



MAP SHOWING  
LOCATION OF PROPOSED PUBLIC ROADS  
and the  
LOCATION OF PUBLIC ROADS NOW OPEN,  
TO BE VACATED.

CAMBRIA TWP., CAMBRIA CO., PA.  
Surveyed in Jan'y Feb. 1893.  
Scale: 800ft = 1 in.

VIEWERS  
S.G. FETTERMAN, SUR.  
JACOB SINGER  
JAMES D. BAUER.

Proposed Roads, in Red.  
Roads to be Vacated, in Yellow.  
Streams, in Blue.  
Railway Lines, in Green.

In Re Order to View, Va- cate and Supply two Roads in Conemaugh Town- ship.	) ) ) )	In the Court of Quarter Ses- sions of Cambria County.  No. 1 September Sessions, 1898.
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---OXO---

And now, June 5, 1899, M.B. Stephens, Esq., and H.S.

Endsley, Attorneys for Cambria Iron Company, -----

*Henry Skoffers, Ephraim Custer, Abraham Custer*

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owners of land through which the roads proposed to be opened are laid out, and through which the roads proposed to be vacated are laid out, hereby except to the Report of Viewers and the proceedings in said cause for the following reasons:

1.- The petition, order to view, report of viewers and proceedings are for the purpose of having two distinct and independent roads laid out and opened under the one proceeding.

2.- The petition, order and report prescribes, at least, one point in the one road intermediate to the termini; to wit: The Point "G" in the longer road at which the shorter road begins, and by reason thereof the route between the termini was not left exclusively to the viewers.

3.- There is a material and substantial variance between the western terminus of the road as located and described by the viewers in their report and that set out in the petition and order to view. The petition and order makes the terminus at or near the coal tipple in the Borough of Franklin, whereas, the report of viewers and the accompanying draft shows the point of beginning to be in Conemaugh Township two hundred and seventy-five (275) feet from the Borough line.

4.- The western terminus of the road proposed to be laid out is not described as connecting with any other public road or improvement.

5.- The petition, order and report prays for, contemplates and reports the vacation of two distinct and independent roads.

6.- Neither the petition, order nor report contain a reference to the number and term of the original cases, or to the number and page of the docket containing the records of the original cases at which the roads proposed to be vacated were laid out.

7.- The petition prays for the vacation of one road, beginning at Main Street in Franklin Borough, while the report recommends the vacation of two roads, neither of which begin within three hundred (300) feet of Main Street in said Borough.

8.- There is no averment in the report of viewers that the viewers met together for the performance of their duties, nor that they acted together in such performance. The place of meeting of viewers is not specified, nor is there any copy of the notice given by them appended to said report.

*M. B. Stephens*

*H. J. Cudde*

Attorneys for Land Owners, above  
Mentioned.

No. 1 Sept Dec 1898

L. S. Cambria Co.

Re. Roads in Cummagh  
Twp.

Exceptions to  
Report of Visitors

July 25 June 1899

Wm. R. Stephens  
H. C. Campbell  
Attys. for Exceptions

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

The petition of the undersigned, inhabitants of the Township of Conemaugh, County and State aforesaid, respectfully represents:

That they labor under great inconvenience for want of public roads, the one to begin at or near the Coal Tipple in the Borough of Franklin, Cambria County, and to end at or near the Barn of Christian Gossard, in the Township of Conemaugh; and the other to begin at or near Perry Park's house on the Hollow Road and to end at a point on the road to be laid out as above mentioned at or near the line of property of Dr. Emerson and Jacob Ribblett, in said Township of Conemaugh. The petitioners therefore pray the Court to appoint three persons, qualified according to law, to view the ground proposed for such roads, and, if they see occasion to lay out the same, to inquire of and vacate the public Roads now opened, the one from Main Street, Franklin Borough to Perry Park's House on the Hollow Road, and the other from the line of Franklin Borough to the House of Christian Gossard, on the lines of the proposed roads in the Township of Conemaugh, which said last mentioned roads will, by reason of the laying out of the proposed roads, become useless; and make report of their proceedings at the next Court.

And they will ever pray:

<i>G. B. Boringardue</i> Supervisor	
<i>Charles Rooback</i>	<i>J. B. Kauffman</i>
<i>John Ford</i>	<i>Wm. H. Dickertill</i>
<i>Geo. W. Ford</i>	<i>F. B. Smith</i>
<i>Samuel ...</i>	<i>D. B. Wilson</i>

1 J. M. McCullough

2 J. M. McCullough

3 Josiah ...

4 Anania ...

5 E. A. ...

6 Robert B. ...

7 M. B. ...

8 John ...

9 W. G. Wilson

10 J. J. ...

11 J. ...

12 Geo. ...

13 Daniel ...

14 J. B. Wilson

15 Geo. ...

16 Alexander ...

17 W. A. ...

18 William ...

19 James ...

20 D. B. ...

21 Geo. ...

22 ...

23 Harry ...

24 J. H. ...

25 L. B. ...

26 Fidel ...

27 W. J. ...

28 E. J. ...

29 David ...

30 W. W. ...

No 1 Session 1898

Petition of the inhabitants of Conemaugh Township, for the laying out and vacating of certain public roads-

Decd. 5<sup>th</sup> Sept 1898

5<sup>th</sup> Sept. 1898

Samuel Yetterman

Chas. Rasbura

Harry Wronmger

Appointed Viewers

By the Court

Oct. 25<sup>th</sup> 1898 Jacob Singer, Ed  
H. Parker substituted as viewers  
for Chas. Rasbura and Harry  
Wronmger & PARSONS  
ATTORNEY AT LAW,  
JOHNSTOWN, PA.

To the Honorable A. V. Barker,

Judge of the Court of Quarter Sessions of Cambria County.

The petition of the undersigned inhabitants of Conemaugh, in the County aforesaid, respectfully represents: That two roads have been lately laid out for public use by the order of Court, dated September 5th, 1898, and continued December 5th, 1898, being number one September Sessions, 1898, ordered to view, vacate, and supply two roads in Conemaugh Township, number one beginning at a post in Conemaugh Township near a coal tippie, said coal tippie being located near the Franklin Borough line near Clapboard Run, thence by its several courses and distances to a post in public road near Christian Gossard's barn, in said Township; number two beginning at a post on the line of the above described proposed road, thence by its several courses and distances to an iron pin in public road near the house of Perry Parks, in Conemaugh Township, and the same proceedings reported for vacation the following described roads; number one for vacation beginning at a post in Conemaugh Township near a coal tippie said coal tippie being located near Franklin Borough line near Clapboard Run, thence by its several courses and distances to a point in Township road near Christian Gossard's barn; number two for vacation beginning at a post on the Franklin Borough line at a point near Clapboard Run, thence by its several courses and distances to an iron pin in the public road near Perry Parks' house in Conemaugh Township, which the viewers report that by reason of the laying out of the first mentioned two roads, that the two roads for vacation became useless, which said two roads recommended for public use and vacation, if confirmed by the Court, will be very injurious to your petitioners and burdensome to the inhabitants of the Township through which the same will pass.

Your petitioners therefore showing that they are persons interested, respectfully pray your Honorable Court to appoint three persons, properly qualified to review the ground proposed for said roads as well as the roads proposed to be vacated.

and make report of their proceedings at the next term of Court and they will ever pray.

*H. R. Shaffer*

STATE OF PENNSYLVANIA:  
COUNTY OF CAMBRIA : SS.

Personally appeared before me, *A. Notary Public* in and for said County, *H. R. Shaffer* who being duly sworn according to law deposes and says that the facts set forth in the above petition for a review are true and correct to the best of his knowledge and belief.

Sworn to and subscribed before me:  
this *7<sup>th</sup>* day of *June*,  
A. D. 1899.

*H. R. Shaffer*

*Albert H. Hart*  
*Notary Public*

*S. J. Young*

*Wm. Markman*  
*Wm. H. Paul*  
*Chas. P. Noon*  
*J. P. Slick*  
*A. B. Trestman*  
*D. W. Hogner*  
*Wm. Noon*  
*Daniel ...*  
*S. A. Wisinger*

101 Sept. Dec. 1898  
In the Court of Quorum  
Jury of Carbon County

See No. 70 Petition to Vacate  
and supply roads new  
concerning the wife of  
Franklin Brown & Lewis  
to Perry Parks & James and  
his house of Christian  
Coward.

Petition to review

Filed 5 June 1899

W. J. L. L.  
C. L. L.

IN THE MATTER OF THE EXCEPTIONS : NO. 1, SEPTEMBER SESSIONS, 1905.  
 FILED TO THE CONFIRMATION OF ROAD: ROAD DOCKET.  
 IN  
 COFFEYHUGH TOWNSHIP.

The first and fifth exceptions may be considered together. They raise the question of the right to vacate two public roads and supply the same in one proceeding. In support of the exceptions filed in this behalf, counsel for exceptants cite Fleetwood Streets, S. D. C. Rep., 310; Sadsbury Township Roads, 127 Pa., 471; Paradise Road, 29 Pa., 20, and Ottercreek Township Road, 104 Pa., 261. In the case first named above, the attempt was to assess damages for the opening of a street and also for the opening of an alley in one proceeding. The street and the alley were disconnected, and Judge Endlich, in his convincing opinion, demonstrates that the joinder in one proceeding was fatal, and we would so hold in a similar case or in a case where the attempt was to lay out two separate and distinct roads in the one proceeding, and that is the full extent of the decision in Sadsbury Township Roads, supra, where the attempt was to lay out three separate roads in one proceeding.

The situation is peculiar in the present case. There are two roads extending from Franklin Borough up Clapboard Run; one known as Hollow Road, keeping close to the <sup>run</sup> ~~run~~ <sup>on the south of it</sup> and crossing it five times between Franklin Borough and its intersection with Ribblett's Run; the other is north of Clapboard Run and, probably, <sup>and continues up</sup> ~~then running up~~ an average distance of 400 to 500 feet from it, <sup>the north side of</sup> Ribblett's Run. It is proposed, in the present proceeding, to vacate these two roads, and the viewers report in favor of vacating

them, and they lay out a road running along the northern side of Clapboard Run to its intersection with Ribblett's Run, thence ~~by~~ on the same side with Ribblett's Run, the proposed road being nearer to the runs than the road last mentioned. Near the intersection of the two runs, the road first mentioned turns to the south, and the viewers have returned a public road laid out from this point to connect with the other new road, in accordance with the petition. It is thus apparent that the attempt is not to lay out separate and distinct roads in the ordinary meaning of the term, but the roads proposed to be vacated, taken in connection with those laid out, form a system of roads and being the proceeding within the rule of the Supreme Court in Paradise Road, supra, where it was held that it was immaterial that viewers report in favor of vacating two roads in the same proceeding where they were shown by the petition to have been connected. In Ottercreek Township Road, supra, the attempt was, in one proceeding, to vacate parts of two roads and supply them by two new roads as to those parts, and although that question was not embraced in the exceptions, the fact that the viewers so reported was known to the court, as appears from the comments of Justice Clark in the opinion, and yet he makes no adverse comments as to these facts. The case before us is very similar to the West Goshen Roads case, 7 J. C. Rep., 250, where the proceedings were sustained in a well-considered opinion by Judge Barler.

We agree that, in ordinary cases, the better practice is to present separate petitions for each road sought to be laid out or vacated and supplied, but, under the peculiar circumstances of this case, we doubt if the object aimed at could have been as

intelligently accomplished if it had been done in this case. The purpose manifestly was to make one road take the place of two, and had these matters been submitted to separate sets of viewers, confusion would doubtless have arisen, because of the difference of opinion between the two sets as to the proper location for the road to be laid out.

The second exception cannot be sustained. The petition does not indicate any intermediate point in either road, and does not thus encroach upon the discretion of the viewers. Had the viewers not laid out the long road in such a way as to pass near the point designated as the terminus of the short road, the proceeding as to the latter must have failed.

The third, fourth and seventh exceptions may be considered together. The petition designates the termini of the road to be laid out as follows: "To begin at or near the coal tipple in the Borough of Franklin, Cambria County, to end at or near the barn of Christian Gossart etc." One of the roads to be vacated is designated in the petition as running "from the line of Franklin Borough to the house of Christian Gossart." The western terminus of the road, as laid out, is designated in the report of the viewers as follows: "Beginning at post in Conemaugh Township, near a coal tipple, said coal tipple is located near the Franklin Borough line, near Clapboard Run," and the draft returned with the report shows the western terminus to be in the road proposed to be vacated less than 100 feet from the coal tipple and about 275 feet from the borough line. The only material variation here is the fact that the petition sets forth that the coal tipple is in the borough of Franklin, whereas the draft would indicate that it is in Conemaugh Township, but the terminus is stated with such definiteness

that the viewers would have no trouble in locating it, and the fact that the ~~viewers~~<sup>new road</sup> intersected ~~it~~ with the old road at the distance above stated from the Franklin Borough line is not such a material variation as would warrant us in setting aside the proceedings.

The petition does not conform to the rule of court, as complained of in the sixth exception, in that it does not contain a reference to the numbers and terms of the original proceedings laying out the roads proposed to be vacated. The purpose of that rule was to place on the parties commencing proceedings to vacate public roads the burden of finding in the records the original proceedings, a matter sometimes difficult to do, but we would not set aside this proceeding after the expense that has been incurred, there being no other sufficient reason for setting aside the same, the matter of the construction and enforcement of the rules of court being in our discretion.

The eighth exception cannot be sustained, as all presumptions are in favor of the regularity of the proceedings in the respect mentioned in said exception.

For the reasons above given the exceptions must be overruled. We find among the papers in the case a petition for the appointment of reviewers, filed 5th June, 1899, but no viewers seem to have been appointed, for some reason not apparent to us; therefore, the report cannot be confirmed absolutely, and, ~~at the~~<sup>on motion</sup> ~~suggestion~~<sup>of</sup> counsel for petitioners for review, we will appoint <sup>any</sup> disinterested persons at ~~the next~~ sitting of the court.

And now, January 29th, 1900, exceptions overruled.

*By the Court.*

NO. 1, SEPT. SESSIONS, 1893.

IN THE MATTER OF THE EXCEP-  
TIONS FILED TO THE CONFIR-  
MATION OF ROAD IN COVENAUGH  
TOWNSHIP.

---: OPINION OF THE COURT: ---

*Filed 29 June 1900*

To the Honorable A. O. Barker, President Judge  
 of the Court of Quarter Sessions of Columbia Co.  
 We, the undersigned, appointed by the an-  
 nexed order do report, that in pursuance  
 thereof, after having been severally first-  
 duly sworn or affirmed, all the viewers  
 appointed by said order, viewed the ground  
 proposed for the within roads and the under-  
 signed do agree that there is occasion  
 for the said roads as desired by the petitioners,  
 and that the same is necessary for  
 public roads. And having had respect to  
 the shortest distance and the best ground  
 for such roads we have laid them out  
 in such manner as shall do the least  
 injury to private property and as far  
 as practicable, agreeably to the desires of  
 the petitioners and do return for public  
 use the following described roads, to wit:

No. 1 - Beginning at a post in Chenango  
 Township, near a Coal Tipple, said Tipple is  
 located near the Franklin Borough line near  
 Clapboard Run, thence by the following  
 courses and distances, each of which end at  
 a post, S 46° 50' E 100 ft; S. 73° 25' E 100 ft;  
 N. 83° E 100 ft; N. 61° 55' E 100 ft; N. 68° 20'  
 E 100 ft; N. 72° 55' E 100 ft; N. 76° 05' E 100  
 ft; N. 73° 35' E 100 ft; N. 79° 15' E 100 ft;  
 S. 89° 50' E 100 ft; S. 77° E 100 ft; S. 73° 40'  
 E 100 ft; S. 81° 20' E 200 ft; S. 78° 55' E 100 ft;  
 S. 76° 50' E 100 ft; S. 72° 25' E 100 ft; S. 66° 20'  
 E 100 ft; S. 73° 20' E 100 ft; S. 59° 35' E 100 ft;  
 S. 61° 40' E 100 ft; S. 68° 35' E 100 ft; S. 77°  
 25' E 100 ft; S. 87° 30' E 100 ft; S. 78° 40' E 100  
 ft; S. 84° 20' E 200 ft; S. 78° 35' E 100 ft; S. 73°  
 50' E 100 ft; S. 76° 25' E 100 ft; S. 79° 30' E  
 100 ft; S. 85° 20' E 100 ft; S. 88° 30' E 100 ft;  
 N. 88° 10' E 300 ft; N. 83° 35' E 100 ft; N.  
 87° 50' E 100 ft; N. 83° 05' E 200 ft; S. 87°  
 45' E 200 ft; N. 81° 40' E 100 ft; N. 76°  
 55' E 100 ft; N. 81° E 100 ft; S. 29° 45' E  
 100 ft; S. 10° 05' N. 100 ft; S. 37° 05' E 100 ft;

B

S. 56° 25' E 100 ft; S. 54° 45' E 200 ft;  
 S. 51° 25' E 100 ft; S. 48° 35' E 100 ft;  
 S. 51° 25' E 100 ft; S. 58° E 100 feet;  
 S. 61° 50' E 200 ft; S. 71° 05' E 100 ft;  
 S. 78° 50' E 100 ft; S. 75° 25' E 100 ft;  
 S. 82° 35' E 100 ft; S. 71° 30' E 200 ft;  
 S. 62° 50' E 200 ft; S. 57° 45' E 100 ft;  
 S. 47° 55' E 100 ft; S. 26° 15' E 95 ft;  
 S. 33° 10' E 100 ft; S. 46° 15' E 100 ft;  
 S. 60° E 100 ft; S. 71° East 100 ft;  
 S. 66° 40' E 100 ft; S. 68° 25' E 100 ft;  
 S. 75° 45' E 200 ft; S. 74° 30' E 100 ft;  
 S. 68° 10' E 100 ft; S. 69° 05' E 200 ft;  
 S. 66° E 305 ft; S. 60° 55' E 95 feet;  
 S. 63° 05' E 100 ft; S. 67° 30' E 100 ft;  
 S. 84° 35' E 100 ft; N. 82° 55' E 100 ft;  
 N. 71° 25' E 200 ft; N. 61° 35' E 100 ft;  
 N. 57° 10' E 100 ft; N. 64° 20' E 100 ft;  
 N. 61° 05' E 100 ft; N. 64° 30' E 100 ft;  
 N. 54° 50' E 100 ft; N. 76° 20' E 100 ft;  
 N. 50° E 100 ft; N. 34° 05' E 100 ft;  
 N. 57° 50' E 100 ft; N. 65° 30' E 100 ft;  
 N. 70° E 100 ft; N. 78° 50' E 200 ft;  
 S. 84° 10' E 100 ft; N. 72° E 100 feet;  
 N. 86° 35' E 100 ft; N. 53° 30' E 200 feet;  
 N. 67° 25' E 100 ft; N. 64° 30' E 100 ft;  
 N. 61° E 100 ft; N. 58° East 200 ft;  
 N. 37° 50' E 100 ft; N. 23° 05' E 100 ft;  
 N. 21° 05' E 100 ft; N. 44° 45' E 200 ft;  
 N. 37° E 300 ft; N. 41° 35' E 160 ft,  
 to a post in public road near Christian  
 Goscarrs barn in said Township.

No 2. - Beginning at post on the line of the  
 above described proposed road, thence by the following  
 courses and distances each of which end at a post,  
 S. 53° 25' E 100 ft; S. 67° 30' E 100 ft;  
 S. 76° 25' E 100 ft; N. 87° 05' E 100 ft;  
 S. 79° 50' E 100 ft; S. 23° 55' E 110 ft;  
 S. 57° 35' W 90 ft; S. 41° 30' W 100 ft;  
 S. 39° 30' W 100 ft; S. 47° 25' W 100 ft;  
 S. 23° 25' W 100 ft; S. 13° 50' W 100 ft;

S.  $10^{\circ} 10'$  E 100 ft; S  $20^{\circ}$  E 100 ft;  
 S  $10^{\circ}$  E 100 ft to an iron pin in  
 public road near the House of Perry  
 Parks in Cullman County Township.

The undersigned further report that they en-  
 deavored to procure from all the owners of the  
 land over which said road passes, releases,  
 in writing of all claims to damages that may  
 arise from opening the same and that they  
 procured such releases from Perry H. Parks,  
 Jacob N. Shoffer, S. L. Ribblett, J. S. Ribblett  
 and Christian Goscard, J. Zimmerman, E. Adams & Emerson, de-  
 and failed to procure releases from Henry  
 Shoffer, and the Cambria Iron Company  
 and therefore having taken into consideration the  
 advantages to be derived to the said Henry  
 Shoffer and Cambria Iron Company  
 from the road passing through their farms or  
 lands we have assessed the damages sus-  
 tained by the said Henry Shoffer at no dollars,  
 and the Cambria Iron Company at no  
 dollars.

✓ and having taken into consideration the passing  
 of the road through the lands of J. S. Ribblett and  
 Christian Goscard, we have assessed the  
 damages sustained by them at Fifty Dollars  
 each.

ⓑ And we further report that we have viewed  
 and do vacate the following described public  
 roads, to wit:

No 1 - Beginning at a post in Cullman County Township,  
 near a Coal Tuff, said Tuff is located near  
 the Franklin County line, near Clapboard Run, thence  
 by the following courses and distances:

S. $70^{\circ} 10'$	E	122 ft;	S $50^{\circ} 30'$	E	100 ft;
N $60^{\circ} 55'$	E	308 ft;	N $65^{\circ} 50'$	E	260 ft;
N $81^{\circ} 25'$	E	149 ft;	S $79^{\circ} 35'$	E	358 ft;
S $82^{\circ} 10'$	E	358 ft;	S $78^{\circ} 30'$	E	493 ft;
S $70^{\circ} 30'$	E	250 ft;	S $84^{\circ} 50'$	E	669 ft;
S $89^{\circ} 30'$	E	229 ft;	N $76^{\circ} 25'$	E	260 ft;
N $68^{\circ} 30'$	E	308 ft;	N $72^{\circ} 15'$	E	435 ft;
N $81^{\circ}$	E	209 ft;	S $81^{\circ} 35'$	E	170 ft;

N. 82° E 371 feet; S. 78° 20' E 213 ft;  
 S. 85° 50' East 352 ft; S 32° 10' W 179 ft;  
 S. 22° 30' W 126 ft; S 28° 20' E 453 ft;  
 S. 52° 55' E 360 ft; S. 60° 30' E 747 ft;  
 S. 48° 10' E 427 ft; S. 61° 30' E 294 ft;  
 S. 69° 25' E 535 ft; N. 85° 20' E 445 ft;  
 N. 63° 05' E 991 ft; N. 77° 45' E 779 ft;  
 N. 72° 45' E 300 ft; N. 63° 50' E 1123 ft;  
 to a point in Township Road near Christian  
 Goshard Barn;

No 2. Beginning at a post on the Franklin  
 Burrough line at a point near the Clapboard  
 Run, thence by the following courses and dis-  
 tances

S. 81° 25' E	230 ft;	N. 79° 05' E	177 ft;
N. 52° 05' E	173 ft;	N. 83° 20' E	184 ft;
S. 81° 10' E	135 ft;	N. 82° 15' E	160 ft;
S. 75° 05' E	148 ft;	N. 85° 25' E	171 ft;
S. 78° 05' E	442 ft;	S. 75° E	640 ft;
S. 78° 55' E	744 ft;	S. 87° 50' E	556 ft;
S. 74° 50' E	300 ft;	N. 83° 35' E	99 ft;
S. 62° 10' E	104 ft;	N. 85° 40' E	190 ft;
S. 56° 05' E	368 ft;	S. 43° 05' E	188 ft;
S. 59° 55' E	173 ft;	S. 41° E	118 ft;
S. 81° 40' E	192 ft;	S. 62° 50' E	192 ft;
S. 48° 40' E	128 ft;	S. 83° 35' E	161 ft;
N. 89° E	135 ft;	S. 41° 45' E	265 ft;
S. 16° 10' E	258 ft;	S. 55° 05' E	295 ft;
S. 64° 05' E	440 ft;	S. 84° 15' E	305 ft;
S. 61° 20' E	341 ft;	N. 84° 15' E	172 ft;
S. 47° 10' E	435 ft;	S. 36° E	614 ft;

to an iron pin in the public road near  
 Perry Parks' house in Overmanugh Township,  
 which by reason of the laying out of the  
 first mentioned roads will become useless.  
 We further report that before the said view, public  
 notice of the time and place of the meeting of  
 the view was given to all parties in interest  
 according to law, and we annex a plat or  
 draft of said roads as laid out, stating the

courses and distances, noting briefly the improvements through which the same pass, with a description and draft of the roads vacated, and we hereunto also return the releases obtained and a copy of said notices.

The undersigned, further report that in pursuance of said notices they met on January 16th, 17th, 20th and 31st, February 6th, 7th, 8th, 16th, 17th and 18th, and performed their duty.

J. S. Letterman  
Jacob Singer  
Frank W. Baker,  
Viewers.

In the Court of Quarter Sessions of Columbia Co.

In re Road in Oneida Township, said County.  
Know all men by these presents, That we  
the undersigned, through whose lands said  
road is located, in consideration of the  
advantages we expect to derive from the  
same if confirmed as well as for the further  
consideration of the following sums to us  
in hand paid by the Commissioners of  
the said County, on the opening of said  
road, to wit:

do hereby release the County of Columbia  
from all damages that have or may accrue to  
us or either of us, for or on account or by reason  
of the locating, opening or using of said road  
or that might accrue to us from said road  
for any reason whatsoever.

Witness our hands and seals this 2<sup>nd</sup> day of  
March A. D. 1899

Witness: F. W. Baker  
Witness: F. W. Baker  
Witness: F. W. Baker  
Witness: F. W. Baker

Plenary by Party  
Jacob D. Shaffer  
J. L. Riblett  
J. W. [unclear]

[unclear]  
[unclear]  
[unclear]  
[unclear]  
[unclear]

804

2. Adams 1/10/19

3. Adams 1/10/19

4. Adams 1/10/19

(18)

In the Court of Quarter Sessions of Cambria County.

In re road in Conemaugh Township, Cambria County, Pa.

Know all men by these presents, that I, the undersigned, through whose land said road is located, in consideration of the advantages I expect to derive from the same, if confirmed by the Court, as well as for the further consideration of the sum of *Fifty* Dollars, damages, to me in hand paid by the Commissioners of the County of Cambria, on the opening of said road, do hereby release the said County of Cambria from all damages that have or may accrue to me, for or on account of or by reason of the locating, opening and using of said road, or that might accrue to us from said road, for any reason whatsoever.

Witness my hand and seal this 2<sup>nd</sup> day of March, A. D. 1899.

Witness.

*George Kist*

*Christian X Gossard*  
mark

In the Court of Quarter Sessions of Cambria County.

In re road in Conemaugh Township, Cambria County, Pa.

Know all men by these presents, that I, the undersigned, through whose land said road is located, in consideration of the advantages I expect to derive from the same, if confirmed by the Court, as well as for the further consideration of the sum of Fifty Dollars, damages, to me in hand paid by the Commissioners of the County of Cambria, on the opening of said road, do hereby release the said County of Cambria from all damages that have or may accrue to me, for or on account of or by reason of the locating, opening and using of said road, or that might accrue to us from said road, for any reason whatsoever.

Witness my hand and seal this 2<sup>nd</sup> day of March, A. D. 1899.

Witness J. W. Baker.

P. S. Pihllett

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. 1898, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Coneaugh, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from the one to begin at or near the Coal Tipple in the Borough of Franklin, Cambria County, and to end at or near the Barn of Christian Gossard, in the Township of Coneaugh, and the other to begin at or near Perry Pairs House on the Hal- low Road and to end at a point on the road to be laid out as above mentioned at or near the line of property of Dr. Emerson and Jacob Riblett, in said Township of Coneaugh. The petitioners therefore pray the Court to appoint three persons, qualified according to law, to view the ground proposed for such roads, and, if they see occasion to lay out the same, to in-  
quire of and vacate the public roads now opened, the one from Main Street, Franklin Borough to Perry Pairs House on the Hollow Road, and the other from the line of Franklin Bo- rough to the House of Christian Gossard, on the lines of the pro- posed roads in the Township of Coneaugh, which said last mentioned roads will, by reason of the laying out of the proposed roads, become useless; and make report of their proceedings at the next Court

~~and therefore praying the Court to appoint proper persons to view and lay out the same ac-~~  
~~cording to law~~ The Court upon due consideration had of the premises, do order and appoint

Samuel Lettman SURVEYOR, and Jacob Singer and J. Baker

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. 1 Sept Session, 1898

ORDER TO VIEW, locate and

empty two roads in  
Conestoga Township

W.D.S. 1/27/98 Continued  
Rich. L. Lantz

Samuel Letterson  
Jacob Singer  
J. P. Parker  
Viewers

CLERK DAVIS clg 90 CTS.

Parsons

# McCambria County

To S. G. FETTERMAN, Dr.

## Civil and Mining Engineer

AND COUNTY SURVEYOR



Successor to  
HARRY S. PEELOR  
AND  
F. A. CRESSWELL.

Rooms 7 and 8  
Woolf Block.  
Telephone 39.

Entrance, Lincoln Street.

Mining Engineer for

TAYLOR & MCCOY,  
Gallitzin, Pa.

JOHN C. SCOTT & SONS,  
Ehrenfeld, Pa.

STINEMAN BROS.,  
South Fork, Pa.

LUKENS & HAUPT,  
South Fork, Pa.

A. J. HAWS & SON,  
Johnstown, Pa.

GLEN WHITE COAL AND LUM-  
BER CO., Glen White, Pa.

Johnstown, Pa., Mar 4 1899

To S. G. Fetterman as Sur.	* 72 00
" Jacob Singer " Viewer	20 00
" H. D. Baker " "	20 00
" J. C. Stull as Chairman	15 00
" R. F. McMullen " "	15 00
" S. G. Fetterman, Mileage 5 miles	50
" Jacob Singer " " "	50
" H. D. Baker " " "	50

\* 143 50

Apr. 17<sup>th</sup> Approved and breadth of road fixed at  
33 feet.  
By the Court.

March 26<sup>th</sup> 1900 confirmed absolutely  
By the Court

101 Sept Term 1898 200
On the Court of Quarters
Decisions of Cumberland
County,
On the roads in Con-
tingency towards,
Report of Viewers
appointed by the Court
to lay out a pub-
lic roads in
the town of
Julien to Mar 1899

DANIEL L. PARSONS,  
ATTORNEY-AT-LAW,  
JOHNSTOWN, PA.