

TO THE HONORABLE FRANCIS J. O'CONNOR,

PRESIDENT JUDGE OF THE COURT OF

QUARTER SESSIONS OF CAMBRIA COUNTY:

The petition of the undersigned, inhabitants of the Township of Elder, in the County aforesaid, respectfully represents:

That a public road has long since been laid out from *St. Boniface* in Elder Township to *Lantry's Mills*, *as being on Chest Creek, the line between Chest and Elder Townships, and thence to west, from Lantry's Mills across Chest Creek, to St. Lawrence, in Chest Township,* as recorded in said County of Cambria, in road packet, Vol. 3, page 202, a part of which road from *St. Lawrence to Lantry's Mills*,

*on* Chest Creek, the line between the Townships of Chest and Elder, in said County, and lying in said Township of Chest, has long since been vacated, *as recorded in said County, in road packet, Vol. 3, page 382,* and that another part of said road from a point at Libby's School House to Chest Creek aforesaid, and lying in said Township of Elder, has become useless, inconvenient and burdensome.

Wherefore your petitioners pray the Court to inquire of and vacate *the* aforesaid part of said road, lying in Elder Township as aforesaid, *from Libby's School House to Lantry's Mills, on Chest Creek,* and for that purpose to appoint three persons qualified according to law, to view said road and inquire of the premises, and make return of their proceedings at the next term of this Court.

And they will ever pray, &c.

Cambria County, SS:

John Weakland, being duly sworn according to law, says that the facts set forth in the foregoing petition are true and correct, to the best of his knowledge, information and belief.

Sworn and subscribed before me,  
this *23* day of *August*, 1904.

*Thomas O.A.*  
Justice of the Peace.

*John Weakland*

Name  
 Ben Sutter  
 Adam Miller  
 Jacob Cronauer  
 Edward Schick  
 Daniel Dapp  
 Chas. Miller  
 Anthony Soudan  
 Andrew Hadball  
 Joseph R. R. R.  
 Wm. S. S.  
 P. S. S.  
 Chas. S. S.  
 E. H. Gray  
 Isaac Bollinger  
 Jos. Stewart  
 James D. M. Muller  
 Charles R. R.  
 Louis Bernauer  
 Adolph Peterson  
 David Dabing  
 Scott Butcher  
 Stephen W. W.  
 E. S. S.  
 Alex. S. S.  
 J. C. Ender  
 O. Huber, Sr.  
 John A. S. S.

Name  
 Thomas Ott  
 Thomas Ender  
 Wm. C. S. S.  
 Wm. S. S.  
 P. S. S.  
 Albert Yeager  
 Chas. S. S.  
 A. S. S.  
 J. Baker  
 John S. S.

No 2 Sept 1904

Notice

of  
Publication of Ellen  
Journal to Great  
Public for from  
Lillie's Second Attack  
to Bless Book, in  
Ellen Journal.

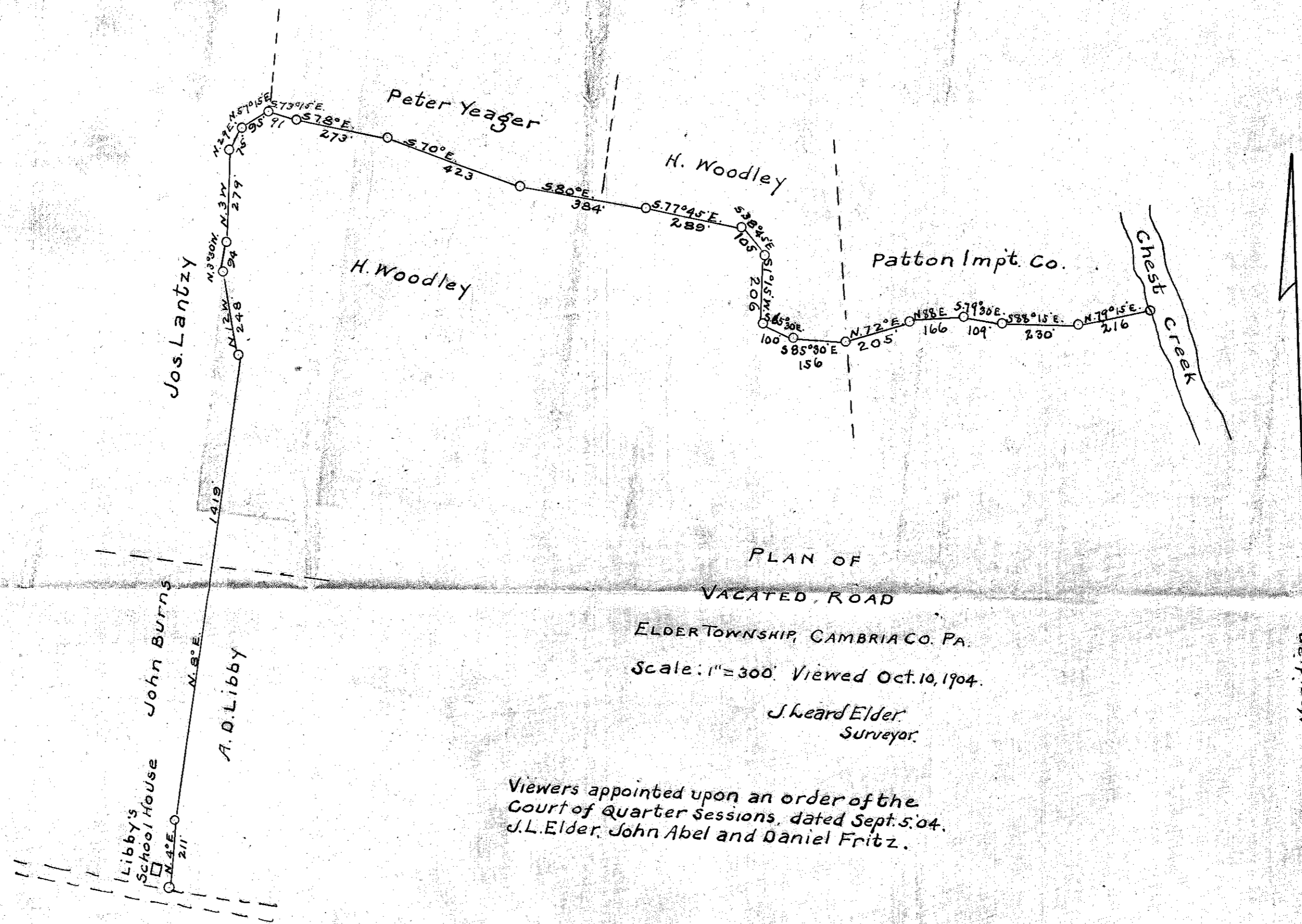
Sept. 5, 1904 this notice  
has been presented concerning  
the present of Ellen, John  
and J. P. Allen, John  
Allen and David Allen  
are appointed trustees  
By the Court

Filed 5 September, 1904.

Roland.

HARVEY ROLAND,  
ATTORNEY AT LAW,  
HASTINGS, PA.

HENRY HALL, PRINTER, INDIANA, PA.



PLAN OF  
 VACATED ROAD  
 ELDER TOWNSHIP, CAMBRIA CO. PA.  
 Scale: 1" = 300'. Viewed Oct. 10, 1904.  
 J. Heard Elder,  
 Surveyor.

Viewers appointed upon an order of the  
 Court of Quarter Sessions, dated Sept. 5, '04.  
 J.L. Elder, John Abel and Daniel Fritz.

To the Honorable Francis J. O'Connor, President Judge  
of the Court of Quarter Sessions, of Cambria Co. Pa.

We, the undersigned viewers, appointed by the annexed  
order respectfully report, that in pursuance thereof,  
after having been severally 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.

All the viewers appointed by said order met  
and viewed the within mentioned road,  
and the undersigned do agree that on  
account of the hilly condition of the road,  
which greatly exceeds a lawful grade, it  
is useless, inconvenient and burdensome  
upon the inhabitants of said Township.

We have therefore vacated the following road,  
Beginning at a point near Libby's School House  
thence north four degrees east two hundred and eleven  
feet, north eight degrees east, fourteen hundred and  
nineteen feet, north twelve degrees west, two hundred  
and forty eight feet north three degrees thirty minutes  
west ninety four feet north three degrees west two  
hundred and seventy nine feet north twenty nine  
degrees east seventy five feet north fifty seven  
degrees fifteen minutes east ninety five feet  
south seventy three degrees fifteen minutes east  
ninety one feet south seventy eight degrees east two  
hundred and seventy three feet south seventy degrees  
east four hundred and twenty three feet.

south eighty degrees east, three hundred and eighty four feet  
 south seventy seven degrees forty five minutes east two  
 hundred and eighty nine feet. south thirty eight degrees  
 forty five minutes east one hundred and five feet.  
 south one degree, fifteen minutes west two hundred  
 and six feet. south sixty five degrees, thirty minutes  
 east one hundred feet. south eighty five degrees, thirty  
 minutes east. one hundred and fifty six feet. north  
 seventy two degrees east two hundred and five feet.  
 north eighty eight degrees east. one hundred and sixty  
 six feet. south seventy nine degrees, thirty minutes  
 east, one hundred and nine feet. south eighty eight  
 degrees, fifteen minutes east two hundred and  
 thirty feet. north seventy nine degrees, fifteen minutes  
 east two hundred and sixteen feet to Chest Creek.  
 Said road passes through lands of John Burns,  
 A. D. Libby, Jos. Lantzy, H. Woodley Peter Grager  
 and Patton Improvement Co.

A plot or draft is hereto attached

Witness our hands this the 14<sup>th</sup> day of Nov, 1904.

J. L. Elder	2 days	\$ 8.00
"	" mileage	2.00
John Abel	1 day	2.00
"	" mileage	.40
Daniel Fruits	1 day	2.80
"	" mileage	.40
		<hr/>
		14.80

J. L. Elder  
 John Abel  
 Daniel Fruits

Paid by Attorney Rodland  
 J. L. Elder

1730  
 1480  
 250

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 Fifth day of September A. D. 1904, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Elder, in the said County, setting forth that ~~the~~ ~~road~~ ~~or~~ ~~highway~~ ~~to~~ ~~lead~~ ~~from~~ ~~a~~ ~~public~~ ~~road~~ ~~has~~ ~~long~~ ~~since~~ ~~been~~ ~~laid~~ ~~out~~ ~~from~~ ~~St.~~ ~~Boniface~~ ~~in~~ ~~Elder~~ ~~Township~~ ~~to~~ ~~Lantzy's~~ ~~Mills~~ ~~at~~ ~~point~~ ~~on~~ ~~Chest~~ ~~Creek~~, the line between Chest and Elder Townships and thence to wit, from Lantzy's Mills aforesaid on Chest Creek to St. Lawrence, in Chest Township, as recorded in said County of Cambria in road docket Vol. 3, page 202, a part of which road from St. Lawrence to Lantzy's Mills, on Chest Creek the line between the Townships of Chest and Elder, in said County, and lying in said Township of Chest, has long since been vacated as recorded in said County in road docket Vol. 3 page 382: and that another part of said road from a point at Libby's School House to Chest Creek aforesaid, and lying in said Township of Elder, has become useless, inconvenient and burdensome.

vacate the aforesaid part of said road lying in Elder Township as aforesaid from Libby's School House to Lantzy's Mills, on Chest Creek

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

John Abel and Daniel Fritz

VIEWERS, to view the ground proposed for said <sup>vacation</sup> road, and if they view the same, and shall agree that there is <sup>no</sup> occasion for such road, they shall proceed to <sup>vacate</sup> 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:

W. C. Traylor, Clerk.

No. 2, September Session, 1904.

Order to view and vacate

public road in Elder Twp.

Report of Viewers  
Filed 5 Dec 1904

J. L. Elder

John Abel

Daniel Fritz

Viewers

Clerk Troxell for Atty 90 cts.

Roland

MOUNTAIN-HERALD PRINT.

Jan'y 17, 1905, approved

18 Dec 1905. Confirmed

W. E. Foy's Deed

By the Court

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 all sworn; 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."