

R D #4 June 1902
Rat Microfilms

Geo B. Wertz
Nathanl. Wisinger
Abram Gumpert
Jacob Fox
John H. Mock
A. L. Heidebrand

Cambria County Pa

Personally appeared before me
a Notary Public in and for said
county Lewis Binkbile who being
duly sworn according to law deposes and
says that the facts set forth in the fore-
going petition are true and comes
sworn and subscribed
before me this 31st day of } Lewis Binkbile
May 1902

Alex H. Hart
Notary Public
Comm. Expires Feb 1 - 1903.

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No 4 June 2nd 1902
In the Court of Quarter Sessions
& General Sessions
of Cambria County Pa.

Petition of the Citizens
of Stony Creek Township
for Appointment of viewers
to locate and lay out
a public road in said
Township

July 2 June 1, 1902.

Now June 2nd 1902 the
within petition read and
considered and John
H. Dye, Joseph P. Godes
and Theodore Dyer are
appointed viewers
as prayed for in the
within petition
By the Court

JOHN H. STEPHENS,
ATTORNEY AND COUNSELLOR AT LAW
JOHNSTOWN, PA.

ALVAN BUSHNELL CO., LAW STATIONERS, 4 N. 13TH ST., PHILA.

N O T I C E

Meeting of ROAD Viewers.

A continued meeting of the Viewers appointed to lay out a Road in Stonycreek Township, Cambria County, Penn., will be held in the Office of John H. Dye, Jr., 3rd floor of the Y. M. C. A. Building Main Street, Johnstown Pa. on Friday July 18th 1902 at ten (10) O'clock A. M. when and ~~were~~ all persons interested are invited to attend.

VIEWERS

Johnstown Pa. July 7th 1902

John H Dye, Jr. Surveyor.

Joseph S. Yoder

Theodore Cover

--- N O T I C E ---

Meeting of ROAD Viewers.

The undersigned VIEWERS appointed to view and lay out a Public Road to begin at a point on the Johnstown and Scalp Level Turnpike near the old Wissinger homestead; and ending at a point on the Von Lunen Road near the residence of Frederick Slagle, in Stonycreek Township, Hereby give notice to all persons interested, that they will meet for the purpose of their appointment at the place proposed for the beginning of said road at ten (10) O'clock on FRIDAY, the 27th. day of June when and where all persons interested are invited to attend.

John H. Dye, Jr., Surveyor.

VIEWERS

Joseph S. Yoder

Johnstown Pa.
June 17 1903

Theodore Cover

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 Second day of June A. D. 1902, before the Honorable Judge of the said 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 road or highway, to lead from a point at or near the old Wissinger Homestead on the Johnstown and Scalp Level Turnpike and ending at a point on the Hon Tuxen Road near the residence of Frederick Slagle

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

John H. Dye SURVEYOR, and
Joseph D. Gorder and Theodore Cover

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. Trovelli, 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. 4, June Session, 1902

Order to - view for a
public Road in
Strong Creek Township

Viewers
John H. Dyer
Joseph A. Gardner
Theodore Conner

Clerk. Troppell 90 cts.
J. H. Stephens

105 feet; thence north 44° 21' east 215 feet; thence south 84° 39' east 135 feet; thence south 72° 59' east 215 feet; thence south 77° 39' east 115 feet; thence south 45° 09' east 115 feet; thence north 52° 31' east 85 feet; thence north 68° 56' east 132.6 feet to a point on the Johnstown and Scaly Level Turnpike, near the old Wissinger Homestead, said road being at an elevation not exceeding five degrees, except where it was not practicable to preserve it within that limit. The undersigned further report that they endeavored to procure from all the owners of the lands over which said road passes releases in writing of all claims to damages that may arise from the opening of the same and did procure releases from

but failed to procure such releases from

We further report that before the said view, public notice of the time and place of meeting of the viewers was given by advertisements put up at three of the most public places in the vicinity, ten days before said meeting; notice of said meeting was given to the Supervisors of Stony Creek Township five days before said meeting and to the County Commissioners ten days before said meeting.

We hereunto annex a plot or draft of said road as laid out, stating the courses and distances and noting briefly the improvements through which the same passes and herewith return the releases obtained and a copy of said notices.

Witness our hands this 30th day of August, A. D. 1902.

John H. Dyer, Jr. :
Joseph S. Yoder : VIEWERS
Theodore Hoover :

To the Honorable F. J. O'Connor,

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

We, the undersigned, appointed by the annexed order, do report: That in pursuance thereof, after having been severally duly sworn, all of the viewers appointed by said order viewed the ground proposed for the within mentioned road, and the undersigned all of said viewers do agree that there is occasion for a road as desired by the petitioners, and that the same is necessary for a public road. And having had respect to the shortest distance and the best ground for such road we have laid it out in such manner as shall do the least injury to private property, and as far as practicable, agreeable to the desire of the petitioners, and do return for public use the following described road; to wit, - Beginning at a point at or near the residence of Frederick Slagle on the Von Lunen Road in ^{Stony Creek} ~~Stony Creek~~ Township, Cambria County, Pa.; thence north $75^{\circ} 55'$ east 669 feet; thence north $53^{\circ} 25'$ east 231 feet; thence north $64^{\circ} 25'$ east 270 feet; thence south $37^{\circ} 55'$ west 130 feet; thence south $35^{\circ} 10'$ west 500 feet; thence north $54^{\circ} 40'$ east 100 feet; thence $53^{\circ} 40'$ east 100 feet; thence north $57^{\circ} 54'$ east 300 feet; thence north $51^{\circ} 45'$ east 200 feet; thence north $88^{\circ} 15'$ east 40 feet; thence south $54^{\circ} 45'$ west 160 feet; thence south $43^{\circ} 30'$ west 200 feet; thence south $31^{\circ} 50'$ west 300 feet; thence north $56^{\circ} 54'$ east 300 feet; thence north $60^{\circ} 29'$ east 150 feet; thence north $72^{\circ} 59'$ east 110 feet; thence south $87^{\circ} 78'$ east 140 feet; thence $53^{\circ} 18'$ east 150 feet; thence south $2^{\circ} 12'$ west 125 feet; thence $14^{\circ} 12'$ west 300 feet; thence south $21^{\circ} 48'$ east 270 feet; thence south $6^{\circ} 03'$ east 330 feet; thence north $16^{\circ} 27'$ east 205 feet; thence north $63^{\circ} 57'$ east 270 feet; thence north $11^{\circ} 30'$ west 55 feet; thence north $88^{\circ} 33'$ west 245 feet; thence north $33^{\circ} 38'$ west 160 feet; thence north $14^{\circ} 27'$ east 140 feet; thence north $52^{\circ} 51'$ east 555 feet; thence south $55^{\circ} 09'$ east 90 feet; thence north $77^{\circ} 21'$ east

Stonycreek Township.

No. 4 June Term 1902

John H. Dye, Jr. Surveyor,	6 Days	2 Miles	\$ 24. 20
Joseph S. Yoder	4 "	8 "	8. 80
Theodore Cover	4 "	3 "	8. 30
Iryin Frailey Chairman,	2 "		/// 4. 00
			\$ 45. 30

In re opening of a Township Road in Stoneycreek Township,
Cambria County, Pa. Beginning at a point at or near the old Wissinger
Homestead on the Johnstown and Scalp Level Turnpike and ending at a
point on the Von Lunen Road near the residence of Frederick Slagle.
We the subscribers, owners of lands through which the road above
referred to will pass, hereby release all claims to damages that may
arise from the opening of the same.

Witness our hands and seals,
this 29 day of August, 1902.

John A. Hart (SEAL)

W. S. Aple (SEAL)

Simon Winger (SEAL)

Lewis Burkett (SEAL)

A. L. Hildebrand (SEAL)

W. A. Cook (SEAL)

Fred. K. Slagle (SEAL)

Whereas, by the Court of Quarter Sessions of Cambria County, upon petition of Lewis Berkebile and others, viewers have been directed to report upon proposed opening of a road in Stoycreek Township, Cambria County, and State of Pennsylvania, ^{beginning} on the Sealp Level Turnpike at a point near the land of Hiram Wissinger and ending on VonLunen Road at a point near the residence of Fred Slagle, and,

Whereas, it is desired by the advocates of said road that the undersigned, owners of land abutting on the proposed road, should release all claim or right of damage, and in consideration of said release have agreed to accept a road twenty feet in width from the place of beginning on the said Turnpike as aforesaid for a distance of six hundred and sixty-two and six tenths (662.6) feet at a point near the premises of John Wertz:

Now, therefore, the undersigned in consideration of the advantages to us from the said proposed road and at the request of the advocates of said road, do hereby release all claims to damage that may arise to us in the opening of said road to the width of twenty feet between aforesaid points and at the present grade of the private road now located on the site of the said proposed public road, the said release being expressly conditioned upon the said road being opened at the said present grade and to the width of twenty feet between the aforesaid points.

And provided that the center line of proposed road shall be the same line as centerline of present road.

WITNESS our hands and seals this thirtieth day of August,

A. D. 1902.

Signed, sealed, and
delivered in the presence
of:

Hiram Wissinger (SEAL)
P. J. Strayer (SEAL)
J. W. Lint (SEAL)
G. W. Wissinger (SEAL)
John A. Strayer (SEAL)
G. A. Wissinger (SEAL)

NO. 4 June Session 1902. *RA*

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

In re Order to view for a
public road in Stony Creek
Township.

Filed / September, 1902,

Report of John H. Dye,
Joseph Yoder, Theodore
Cover, Viewers.

October 28
And Now, ~~Sept. 1st~~, 1902,
the within report confirm-
ed nisi and that part of
the road from the point of
beginning at the Johnstown
and Sealy Level Turnpike
extending on the land of
John Wertz for a distance
of 662.6 feet is fixed at
a width of 20 feet and the
remainder of said road is
fixed at a width of 30 feet.

*By the order of the Court
this return is accordingly
entered is amended. By the Clerk*

JOHN H. STEPHENS,
ATTORNEY AND COUNSELLOR AT LAW
JOHNSTOWN, PA.

ALVAN BUSHNELL CO., LAW STATIONERS, 4 N. 12TH ST., PHILA.

*And now, October 28, 1902, approved and breadth fixed
at thirty feet.
13th Dec 1902 Confirmed
By the Court
C. E. Inzell Clerk.*

1110...

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