. Brown

J. L. Elder	3 1/2 days	\$14.00	Geo. C. Diehl
" "	19 <sup>th</sup> min	1.90	
P. M. Brown	2 days	4.00	
" "	4 <sup>th</sup> min	.40	
Geo C. Diehl	2 days	4.00	
" "	1 min	.10	
William H. Keel	2 days	3.00	Chairman
A. M. Cornell	Chairman 2 days	3.00	
		<u>30.40</u>	

# ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for a public road leading from a front on lands of Cambria Mining Manufacturing Co. or near J. Richey in Washington Township on the public road leading from Bluecrap to Lilly to a front on the Blair Lumber running through lands of Cambria Mining Manufacturing Co. Harter heirs and A. H. Boyle in Portage Township to intersect with a township road laid out by the Blair Co. authorities to the Cambria Co. line will meet at the house of J. Richey in the township of Washington aforesaid, on the 20<sup>th</sup> day of May 1901, at 9 o'clock A.M. for the purpose of viewing said ground.

J. Leard Elder  
Geo. L. Diehl  
P. M. Brown

May 7,

1901

Viewers.

over

Service of within notice is hereby accepted.

Supervisors { C. Sanford Kinsey  
Wm. Helzel -

# ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for a public road leading from a point on land of Cambria Mining & Manufacturing Co. at or near Joe Richley's in Washington Township on the public road leading from Benscreek to Lilly to a point on the Blair Co. line running through lands of Cambria Mining & Manufacturing Co. Walter heirs & A. H. Boylan in Postage Township its intersect with a township road laid out by the Blair Co. authorities to the Cambria Co. line will meet at the house of Joseph Richley in the township of Washington aforesaid, on the 20<sup>th</sup> day of May 1901, at 9 o'clock A.M. for the purpose of viewing said ground.

Leard Elder  
Geo. L. Diehl  
P. M. Brown

May 7 1901.

Viewers.

Service of Notice accepted for the  
County Commissioners — Geo. B. Gapp  
May 7 1901

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 fourth day of March A. D. 1891, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Portage & Washington, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from

leading from a point on land of Cambria Mining and Manufacturing Company at or near Joseph Richey's in Washington Township on the public road leading from Bens Creek to Lilly to a point at the Blair County line, running through the lands of the Cambria Mining and Manufacturing Co., lands of the Hated heirs and lands of A. N. Boyle in Portage Township to intersect with a Township Road laid out by the Blair County authorities to the Cambria County line

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. David Elder SURVEYOR, and  
Geo. Diehl and C. M. 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:

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."

No. 5 *Sept.* 1900  
Session, 189-

ORDER TO VIEW. *Road*  
*in Village and*  
*Washington Troops*

*Report of Viewers*  
*Filed June 1901*

*J. L. E. E. E.*  
*Geo. C. Smith*  
*P. M. Brown*  
Viewers.

CLERK DAVIS. 90 CTS.  
*J. W. Conna*

In Re Report of Viewers on  
Public Road in Washington  
Township etc., commencing near  
house of Joseph Ritchey.

In the Court of Quarter Sessions of  
Cambria County, Pa.  
No. 5 September Sessions, 1900  
Report of Viewers, filed June 3, 1901

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EXCEPTIONS ON THE PART OF SUPERVISORS OF WASHINGTON TOWNSHIP;  
AND OTHERS.

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Now, September 2nd, 1901, Peter Robine and Alexander Sanders, Supervisors of Washington Township, Cambria County, in their capacity as such supervisors and also as citizens and taxable inhabitants of the said township of Washington, and the other persons, citizens and taxable inhabitants of said township, whose signatures appear along with those of said Supervisors, by Thomas J. Itell, their attorney, file the following exceptions to the report of the viewers above mentioned, and respectfully urge that, upon the grounds stated, the said report of viewers be not confirmed absolutely by the Court, but that the same may be set aside for the reasons stated; to wit,

1. Neither the report of viewers nor the draft accompanying said report shows how much of said road is in Washington Township and how much of said road is in Portage Township, nor does the said map or draft show in what Township the said road is located, excepting in the memorandum upon said map or draft, it not being indicated at any place upon or near the line of said road as laid out, whether the course thereof lies in either or both of said Townships or in what Township or Townships it is located; nor does either said report or map show any of said road to be in Portage Township, as called for by the petition.

2. The said map or draft does not show whether the land of the Harter (Harker) McGonigle, Boyle or Knox, mentioned thereon are improved or unimproved, nor is any mention of said fact contained in the report of the viewers:

3. Neither the report nor the map shows one of the termini of the proposed road to be in Portage Township, as called for by the petition.

4. It appears from an inspection of the petition that the name of Geo. C. Diehl was written thereon as one of the petitioners, but that his name has since been erased; this same Geo. C. Diehl was appointed and acted as one of the viewers.

5. It does not appear from the report that the notices required by law to be posted in the vicinity of the route to be viewed were so posted, or that any notice was given any of the owners of the land through which the proposed road was laid out.

6. No proof of <sup>written</sup> notice to the Supervisors of Washington Township, as required by the Act of Assembly of May 2d, 1899, appears with the report.

7. The report contains nothing in reference to the question of damages to land owners, nor as to whether any attempt was made to obtain releases.

8. The petition asking for the appointment of viewers was not verified by the affidavit of any of the petitioners, and hence should not have been considered by the Court, and the appointment of viewers was therefore irregular and void (Joint Rule 2).

9. That ~~about~~ eight of said petitioners are residents and taxable inhabitants of Washington Township; to wit, T. J. Scanlon, Jacob Bender, Chas. Siesko, Joseph M. Haslett, William Stombaugh, John Bost, R. W. Davis and Frank Stombaugh, which is relatively too small a number of the taxable inhabitants of said Township to charge the taxable property of said Township and the citizens thereof with the enormous expenses of constructing the said road as laid out; if there were any public necessity for said road, a much larger number would and should appear as signers to the petition.

10. That three of the petitioners; to wit, J. A. Gauntner, Charley Stombaugh and Jas. B. Gauntner live in Blair County.

11. That two of the petitioners reside in Lilly Borough; to wit

C. A. McGonigle, and Henry Ehrenfeld and that a public road leads direct from Lilly Borough to the Blair County line at a distance of about two miles from the terminus of the proposed road.

12. That a number of the petitioners, who did sign said petition, signed it upon representations which were misleading, as to the intended location of said road and as to other matters.

13. That the petition for the appointment of viewers and the order of view both attempt to designate and determine the route to be followed by said proposed road between the terminal points, in naming the lands through which the same is to be laid out; to wit, through the lands of the Cambria Mining & Manufacturing Company, lands of the Harten (Harker) heirs and lands of A. H. Boyle.

14. The report is irregular and not as required by law in the above and other particulars, and therefore should be set aside.

Thomas J. Stell  
Attorney for Exceptants.

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SIGNATURES OF EXCEPTANTS.

1 Peter Robine, Supervisor.

2 Alex Sanders, Supervisor.

3 Andrew Bost

4 John W. Bost

5 Wm Leap

6 W.D. Sheridan

7 J. A. Monahan

8 \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_

1 Harry Ellis

2 Michael Leap

3 John Broadwell

4 Martin Leap Jr

5 Humphrey Lewis

6 Martin Leap Jr

7 \_\_\_\_\_

8 \_\_\_\_\_

STATE OF PENNSYLVANIA |  
COUNTY OF CAMBRIA | SS.

Peter Robins, one of the  
signers to the foregoing exceptions, being duly sworn according to  
law, says that the statements of fact in the said exceptions are true  
and correct, as he verily believes.

Peter Robins.

Sworn and subscribed to before me this 31<sup>st</sup> day of August,  
A.D. 1901.

Joseph Sanders,  
Justice of the Peace.

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