

Johnstown Nov 25/89

Cambria County -

To John Downey, Edward Fisher & Jacob S Singer Or  
as follows - To John Downey  
Nov 8<sup>th</sup> 1889, writing and posting road view  
notices 1 day and mileage \$4.40  
Nov 20<sup>th</sup> viewed and located road, see Draft 4.40  
Nov 22<sup>nd</sup> wrote Report and made Draft of road 4.00  
\$12.80

To Edward Fisher

Nov 20<sup>th</sup> Assisted in viewing road, and mileage 2.40

To Jacob S Singer

Nov 20<sup>th</sup> Assisted in viewing road, and mileage 2.40  
\$17.60

Order of Court, Sept. Sess., 1889.

Report of Road View

To the Hon R L Johnston, Judge of the Court  
of Cambria County Penn<sup>a</sup>;

We the undersigned appointed  
by your Honor, Sept. Sess, 1889, to view vacate  
and supply, part of the public road, leading from  
at or near the residence of John Blough in Richland  
Twp, to at or near the residence of Samuell Schrock  
in Stonycreek Twp, all that part of said road,  
from at or near the residence of George W Constable  
to at or near the residence of Samuel Schrock  
aforesaid, would respectfully report that  
after posting due notice of the date of view,  
along the premises, and being severally affirmed,  
went upon the premises Nov the 21<sup>st</sup> 1889, and  
located a new line of road thirty feet wide, with  
light grade, connecting points in present road,  
as per your order, which will pass through lands  
of George W Constable, Johnson Company, Charles Von  
Lunen and Samuel Schrock, causing no damage  
to any of them, We believe the change to be necessary  
and would be a benefit to the public, Accompanying  
release taken from the Johnson Company and  
Charles Von Lunen, George W Constable and  
Samuel Schrock refused to sign,  
See accompanying Draft, which shows course  
and distance, and adjoining.

Respectfully Submitted,

Viewers

Nov 21<sup>st</sup> 1889.

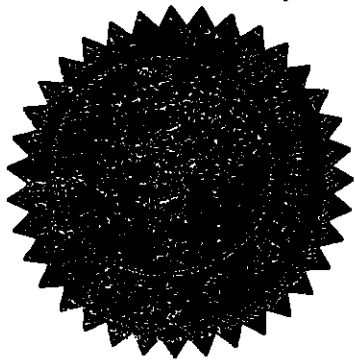
John Downey  
Edward Fisher  
Jacob Singer

Nov 21/89

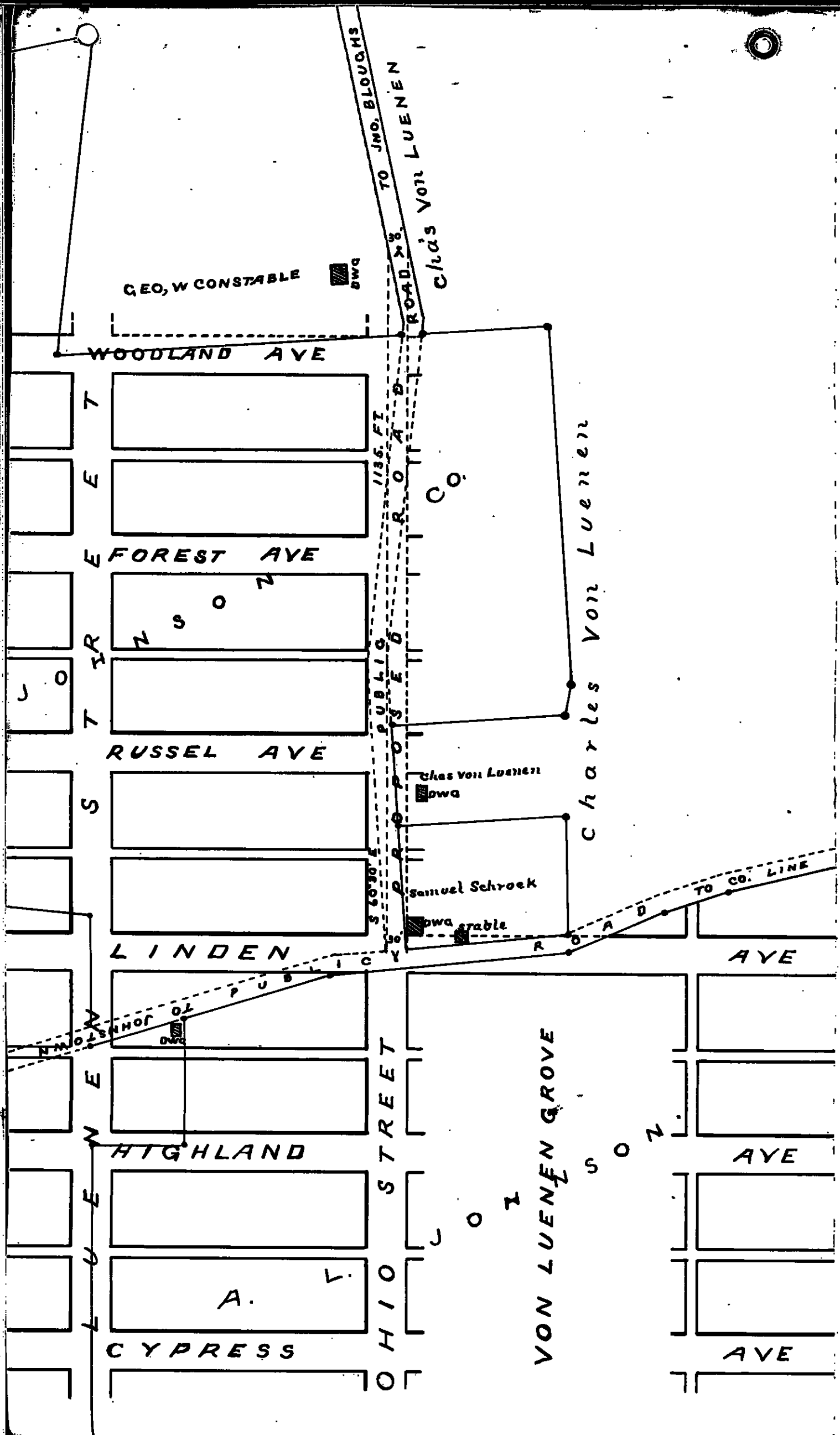
We the undersigned agree to release, for public road purposes, a strip of ground, running through our respective properties, in accordance with the view made this day, per the annexed order of Court, and the accompanying Draft.

Attest

W. W. Linn Secy



The Johnson Company  
Per A. J. Moxham (Pres)  
Charles, now Linn



*DRAFT, Showing Part of MOXHAM.  
 Public Roads, and Proposed Change of part of one.  
 situate, Stonycreek Township, November 1889  
 Scale 1"=2000.*

*Jno, DOWNEY*

Commonwealth of Pennsylvania, }  
County of Cambria, } ss.

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Chesham in the the said County, on the 8 day of October A. D. 1889, before the Honorable the Judges of the same Court: Upon the petition of divers inhabitants of the township of Stony Creek in the said County, setting forth that they labor under inconvenience for want of a road ~~has long since been laid out~~ road or highway, to lead from ~~leading from a public road~~ ~~also near the residence of John Blough in Richland Township in said County to a public road~~ ~~also near the residence of Samuel Schrock in Stony Creek Township in said County,~~ that part of said road through the Township of Stony Creek of said County ~~beginning at a point near land and dwelling of George H. Condit~~ and ending at a point near land and dwelling of Samuel Schrock of said County has become inconvenient and burdensome, and the said road would be much improved by a change of its route between said points

and therefore praying the Court to appoint proper persons to <sup>view, & lay out</sup> view and lay out the same according to law. The Court upon due consideration had of the premises, do order and appoint John Dawson SURVEYOR, and Edward Fisher & Jacob S. Singer

<sup>vocate & settle</sup> VIEWERS, to view the ground proposed for said road, and if they <sup>view & settle</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 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:

H. Shaeffer  
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 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. 10  
Sept. Term 1889.  
R.R.

Order to view a road route  
Nephtely part of road from  
at or near the residence of John  
Thompson in Highland Township  
in said county to the rear  
residence of Samuel Schrock  
in Strong Forest Township

Viewers  
John A. Lawrence  
Edward Fisher  
Jacob J. Suringer

The above Viewers  
severally affirmed before  
me this 26 day of Nov  
1889. W. M. Leary (C.D.)

Filed 26th Nov 1889.

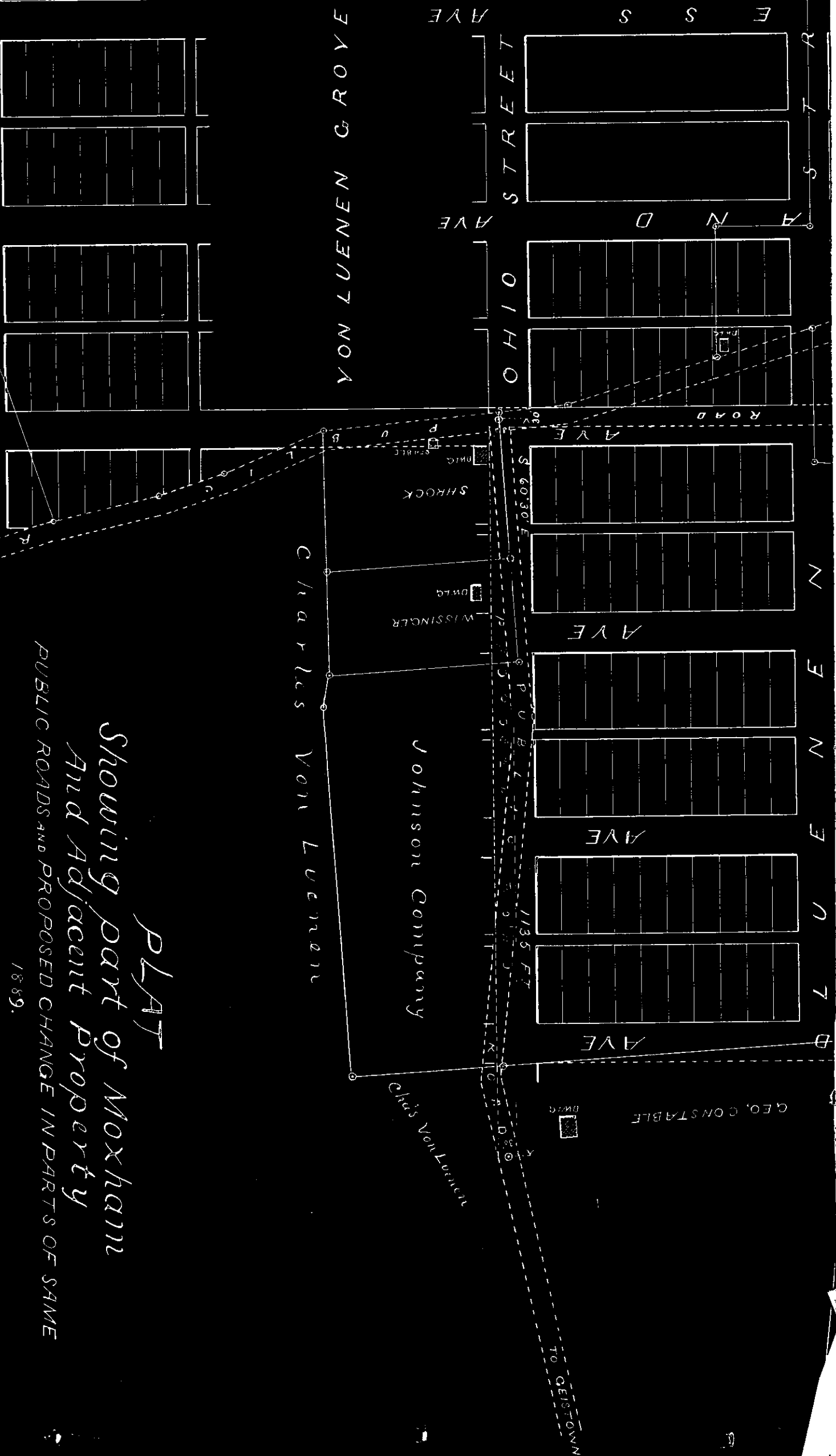
Letk Macinister. 90  
Chas. C. Mason

Jan'y 11. 1890  
Confirmed  
16 Apr. 1890 Confirmed  
Probably  
By the Court

To the Honorable Robert H. Johnston, President Judge of  
the Court of Quarter Sessions of Cambria Co.,

The petition of the undersigned, inhabitants of  
the Township of Stony Creek in said County respectfully show-  
eth, that a road has been long since laid out, leading from a  
public road at, or near the residence of John Blough in Rich-  
land Township in said County to a Public Road at or near the  
residence of <sup>Samuel</sup> George Schreck in Stony Creek Township in said  
County; That a part of said road through the Township of  
Stony Creek aforesaid, beginning at a point near land and  
dwelling of George W. Constatie, and ending at a point near  
land and dwelling of Samuel Schreck aforesaid, has become in-  
convenient and burdensome, and the said road would be much im-  
proved by a change of its route between said points.....  
Your petitioners therefore pray the Court to appoint qualified  
persons to view the premises and to inquire into the expedi-  
ency of making said change, and otherwise proceed as directed by  
the Act of Assembly in such case made and provided,  
and they will ever pray &c.

*W. McLain*  
*Daniel Coolidge*  
*Jno Masterton*  
*A. J. McNamee*  
*W. L. Rankin*  
*Charles von Linn*  
*Alonso Rodgers*  
*Garris von Linn*  
*Sharon Allen*



**PLAT**

*Showing part of Moxham  
And Adjacent Property*

*PUBLIC ROADS AND PROPOSED CHANGE IN PARTS OF SAME*

1889.

SCALE 1=2000.



Nov. 11<sup>th</sup> Oct. 1879  
Court Quarter Sessions

of  
Sambria Co.

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Petition

Citizens of Stonycreek  
Township to Change  
Route of Public Road

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Count Appoint

John Droney

Edward Fisher

Jacob S. Singer

Viewed By the Court

Filed Oct. 8. 1879,

Johnstown Nov 25/89

Cambria County-

To John Downey Edward Fisher & Jacob S. Singer Dr  
As follows- To John Downey

Nov-9<sup>th</sup> 1889. Writing and posting road view  
Notices, 1 day and mileage \$4.40

Nov-21<sup>st</sup> viewed and located road-See Draft 4.40

Nov-23<sup>rd</sup> wrote Report and made Draft of road 4.00  
\$12.80

To Edward Fisher

Nov-21<sup>st</sup> Assisted in viewing road, and mileage 2.40

To Jacob S. Singer

Nov-21<sup>st</sup> Assisted in viewing road, and mileage 2.40  
\$17.60

Order of Court Sept. Sess. 1889.

Report of Road View

To the Hon R L Johnston, Judge of the  
Court of Cambria County Pa.

We the undersigned, appointed  
by your Honor, at the Sept. Sess, 1889, to  
view vacate and supply, part of the public  
road, leading from Johnstown to the County  
line near Kings Mills in Somerset Co, from  
John Flanagan Esq, to at or near the residence  
of Samuel Schrock in Stonycreek Twp, would  
respectfully report, that after posting due  
notice of the date of view along the premises,  
and being severally affirmed, went upon  
the premises Nov 20<sup>th</sup> 1889, and located a  
new piece of road, thirty feet wide, with  
easy grades, connecting points in present  
road, as per your order, which will pass  
through lands of George Kurtz, Louis Von Luenen  
and the Johnson Company, to all of whom  
the change of road will cause no damage,  
We believe the change to be needed, and would  
be of benefit to the public, Accompanying  
releases taken from Louis Von Luenen and the  
Johnson Company, Mr George Kurtz was not  
present. See accompanying Draft which shows  
course and distances, and adjoiners.

Respectfully submitted,

Viewers  
Nov 20<sup>th</sup> 1889.

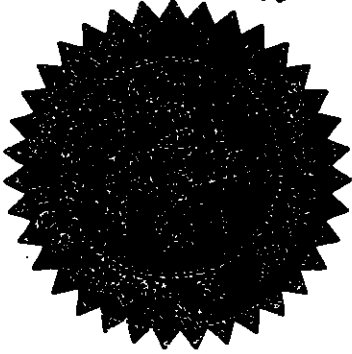
John Downey  
Edward Fisher  
Jacob Singer

Nov 20/84

We the undersigned agree to release, for public road purposes, a strip of ground thirty feet wide, running through our respective properties in accordance with the view made this day per the annexed order of Court, and the accompanying Draft.

Attest  
M W Lavin Secy

Louis Bon Lamer  
The Johnson Company  
Per A J Moxham Pres



Commonwealth of Pennsylvania, }  
County of Cambria, } ss.

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Cambria in the the said County, on the 8th day of October A. D. 1889, before the Honorable the Judges of the same Court: Upon the petition of divers inhabitants of the township of Stony Creek in the said County, setting forth that they labor under inconvenience for want of a ~~public~~ <sup>public</sup> road ~~was long since laid out~~ <sup>was long since laid out</sup> a road or highway, to lead from ~~the point on line of said County, etc.~~ <sup>the point on line of said County, etc.</sup> ~~near~~ <sup>near</sup> ~~Stony Creek~~ <sup>Stony Creek</sup> ~~beginning at a point near~~ <sup>beginning at a point near</sup> ~~lands and dwelling of John Hammagan Esq and ending~~ <sup>lands and dwelling of John Hammagan Esq and ending</sup> ~~at a point near land and dwelling of Samuel Schwanck~~ <sup>at a point near land and dwelling of Samuel Schwanck</sup> has become inconvenient and dangerous and the said road would be much improved by a change of its route between said points

and therefore praying the Court to appoint proper persons to <sup>view</sup> ~~view~~ and lay out the same according to law. The Court upon due consideration had of the premises, do order and appoint John Lowrey SURVEYOR, and Edward Fisher & Jacob Singer

<sup>view</sup> ~~view~~ <sup>and if they</sup> ~~and if they~~ <sup>view</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 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:

H. A. Shumaker  
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 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. 9  
Sept. Term 1879  
R.D.

Order to — view a road, vacate  
certainly found of record, containing from  
Johnston to County line near  
Trump Mill in Somerset Co. —  
from Mrs. Flanagan's E. water  
cross section of dammed  
Schroeder in Mary Terrace Park

Viewers —  
John A. Lawrence  
Edward V. Fisher  
Jacob S. Singer

Then above appointed  
William Applegate before  
this 20 day of Nov. 1879  
W. H. Beach, J.P.

Filed & Recd. 1879.

Letk. Shinnick 90  
Chas. W. Fisher

January 14, 1890  
Court held at 10:30 AM  
13th and 14th Sts.  
10:30 AM  
By the Court

To the Honorable Robert L. Johnston, President Judge of  
the Court of Quarter Sessions of Cambria County.

The petition of the undersigned, inhabitants of  
the Township of Stony Creek in said County respectfully show-  
eth, that a public road was long since laid out and opened,  
leading from the Borough of Johnstown in said County to a  
point on line of said county at or near Krings Mills, Somer-  
set County, Penna: That a part of said Road, through the said  
Township of Stony Creek beginning at a point near land and  
dwelling of John Flannagan, Esq. and ending at a point near  
land and dwelling of Samuel Schrock has become inconvenient  
and burdensome, and the said road would be much improved by  
a change of its route between said points.....

Your petitioners therefore pray the Court to appoint qualified  
persons to view the premises and to inquire into the expedi-  
ency of making said change and otherwise proceed as directed by  
the act of assembly in such case made and provided,

And they will ever pray &c.

*W. W. Linn*  
*Daniel Coolidge*  
*Jos. Masterton*  
*A. Moxham*  
*R. L. Rankin*  
*Charles von Lumen*  
*George Rodgers*  
*Louis von Lumen*  
*Thomas Allen*

No. 9

Count & Quarter Sessions

&

Barbours County

Petition

Citizens of Stonycreek  
Township to Change  
Route of Public Road

Oct. 8, 1889 Court  
appoint!

John Dooney

Edward Fisher &

Jacob Singer

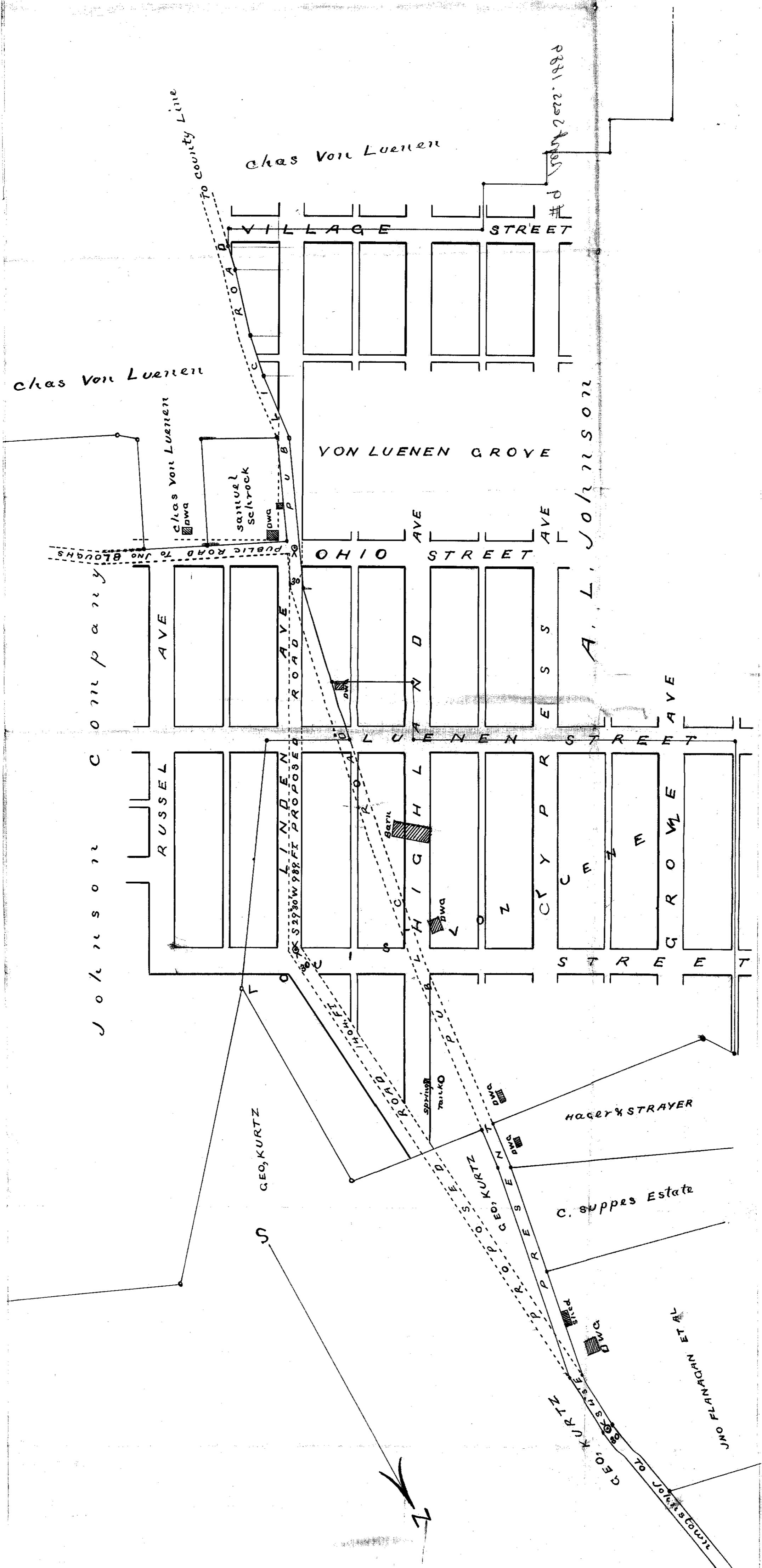
Viewers

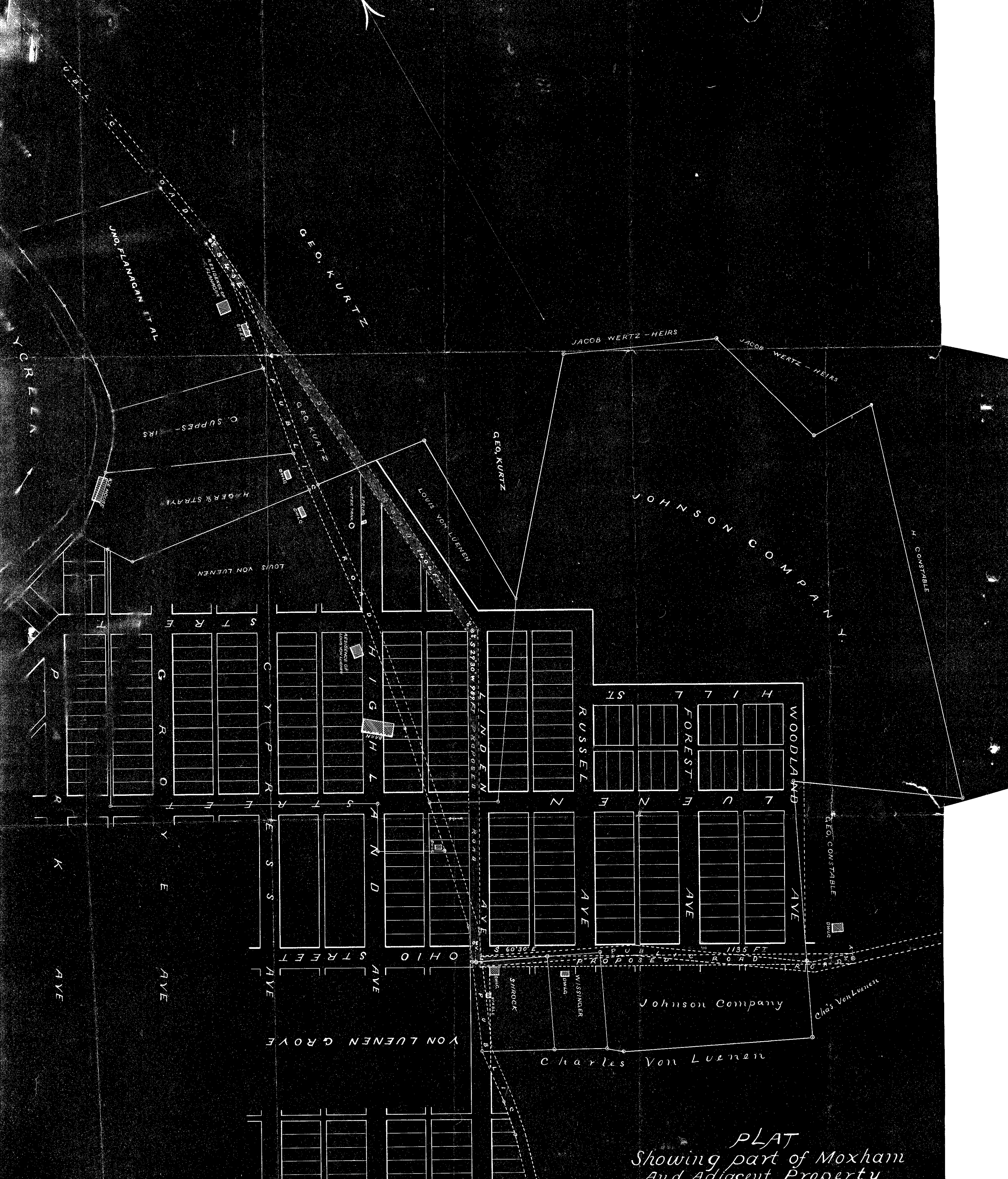
By the Court

Filed 8 Oct. 1889.

DRAFT showing part of Moxham  
Present public road & proposed change of part of same.  
Situatē, Stonycreek Township. November 1889.  
Scale 1=2000.

Jno, Downey





PLAT  
 Showing part of Moxham  
 And Adjacent Property  
 PUBLIC ROADS AND PROPOSED CHANGE IN PARTS OF SAME  
 1889.  
 SCALE 1=2000.