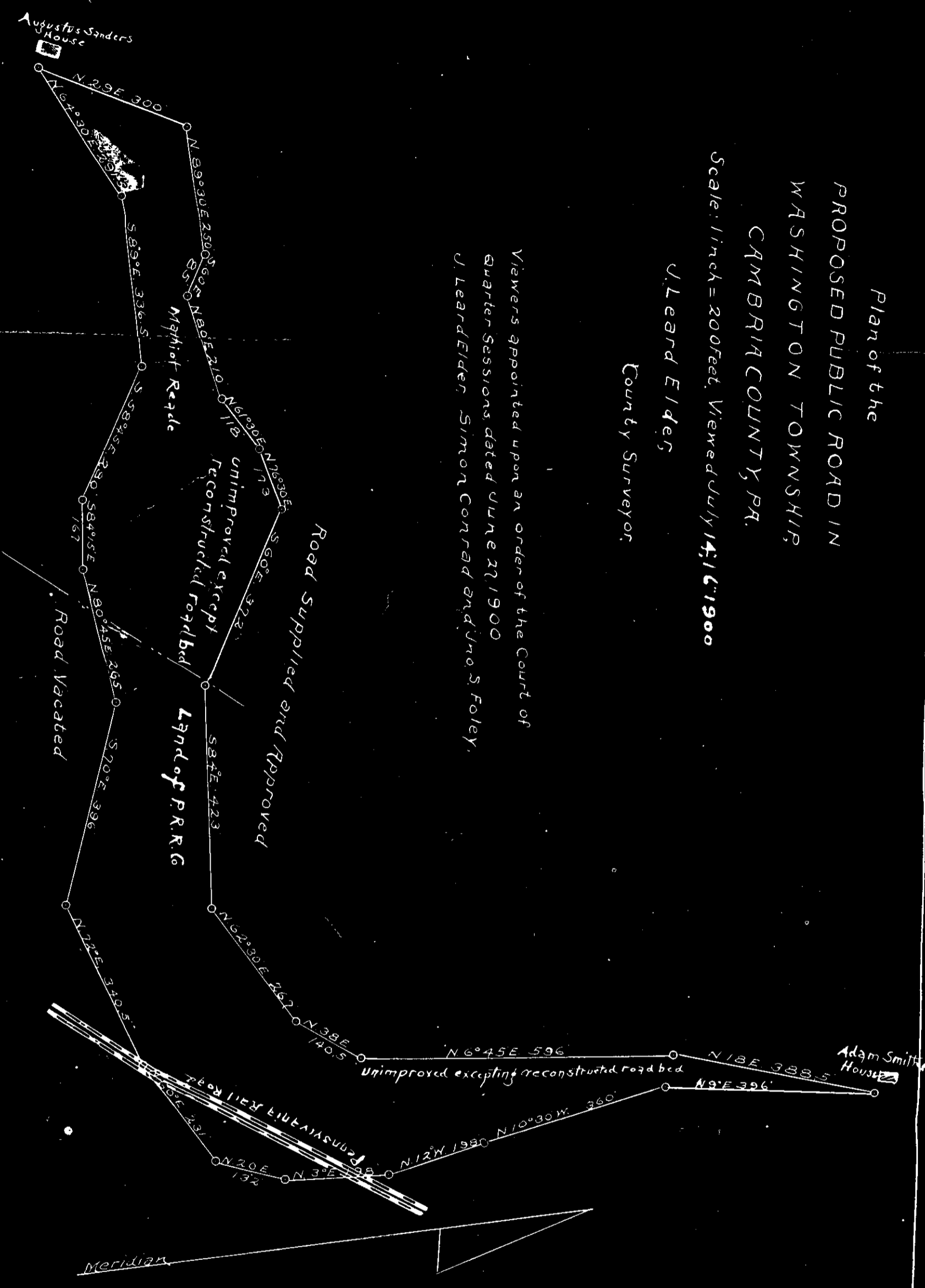


Plan of the  
 PROPOSED PUBLIC ROAD IN  
 WASHINGTON TOWNSHIP  
 CAMBRIA COUNTY, PA.

Scale: 1 inch = 200 feet. Viewed July 14, 1900

J. Leard Elder,  
 County Surveyor

Viewers appointed upon an order of the Court of  
 Quarter Sessions, dated June 27, 1900  
 J. Leard Elder, Simon Conrad and Jno. S. Foley.



R.D. # 11, June 1900

Not Microfilmed

In Re Order to View,  
Vacate and supply a portion  
of a public road leading  
from Derby to Lilly, com-  
mencing at a point in said  
road in the village of  
Derby opposite the house  
of Augustus Sanders, etc.,  
to a point in said road  
opposite the house of  
Adam Smith, unoccupied.

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

No. 11 June Sessions, 1900 R.D.

99-----

Order to View granted 27th June 1900


Report of Viewers filed Sept. 3, 1900

IN RE EXCEPTIONS TO REPORT OF VIEWERS

Filed Dec. 3, 1900.

To Col. S. W. Davis, Clerk of the above-named Court,-

As attorney for the persons who caused the excep-  
tions to be filed to the report of the viewers in the above-stated  
case, I hereby withdraw the same, in accordance with their instruc-  
tions, the grounds upon which the exceptions were based having been  
removed, and the exceptants having no further objections to the con-  
firmation of said view, now move for the final confirmation of the  
same.

  
Attorney for Exceptants

October 24th, 1901.

-----oOo-----





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

In re Order to View, etc.

In re Petition for Review.

ORDER FOR WITHDRAWING PETITION FOR REVIEW.

IN RE ORDER TO VIEW, ETC.  
IN RE PETITION FOR REVIEW.

Filed 25 Dec 1900

Thomas J. Itell.

APPROVED FOR PETITIONERS  
*[Signature]*

Vertical text on the left margin, including "DEPT. OF REVENUE" and other administrative markings.

Vertical text on the right margin, including "ORDER TO VIEW, ETC." and other case-related markings.

In Re Order to View,  
Vacate and supply a portion  
of a public road leading  
from Derby to Lilly, com-  
mencing at a point in said  
road in the village of  
Derby opposite the house  
of Augustus Sanders,  
to a point in said road  
opposite the house of  
Adam Smith, unoccupied.

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

No. 11 June Session, 1900. R. D.

Order to view granted 27th June 1900

Report of Viewers filed Sept. 3, 1900

EXCEPTIONS TO REPORT OF VIEWERS.

Peter Robine, Jr., and John Sloan, road supervisors for the Township of Washington, in which the road mentioned in the above report of viewers is located, in their own behalf as such supervisors and as tax payers and inhabitants of the said Township, as well as in behalf of the other persons who signed the petition for the appointment of viewers filed to the above mentioned number and term, except to the confirmation of the above report of viewers, for the following reasons :

- 1.- No release of damages for the land to be taken and used as the site for said proposed change of route is filed with or accompanies the said report of viewers, as is therein mentioned as having been agreed upon and understood at the time of the view.
- 2.- The report does not show that any effort was made to obtain a release of damages from Mathiot Reade for the land which it is proposed to take from him.
- 3.- The report is otherwise irregular, and not as required by law, and therefore should not be confirmed.

*Thomas J. Stettin*  
Attty. for Peter Robine, Jr. and John Sloan,



Duplicate

WHEREAS the Pennsylvania Railroad Company in the work of straightening its main line of tracks between Lilly and Portage in Cambria County, Pennsylvania, found it necessary to change the location of a portion of a certain public road in the Township of Washington, said county; and

WHEREAS by an order of the Court of Quarter Sessions of Cambria County dated the 27th day of June A.D., 1900, J. Leard Elder, Simon Conrad and J. S. Foley were appointed viewers to vacate and supply a portion of the aforesaid public road necessarily changed by the Pennsylvania Railroad Company, as aforesaid, and the viewers so appointed laid out and returned for public use a road upon the bed or location for the greater part of the distance where the said Pennsylvania Railroad Company had already constructed a roadway for the use of the traveling public in place of the road taken and cut away in the work of straightening its tracks as aforesaid, and the remainder of the route of said road as located by said viewers was located upon the lands of Mathiot Reade, Esq., of Ebensburg in the said County, it having been agreed by the representative of the Pennsylvania Railroad Company, who was present at said view, that a release would be obtained by the said Company from the said Mathiot Reade for the use of the land over which the route of said road lay as located by the viewers and the road to be constructed by the said Company; the above mentioned order of view and the report of said viewers with the map or draft of the location of said road being filed in the aforesaid Court of Quarter Sessions to No. 11 June sessions, 1900, Road Docket; therefore,

KNOW ALL MEN BY THESE PRESENTS, that I, Mathiot Reade of the Borough of Ebensburg in the county aforesaid, through whose lands a portion of the public road as laid out in the above mentioned proceedings as located, in consideration of the advantages I expect to derive from the same, if confirmed, as well as for the further consideration of \$50.00 to me in hand paid by the Pennsylvania Railroad Company, the receipt whereby is hereby acknowledged, do hereby re-

lease, exonerate, acquit and discharge the said Pennsylvania Railroad Company of and from all damages that may have accrued or may accrue to me for or on account or by reason of the locating and constructing and opening of the said public road through my land in the Township of Washington, in said county, as laid out in the aforesaid report of viewers, and further for the consideration aforesaid, I do hereby release, exonerate, acquit and discharge the County of Cambria for or on account or by reason of the locating, opening, maintaining or using of said road or that may or might accrue to me from said road by any reason whatsoever.

Witness my hand and seal this 16<sup>th</sup> day of September A.D. 1901

*Thomas J. Stell*

*Mathiot Reade* (SEAL)

STATE OF PENNSYLVANIA  
 COUNTY OF CAMBRIA

*11 June 1901*

*Mathiot Reade*

Be it known that on the 17<sup>th</sup> day of September A.D., 1901, before me, the subscriber, a notary public of the State of Pennsylvania, and residing at Johnstown in the County aforesaid, personally appeared the above named Mathiot Reade, and in due form of law acknowledged the above and foregoing release to be his act and deed for the purposes therein stated and to the end that the same would be recorded as such.

*Thomas J. Stell*  
 Notary Public.

My Commission expires April 13, 1903.



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 Township of Wash-  
ington and vicinity, in the said county, respectfully represents:  
That they labor under great inconvenience by reason of the fact that  
a portion of a public road in said Township which is hereinafter  
described has been taken and cut away by the Pennsylvania Railroad  
Company in the work of straightening the tracks of its main line,  
and which portion of said road so taken must of necessity be vacated  
and a new public road laid out in its stead.

They therefore pray that that portion of the public road in said  
Township leading from the village of Derby (Cassandra P.O.), to the  
public road or street in the borough of Lilly near the foot of Conrad's  
Hill, commencing at a point in said road in the village of Derby  
opposite the house occupied by Augustus Sanders, to a point in said  
road opposite the house of Adam Smith (unoccupied), may be vacated  
and a new road laid out for public use, between said points.

1. Peter Robine Jr

2. Maurice Boglan

3. Terance <sup>his</sup> x Gorman

4. Joseph <sup>his</sup> x Robine <sup>mark</sup>

5. Andrew Bost

6. J. M. Fawcett

7. O. Brown

8. Jas. Callahan

9. John Muldoon

10. Martin Deane

11. James Biglin

12. John Robine

13. Frank Robine

14. George <sup>his</sup> x <sup>mark</sup> Peabolt

15. Robert Warren

16. Wm Robine

17. W. A. Inverman

18. Frank Kummeracker

19. Simon S. Robine

20. John Carr

21. Pat McMillan

22. A. Bost

23. Anthony <sup>his</sup> x Bender <sup>mark</sup>

24. Joseph Lempree

25. John M. Cool

26. Patrick <sup>his</sup> x <sup>mark</sup> McEntosh

27. Jacob Bender

28. W. Dunn

29 D. H. Brown  
 30 E. J. Brown  
 31 Frank Leap  
 32 John Broadvoice  
 33 John P. Allen  
 34 W. M. Leap  
 35 James W. Wemy  
 36 James W. Sheridan  
 37 J. H. Apple  
 38 John Sheridan  
 39 S. A. Myers  
 40 Martin Leap  
 41 Michael A. Leap  
 42 Jacob Brown  
 43 W. F. Connor  
 44 Humphreys Lewis

45 Thomas Prussian  
 46 Goryn W. W. W. W.  
 47 Joseph Sanders  
 48 Alexander, Robt. Jr.  
 49  
 50  
 51  
 52  
 53  
 54  
 55  
 56  
 57  
 58  
 59  
 60

Cambria County, Pa.

Peter Robins, Jr., one of the above  
 petitioners being duly sworn according to law, says  
 that the statements of fact set forth in the foregoing  
 petition are true and correct,

Sworn and subscribed to by

for me this 26<sup>th</sup> day of June  
 A.D. 1900

x Peter Robins, Jr. Supers

C. A. McYonigle  
 Justice of the Peace

1011 June Sessions, 1900, R. D.

In the Court of Quarter Sessions  
of Cambria County, Pa

Petition of Inhabitants of  
Washington Township, for  
appointment of viewers to va-  
cate and supply a portion of a  
public road in said township,  
commencing at a point in said  
road in the Village of Darby, op-  
posite the house occupied by  
Augustus Sanders to a point  
in said road opposite the house  
(unoccupied) of Adam Smith.

Filed 27 June 1900

Now 27 June 1900 the within  
petition read and presented in open  
Court, and upon consideration  
Hereof the Court appoint  
J. S. Elder surveyor, and  
Simon Couradone and Geo. S. Foley  
viewers to view the said road pro-  
posed to be vacated and supplied  
by a new road, and to report  
at next term of Court

By the Court

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

HENRY HALL, PRINTER, INDIANA, PA.

In Re Order to View,  
Vacate and supply a portion  
of a public road leading  
from the village of Derby  
to the public road or street  
in the Borough of Lilly, near  
the foot of Conrad's Hill  
commencing at a point in said  
road in the village of Derby  
opposite the house of August  
Sanders, to a point in said  
road opposite the house of  
Adam Smith, unoccupied.

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

No. 11 June session, 1900, R. D.

-----  
Order to view granted 27th June 1900

Report of Viewers filed sept. 3, 1900.

-----  
PETITION FOR REVIEW.  
-----

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

The undersigned respectfully represent:

- 1.- That they are the road supervisors for the Township of Washington, in said County for the current year.
- 2.- That as such supervisors it has been a part of their work to give attention to the roads reconstructed by the Pennsylvania Railroad Company to take the place of the public roads cut away by the said Company in the work of straightening its main line of tracks through said Township, one of which roads so reconstructed was the subject of the order to view and the report of the viewers mentioned in the above caption.
- 3.- That in section 5 of the report of viewers above mentioned the viewers state that they laid out and returned for public use a road between the termini therein mentioned, beginning at a point in the public road leading from Derby to Lilly at a point opposite the house of August Sanders in said village, and thence by the several courses and distances in the said report set forth to a point in said public road opposite the house of Adam Smith, the southerly portion of said road as indicated on

draft filed to said report lying upon land belonging to Mathiot Reade, there being already constructed on the greater part of said site at the expense of the Pennsylvania Railroad Company a road bed which for some time has been thrown open for public use and been used by the public in the place of the road proposed to be vacated. The viewers further state that the location of said road as laid out and reconstructed they believe to be the most favorable which the nature of the place will permit, and the road bed constructed in as perfect a manner as the original road. They further state that the Pennsylvania Railroad Company was represented at said view by Mr. Geo. C. Clarke, Assistant Engineer of Construction for said Company, who in behalf of said Company agreed that there would be no claim for damages for the location of the road upon said site and further agreed that the Company would in consideration of the location and final confirmation of the road upon said site furnish a release of damages to be filed with said report.

4.- That your petitioners are not of the opinion that the road as mentioned and laid out in the aforesaid paragraph No.5 of the report of the viewers is reconstructed in as perfect a manner as the original road, nor have all the agreements and representations made by the Pennsylvania Railroad Company through their representative who was present at said view been fulfilled and carried out, especially that part of the agreement by which the said Pennsylvania Railroad Company was to adjust all damages claimed by Mathiot Reade for that portion of the road as laid out across his land in or near the village of Derby, nor has the said Pennsylvania Railroad Company furnished the release of damages as agreed to be furnished.

5.- That a considerable part of the route of the road as laid out in the aforesaid report of viewers is over land owned by Mathiot Reade, and said part has not yet been constructed, so as to be a fit public highway, it having been agreed at the time of the view that the said Railroad Company would at its own expense construct that portion of the road across the land of Mathiot Reade, before the final confirmation of the report of viewers; all of which is necessary in order to make the construction of said road as perfect as the original road.

Your petitioner , therefore, believing that the confirmation of the aforesaid report and the adoption of the road therein mentioned as a public road without the work first being done on the said road as was agreed to be done on the part of the Pennsylvania Railroad Company by its representative who was present at the view, would be highly injurious to the tax payers of the said Township and to the traveling public, as supervisors of the said Township of Washington, and as citizens and taxable inhabitants of the said Township, respectfully pray your honorable Court to direct a review of said new road and vacation of the old one and for that purpose to appoint proper persons as reviewers, to make report to the Court according to law, and they will ever pray etc.

Peter Robine, Jr.  
John G. Sloan

State of Pennsylvania, |  
County of Cambria, | SS.

Peter Robine, Jr., and John Sloan, the above petitioners, being duly sworn according to law depose and say that the statements of fact set forth in the above and foregoing petition are true, as they verily believe.

Peter Robine, Jr.  
John G. Sloan

Sworn ans subscribed to before me this 26<sup>th</sup> day of November A.D., 1900.

C. A. M'Gaughey  
Justice of the Peace.

No. 11 June Session, 1900, R. D.

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

In Re Report of Viewers  
to View, Vacate and Report  
Supply Road in Washing-  
ton Twp. Commencing at  
a Point in the Road from Lilly  
to Berly, at a Point opposite  
the House of Augustus Sanders

Petition for Review.

Filed 3 Dec 1900

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

HENRY HALL, PRINTER, INDIANA, PA.

In Re Order to View,  
Vacate and supply a portion  
of a public road commencing  
at a point in the public  
road leading from the  
village of Derby to the  
public road or street in  
the Borough of Lilly, near  
the foot of Conrad's Hill  
commencing at a point in  
said road in the village  
of Derby opposite the  
house of Augustus Sanders,  
to a point in said road  
opposite the house of Adam  
Smith, unoccupied.

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

No. 11 June Session, 1900, R. D.

Order to view granted 27th June 1900.

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

The undersigned, the viewers named in the within and annexed  
order of your honorable court, respectfully report:

1.- That we met at the time and place specified in the notices,  
to wit; on Saturday the fourteenth day of July, A.D., 1900, at two  
o'clock in the afternoon, at the house of Augustus Sanders in the  
village of Derby, Washington Township, said county, as required in  
said notices.

2.- That the notices required by law were duly given, that is  
to say, ten days' public notice by not less than six typewritten  
posters placed in as many public places in the vicinity of the road  
to be viewed, also written notices to the county commissioners of  
said county, as will appear from the acceptance of the clerk of said  
commissioners hereto attached, and also written notices to the  
supervisors of said Township, as will appear from their acceptance  
of service of said notice hereto attached, the said notice to the  
county commissioners and to the supervisors being given more than  
ten days before the time of said view, stating the time and place at  
which said viewers should meet to discharge the duties of their  
appointment.

3.- That we were severally sworn according to law, before pro-  
ceeding to discharge our duties, as will appear from the certificate  
of the Justice of the Peace hereto attached.

4. That we viewed the site and locality of the road proposed to be vacated and laid out, making a personal inspection of the ground between the points designated in the petition and order, on the day mentioned in said notices, that is to say, on the fourteenth day of July A.D., 1900, but not being able to complete the work of said view on the day named, the viewers adjourned publicly until the \_\_\_\_\_ day of July, 1900, when the work of the view was completed.

5.- We are of the opinion and agree that the portion of the public road commencing at a point opposite the house of Augustus Sanders, ~~in~~ <sup>in</sup> Washington Township, said county, on road leading from Derby to Lilly, to a point in said road opposite the house of Adam Smith should be vacated for the reason that the same has been cut away and changed by the Pennsylvania Railroad Company in the work of straightening its main line of tracks, and that a public road between said points is necessary. We therefore lay out and return for public use a road between said termini as follows: beginning at a point in the public road leading from the village of Derby to Lilly, at a point opposite the house of Augustus Sanders in said village, thence North twenty-nine (29) degrees East three hundred (300) feet to a post, thence north eighty-nine (89) degrees and thirty (30) minutes East two hundred and fifty (250) feet to a post, thence south sixty (60) degrees East eighty-five (85) feet to a post, thence north eighty (80) degrees East two hundred and ten (210) feet to a post, thence north sixty-one (61) degrees and thirty (30) minutes East one hundred eighteen (118) feet to a post, thence north seventy-six (76) degrees thirty (30) minutes East one hundred seventy-three (173) feet to a post, thence south sixty (60) degrees East three hundred seventy-two (372) feet to a post, thence south eighty-four (84) degrees East four hundred twenty-three (423) feet to a post, thence north sixty-two (62) degrees thirty (30) minutes East two hundred and sixty-seven (267) feet to a post, thence north thirty-eight (38) degrees East one hundred and forty and five-tenths (140.5) feet to a post, thence north six (6) degrees forty-five (45) minutes East five hundred ninety-six

(596) feet to a post, thence north eighteen (18) degrees East three hundred eighty-five and five-tenths (385.5) feet to a point in said public road opposite the house of Adam Smith, the whole of said site being in Washington Township, said county. The site of said road as laid out between said termini and considered as necessary for a public road lies wholly on the land belonging to the Pennsylvania Railroad Company, excepting the southerly portion as indicated on map or draft hereto attached which belongs to Mathiot Reade, there being already constructed on the greater part of said site at the expense of the said Pennsylvania Railroad Company a road-bed which for some time has been thrown open to public use and been used by the public in the place of the road proposed to be vacated. The location of said road as laid out and constructed we believe to be the most favorable which the nature of the place will permit, and the road-bed constructed in as perfect a manner as the original road. The said Pennsylvania Railroad Company was represented at said view by Mr. Geo. C. Clarke, Assistant Engineer of Construction for said Company, who in behalf of said company agreed that there would be no claim for damages for the location of the road upon said site, and further agreed that said Company would in consideration of the location and final confirmation of the road on said site, furnish a release of damages to be filed with this report.

6.- That considering the advantages and disadvantages to be derived from the change in the site of the said road by the vacation and supply of the same, as hereinbefore stated, we are of the opinion that no damages result to Mathiot Reade or to the Pennsylvania Railroad Company by the proposed change of route.

7.- We annex hereto all the papers hereinbefore referred to, also plot or draft showing the location of the road laid out and that vacated, stating the courses and distances and briefly noting the improvements, also the release of the Pennsylvania Railroad Company and of Mathiot Reade for the land to be taken and occupied by the new location or site of the said road, as hereinbefore set forth.

Witness our hands this \_\_\_\_\_ day of July, A.D., 1900.

*J. L. E. J. Leard Elder*  
*S. S. Simon Leonard*  
*J. S. F.*

Viewers.

Witness our hands this \_\_\_\_\_ day of July, A.D., 1900.

Ebensburg, Pa., July 2, 1900.

To the County Commissioners of Cambria County,

Ebensburg, Pa.,

Gentlemen:--

You are hereby notified that the undersigned, appointed by the Court of Quarter Sessions of Cambria County, to view the ground for the proposed vacation and supply of a portion of a public road, leading from Derby to Lilly, in Washington Township said county, from a point in said road in the village of Derby, opposite the house occupied by Augustus Sanders, to a point in said road opposite the house of Adam Smith (unoccupied) in said Township, will meet for the purpose of discharging the duties of said appointment, at the house of Augustus Sanders above mentioned, on Saturday the 14th day of July A.D., 1900, at 2:00 o'clock in the afternoon, when and where you may attend it you see proper.

Respectfully,

J. L. ELDER, Surveyor,

SIMON CONRAD,

JOHN S. FOLEY,

Viewers.

Ebensburg, Pa., July 3, 1900.

To the above-named Viewers:

I hereby accept notice of the above, on behalf of the County Commissioners.

*Jno. C. Gates*  
Clerk.

July 14<sup>th</sup> 1900

J. L. Elder	1/2 day	6.00
"	" mileage	.85
Simon Conrad	1/2 day	1.00
"	" mileage	.15
John S. Foley	1/2 day	1.00
"	" mileage	.15
Jacques Sloan	Chairman 1/2 day	.75
John Eckrood	" 1/2 day	.75
		<u>\$ 10.65</u>

11

NOTICE OF ROAD VIEW.

To Peter Robine, Jr., and John Sloan, supervisors of Washington Township, Cambria County, Penn'a.:

You are hereby notified that the undersigned, appointed by the Court of Quarter Sessions of Cambria County to view the ground for proposed vacation and supply of a portion of a public road, leading from Derby to Lilly, in Washington Township, said county, from a point in said road in the village of Derby, opposite the house occupied by Augustus Sanders, to a point in said road opposite the house of Adam Smith (unoccupied) in said Township, will meet for the purpose of discharging the duties of said appointment, at the house of Augustus Sanders above mentioned, on Saturday the 14th day of July A.D., 1900, at 2:00 o'clock in the afternoon, when and where you may attend if you see proper.

J.L. ELDER, Surveyor,  
SIMON CONRAD,  
JOHN S. FOLEY,  
Viewers.

Lilly, Pa., July 2, 1900.

Washington Township, Cambria Co., Pa.,  
July 3, 1900.

To the above-named viewers:

We hereby accept service of the above notice of view,

Peter Robine Jr.,  
John M. Sloan, Supervisors.

In Re Order to View,  
Vacate and supply a por-  
tion of a public road com-  
mencing at Derby and end-  
ing in road opposite house  
of Adam Smith in  
Washington Township.

In the Court of Quarter Sessions of  
Cambria County, Pennsylvania.  
No. 11 June Session, 1900.

-----  
Order to view granted 27 June 1900.

-----  
Cambria County, I SS.

The viewers appointed under the above order of the  
Court of Quarter Sessions, of Cambria County, Pa., to wit, J.L. Elder  
Simon Conrad and John S. Foley, being duly sworn according to law,  
depose and say that they will perform their duties as such viewers,  
impartially and to the best of their judgment.

J. L. Elder  
Simon Conrad  
J. S. Foley

-----  
Sworn and Subscribed to by the said viewers, before me, this 14<sup>th</sup>  
day of July A.D., 1900.

C. A. McGonigle  
Justice of the Peace

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 ~~twenty seventh~~ day of June A. D. ~~189~~<sup>1900</sup>, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Washington and vicinity, in the said County, setting forth that they labor under inconvenience ~~for want of a~~ road or highway, to lead from

by reason of the fact that a portion of a public road in said Township which is hereinafter described has been taken and cut away by the Pennsylvania Railroad Company in the work of straightening the tracks of its main line, and which portion of said road so taken must of necessity be vacated and a new public road laid out in its stead. The road to be vacated leading from the village of Derby (Cassandra P. O.) to the public road or street in the borough of Lilly near the foot of Conrad's Hill, commencing at a point in said road in the village of Derby opposite the house occupied by Augustus Sanders, to a point in said road opposite the house of Adam Smith (unoccupied)

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

J. L. Elder SURVEYOR, and Simon Conrad and Geo. S. Foley

VIEWERS, to <sup>vacate and survey</sup> view the ground proposed for said road, and if they <sup>vacate and survey</sup> 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.

No. 11, June Session, 1900

ORDER TO VIEW, locate and

survey a portion of a public road commencing at Derby and ending in road opposite house of Adam Smith in Washington Township

J. F. Elder  
Simon Conrad  
Geo. S. Folley  
Viewers

CLERK DAVIS 90 CTS.

Stall

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."

1901 June Session, 1900, R. D.

In the County of Chester, Division  
of Chester County, Pa.

Report of Viewers  
on Order to View Vacant and  
Suffly a portion of a public road  
in Washington Twp. Commencing  
at a point on the public road  
from the Village of Dooly to  
Lilly, opposite the house of  
Regina Sanders, in the  
Village of Dooly, etc.

Filed 3 Sept 1900

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

HENRY HALL, PRINTER, INDIANA, PA.

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

25th Dec 1901 Confirmed S U L Davis Clerk