

In the Court of Quarter
Sessions for Cambria County,
No. 1, March Term, 1902.

In re Report of Isaac J. Mininger ^{and} L. F.
McDermitt, Viewers, to lay out a
public road in Adams and
Summershill townships, beginning
at the Post office in Lyndell and ending
at a bridge crossing South Fork Creek,
and creating a grade crossing on the
South Fork branch of the Penna. Railroad.

The Pennsylvania Railroad Company
by H. W. Story, its Attorney accepts
to the report of said Viewers for
their names!

1. That said report was not filed
nor presented during the first
week of June Term, 1902.
2. That it does not show that a written
notice to the Supervisors of Adams
and Summershill townships was
served, notifying them of the time
and place of the meeting of said
Viewers.

H. W. Story
Attorney for Penna. R.R. Co.

no. 1, March
1902, 1902, R.A.

On the Report

Dr. Winger
and L. F. Woodworth
have given in
the report and
the minutes and
the minutes

References to
the Report,

File 5 Sept. 1902,

Wm

siding of the Lyndell Coal Company,
where the grade is descending and
cars would drop down to and over
said grade crossing, which would
be dangerous to the public, incumber
business and exposure to others;
Therefore he prays the Court to appoint
Viewers to Re-view and lay out a
public road to begin at the southerly
end of a public bridge which crosses
the South Park creek in Adams
township, thence to proceed along
the northerly side of the South Park
Railroad in a curve about 70° west,
and to cross the said Railroad at
a near the station of said Railroad
at the village of Lyndell, to a point
on the township road leading from
Fairdale to Dunlo, in said township.
And he will ever pray, etc
Joseph J. McCaslin

The foregoing petition is recommended
by the Pennsylvania Railroad Company,
M. H. Welch - Supervisor.

In the Court of Quarter
Sessions for Columbia County
No. 1, March Sessions, 1902,

To the Honorable Francis J. Stinson
President Judge of said Court,

The petition of Joseph J. McLean
of Adams Township, said County,
respectfully represents:

That the Viewers appointed on
March 3, 1902, in the petition of residents
of said Township to locate a road
to begin at the Post Office in the
village of Loydell, said Township, to a
point at the southern end of a public
bridge crossing the South Fork creek, as
appears by the petition and proceedings
entered to the above number and term
made their report therein, which under
the mistaken information of the ^{location} ~~situation~~
of the proposed Station for the South Fork
Railroad, the proposed public road was
laid out to cross at grade a coal

Order of Council

On September 1, 1902, the within
petition presented and read,
whereupon the prayer thereof is
granted and Isaac J. Kissinger,
(Clerk) L. F. Westermitt and
L. F. Bodenschatz are appointed
members to receive the said road
as prayed for.

By the Council

Nov 1, March
Michigan, 1902 (R)

In the Court
of Quarter Sessions
for Hamilton County.

Petition for
a Re-view for
the purpose was
produced for

And now Sept. 15, 1902

Given by September, 1902.

Wm. T. ...
Smy.

To The Honorable Judge of The Court
of Quarter Sessions of The County of Cambria,

The petition of The undersigned, inhabitants
of The Township of Adams, in The said
County, respectfully sheweth; That you
petitioners labor under great inconvenience
for want of a public road or highway,
in The Township of Adams,

To begin at The Post Office, in The
village of Lloydell, on a public road
leading from Dunlo in Adams
Township; to No. (6), six School house, in
Summerhill Township; and extending
thence to a point at a bridge crossing
South Fork creek, near Lloydell Coal Co.
Tipple, and connect with a public
road that leads from said bridge
to The village of Onmalinda, in
Summerhill Township, in said
County.

Your petitioners therefore pray The
Court to appoint Persons to view
and lay out The same according
to Law and They will ever pray,

Names

Names

Andrew Blackburn Isaac M. Faust
W. W. W. W. Leander Carney
J. F. J. T. T. Cedar Run Lumber Co.
A. Goldstein
et al. oversay
Geo. J. J.
Ward D. D.
Chas. O. Plumery
John M. Mason
Ward P. Plumery
A. M. Palmer
Kate McGovern
Edward Lamb
Joseph E. Gill
Samuel Lane
Andrew C. C.
Jerry P. P.
William Parcel
Peter Talko
Charles Meyer
A. W. W.
Blair & W. W.
G. W. W.

State of Pennsylvania }
County of Columbia }

Personally appeared before me a Notary Public in and for said County, L. J. Mc Dermott and who being duly sworn according to Law says that the facts set out in the foregoing petition are true and correct to the best of his knowledge and belief.

Known and subscribed
to this the 21st day of July,
1902

Daniel Parsons,
Notary Public

my Com. expires
mch 11, 1905,

C
/

L. J. Mc Dermott

No 1. March Sessions - 1907

In the Court of Quarter Sessions

In Re Petition for Relief
in Adams Pomeroy

Filed 3 March, 1907.

And now March 3^d 1907
The within petition read and
considered, and petition granted
as prayed for, and the Court
does hereby appoint: David
Messinger, (Clerk) L. F. M. C.
Dermitt, & W. H. Blackburn
as assessors

By the Court

F. P. MARTIN,
ATTORNEY AT LAW,
JOHNSTOWN, PA.

To the Honorable Francis J. O'Connor Judge of the Court of Quarter Session
 in and for the County of Cambria.

In Re Public Road in Adams Township
 The undersigned viewers appointed by the annexed order of court, hereto-
 annexed, respectfully reports.

That being present at the grounds proposed for such road, and having
 been first duly sworn, we in pursuance of the said order, have viewed and
 laid out, and do return for a public road, or use the following road Begin-
 ning at The Post Office, in the center of the Public road thence South -
 through unimproved land 81'45 degs East 270 feet to a point. Thence South
 through unimproved land 600 feet to a point. Thence North through improved
 land 82'30 degs. 145 feet to point and terminus. And that all of the land
~~through~~ through which the said runs belongs to the Mountain Coal Company
 excepting where it crosses the Pennsylvania Rail road, which belongs to
 the said company., and cause to be annexed hereto a draft or plot of the
 proposed road as laid out, with the courses and distances and file here-
 with a release of all damages by the said Mountain Coal Company to the
 land through which the said road is laid out.

Witness our hands this the 23rd day of May 1901

J. J. Wissinger ----- +
L. F. McDermott -----

viewers

Bill for View

<i>J. J. Wissinger</i>	one day viewing & surveying road	4.00
"	one half " office work	2.00
		<u>6.00</u>
<i>L. F. McDermott</i>	one day viewing road	2.00
"	Paid taxman	.75
		<u>2.75</u>
		8.75

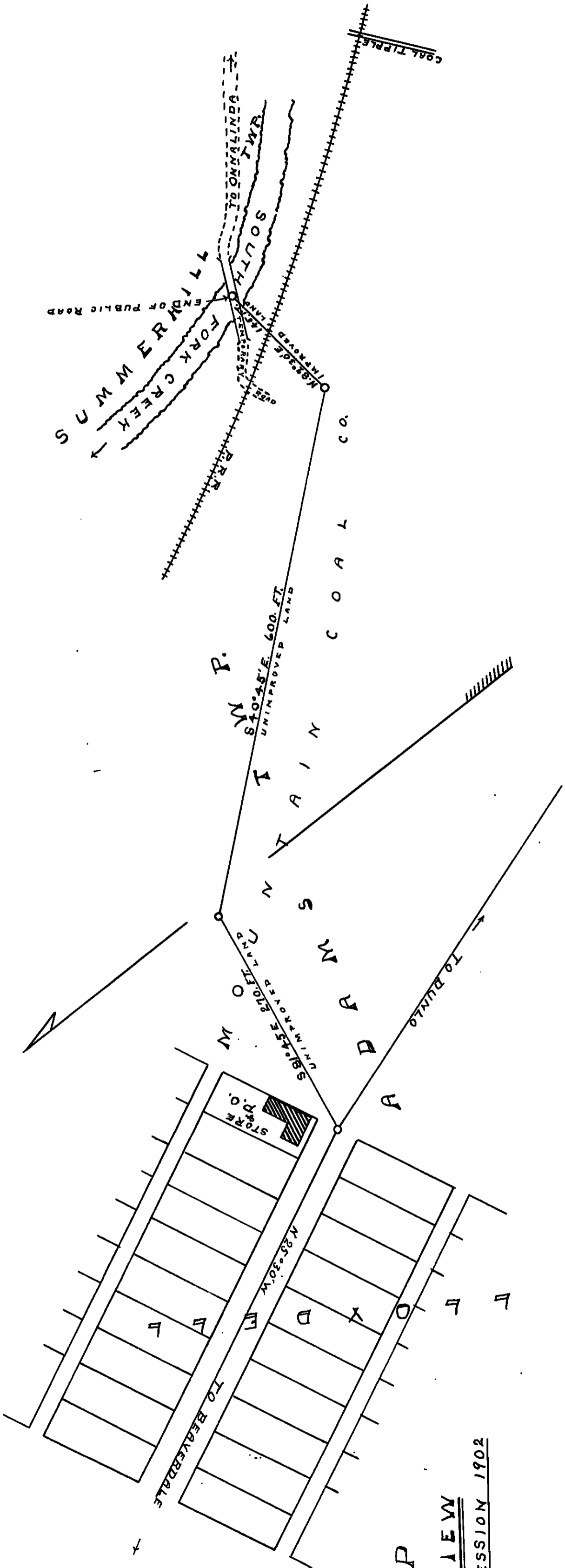
RELEASE OF DAMAGES

In the matter of the laying out of the ~~Private~~ ^{Public} Road in Adams Township, wherein Lewis Mc'Dermott, Wm. H. Blackburn and ... J. J. ... Wissinher were appointed viewers. The undersigned. *Mountain Coal Co.* being the owner of all of the land through which the said road will run.

In consideration of the advantages to us from the road mentioned in the annexed report, and at the request of the viewers appointed to lay out the said road, do hereby release all claims to all damages that may arise to us from the opening of said road.

In witness whereof the said *Mountain Coal Co.* has caused this release to be signed, by its *President* attested by its *Secretary* and affixed its common and corporate seal hereto, this the ~~xxxxxxx~~ *30* day of April 1902

Attest L. P. Huff Secy. *Mountain Coal Co.*
By Geo. T. Huff President



MAP
 OF
ROAD VIEW

No 1 MARCH SESSION 1902

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 Third day of March A. D. 1902, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Adams, in the said County, setting forth that they labor under inconvenience for want of a _____ road or highway, to lead from

the Post Office in the village of Loydell via public road leading from Dunlo in Adams Township, to to (6) in School house, in Summerhill Township, and extending thence to a point at a bridge crossing South Fork creek, near Loydell Coal Co's Dipple and connect with a public road that leads from said bridge to the Village of Innahinda in Summerhill Township in said County

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

Isaac Wissinger SURVEYOR, and L. J. McDermott and Wm H Blackburn

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:

C. E. Royell, Clerk.

No. 1, March Session, 1902.

Order to view for a public road in Adams Township

Dated 5 August, 1902.

Severe Weavinger
L. J. W. Bennett
Wm. H. Blackburn
Viewers.

Clerk Knapp 90 cts.

F. A. Martin

Mountaineer-Herald Print.

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."

To the Honorable Francis J O'Connor president
Judge of the Court of Quarter Sessions for Cambria
County.

We J J Kussinger and L F Bodenschatz two
of the within named persons appointed by the
within order of Court to review the road mentioned
and parts adjacent. respectfully report: That
L F McDermott one of the within named reviewers
did not qualify. nor act with us. That the
aforesaid J J Kussinger and L F Bodenschatz
having been first duly affirmed in pursuance
of the within order; We did review the same and
having laid out and do return for public use the
following road to Wit:

Beginning at a bridge across the South Fork creek
at the end of the public road leading from Onnalinda
to the South Fork creek on division line between Summerhill
and Adams Townships on land of the South Fork rail-
road company. Thence through improved land of said
South Fork Railroad company and unimproved land of
the mountain coal company. $N 21^{\circ} 45' W$ three hundred feet
to a post. Thence through unimproved land of said moun-
tain coal company. $N 25^{\circ} 30' W$ six hundred and thirty
feet to a post. Thence through unimproved land of same
and across the South Fork railroad $S 64^{\circ} 20' W$ eighty eight
feet to the eastern side of a fifteen foot alley. Thence
along said alley $N 25^{\circ} 30' W$ two hundred and forty feet
to a post. Thence through vacant lots of Salisbury
 $N 49^{\circ} 30' W$ one hundred and thirty five feet to a point in
the center of oak avenue. Thence through oak avenue
 $S 64^{\circ} 20' W$ three hundred and eighty five feet to the center of second

1 Street in Loydell Park in the Township of Adams.
2 Said second street being a portion of the public road
3 leading from Beavendale to Dunlo. And we furnish
4 with said report, a plot or draft of said road, stating
5 the courses and distances together with references to the
6 improvements through which the same passes,
7 which road as aforesaid laid out. We are of opinion
8 is necessary for a public road.
9 We further report that we do award J. H. Saubury
10 thirty five dollars for and on account of said
11 road passing through his lots

Witness our hands this 1st day of December 1902

J. J. Kessinger
L. F. B. Benschaf

Take notice that the viewers to review the location of a public road to lead from the southerly end of a public bridge which crosses the South Forks creek in Adams Township. Thence to proceed along the northerly side of the South Forks Railroad in a course about North 30 West and to cross the said Railroad at or near the station of said Railroad at the Village of Loydell to a point on the Township road leading from Beavertdale to Dumbo in said Township. Will meet on the premises mentioned on Monday Nov. 10th 1902 at 9 o'clock A.M.

J. J. Wisenberger surveyor
L. F. McDermitt }
L. F. Bodenschatz } viewers

Joseph J. McEann
Petitioner

Comrs' Office. Ebg. Pa Oct 28. 1902.
Service accepted for the County Commissioners
Geo. C. Gates
clerk

Take notice that the viewers to Review the location of a public road to lead from the southerly end of a public bridge which crosses the South Fork creek in Adams Township. Thence to proceed along the northerly side of the South Fork Railroad in a course about North 30° West and to cross the said Railroad at or near the Station of said Railroad at the village of Loydell to a point on the Township Road leading from Beavertdale to Dunlo. in said Township. Will meet on the premises mentioned on Monday Nov. 10th 1902 at 9 o'clock A.M.

Joseph J. McEann
Petitioner

J. J. Krueger surveyor
L. H. McDermitt } Viewers
L. F. Bodenschatz }

Service of above notice accepted
by the supervisors of Adams Township

ARD Naughton
A. B. 1902

Bill for review

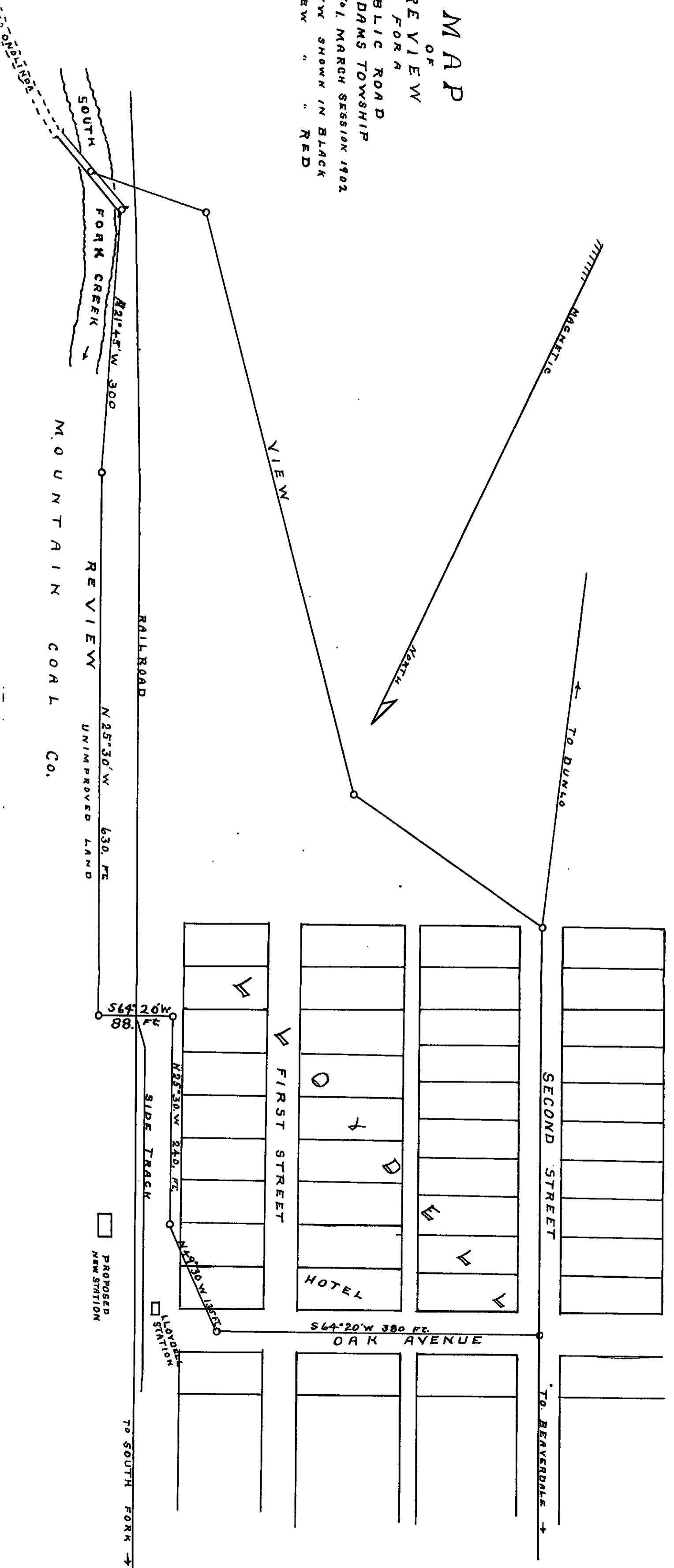
Lovett
Pa

J. J. Wissinger	one day. surveying	4.00
"	one half day office work	2.00
"	one half day serving notices	2.00
"	Mileage	
		<u>2.50</u>
		\$ 8.25

Lovett
Pa

L. F. Bodenschatz	one day viewing	2.00
"	Mileage	
		<u>25</u>
		\$ 2.25

MAP
 OF
 REVIEW
 FOR A
 PUBLIC ROAD
 IN ADAMS TOWNSHIP
 No. 1. MARCH SESSION 1902
 VIEW SHOWN IN BLACK
 REVIEW " " RED



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 sixth day of September A. D. 1902, before the Honorable Judge of the said Court: Upon the petition of ^{Joseph J. McCann} ~~of the Township~~ ^{inhabitants of Adams Twp.} of Adams, in the said County, setting forth that ~~the~~ labor under inconvenience for want of a public road or highway, to lead from

the southerly end of a public bridge which crosses the South Fork Creek in Adams township, thence to proceed along the northerly side of the South Fork Railroad in a course about North 30° west and to cross the said Railroad at or near the station of said Railroad at the village of Lloydell, to a point on the township road leading from Beaverdale to Dunlo in said township

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

Isaac J. Wissinger SURVEYOR, and L. F. McDermitt and L. F. Bodenschatz

VIEWERS, to re view the ground proposed for said road, and if they re 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:

B. E. Truell, Clerk.

No. 1, March SESSION, 1902.

Order to Re-view for a public
Road in Adams Township.

*Report of
Viewers*

Filed Dec 14 1902

Isaac J. Wissinger

L. F. McDermitt

L. F. Bodenschatz

}
Viewers.

Clerk Troxell 90 cts.

Storey

MOUNTAINEER-HANALL, PRINT.

*Study made May 15, 1903 & the report
of Wisconsin's Engineer
1341 de Couck*

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."