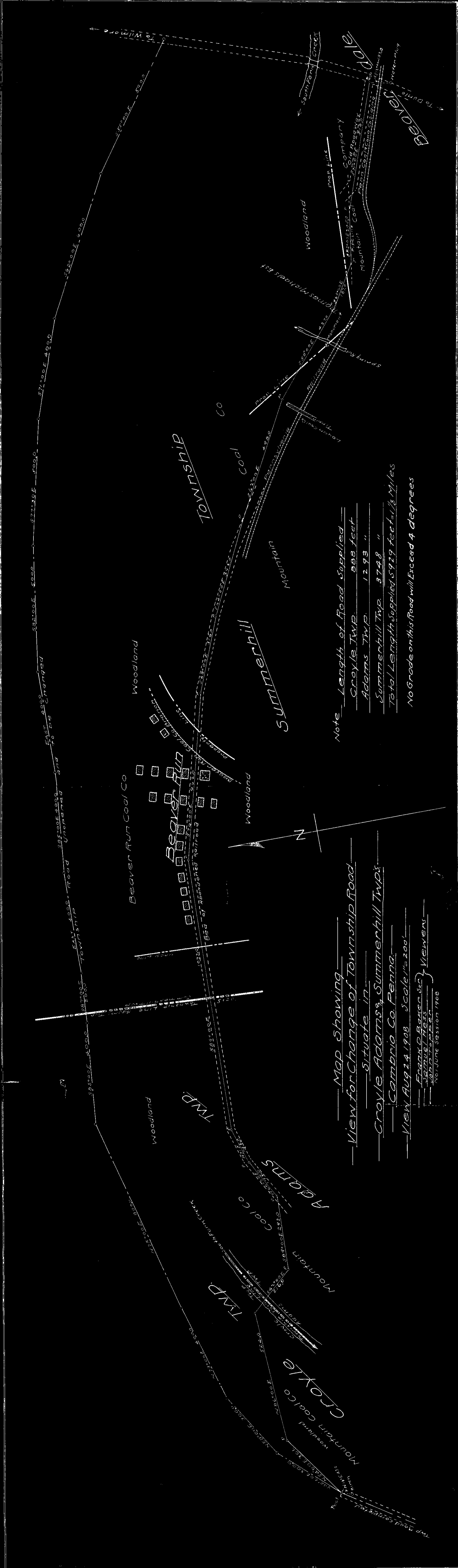


R.D.# 1 June 1908
Lat Microfilm



Note - Length of Road Supplied -
 Croyle Twp. 888 feet
 Adams Twp. 1293 "
 Summerhill Twp. 3748 "
 Total Length Supplied 5929 feet 1 1/8 Miles
 No Grade on this Road will Exceed 4 degrees

Map Showing -
 View for Change of Township Road -
 Situate in -
 Croyle Adams, Summerhill Twp.
 Cambria Co. Penna.
 View Aug 24 1908 Scale 1 1/2 200'
 Frank D. Baker (Snr) Viewers
 Samuel Hays
 John P. Papp
 No. June Session 1908

Returning to
 East of Beaver Run
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In the Court of Quarter Ses-
-sions for Cambria County.
No. 1 - June Sessions, 1908.

In re Change of Public Road
in Summerhill, Croyle and Adams
Townships.

Filed 7 Sept. 1908

Bond.

And now, this is the
within bond approved as of the
date of June 1, 1908.

Wm. C. Sanderson
J. H. Deist Special
Magistrate

Sherbine.

IN THE COURT OF QUARTER SESSIONS FOR CALBRIA COUNTY,
PENNSYLVANIA.

To the Honorable Francis J. O'Connor, President Judge of the
above-named Court.

The petition of the undersigned, citizens and electors of the
Townships of Adams, Croyle and Summerhill, respectfully repre-
sents:

That by virtue of certain proceedings had, and entered to
No. 6 September Sessions, 1899, a public road was laid out in the
above named Townships, beginning at a point, near Lovett, on a
public road leading from Lovett to Wilmore, and ending at a point
on a laid out Street in the Village of Lloydell, Adams Township,
now Summerhill Township.

That that portion of said road situated in Adams Township,
now Summerhill Township, was duly opened, and is now in use as
a Township public road.

That part of said road as laid out aforesaid in Croyle Township
has been opened, to wit; that part leading from a point at or
near Perley's saw-mill to a point on lands of the Mountain Coal
Company in said Township.

That part of said road as laid out, yet remains unopened,
to wit; that part extending from the aforesaid point on lands of
the said Mountain Coal Company in Croyle Township, to the Town-
-ship road near Beavordale in Summerhill Township.

That the unopened part of said road aforesaid, extends
through a mountainous region, is circuitous, and the opening

thereof will be attended with great and unnecessary expense, and further, since said road has been paid out, there has been built up near that portion which yet is unopened, numerous dwellings, coal works and other business places, which need a public road. That the aforesaid unopened part can be so changed as to accommodate the aforementioned business places, coal works and dwelling houses, and thus save the additional expense necessary to build an additional public road in that vicinity.

Your petitioners, therefore, pray the Court to appoint properly qualified persons to view the whole of said road, and vacate that part which yet remains unopened, and to lay out a road between the points to which said road has already been opened, and make report of their proceedings to the Court; and that the Court will take such further action in the premises as the circumstances may require, in accordance with the Act of Assembly in such case made.

And they will ever pray.

Names.

W K Birtwell
 Logan Coal Co
 J A Beecher
 Charles W Kessinger
 Dr P. E. Mendenhall
 J. F. Hoffman
 Graft English
 C. O. Baird
 Lewis Evans
 John Kordas

Names.

E. R. Baker
 H. W. Black
 Beaver Run Store
 J. H. Grant
 J. G. Eby
 Mountain Coal Co.
 G. B. Davis
 Louis Good
 A. D. L. W.
 J. E. Martin
 J. M. Cowan

J. W. ...
A. B. Knapp

A. P. Perley Jr. b
J. S. Gundy b

W. W. Tropper
H. G. Knupper
Boston
Peter Valke
Samuel Law
H. M. ...
W. R. ...

Henry ...
E. E. ...
C. D. ...
W. B. Osmand b
M. A. Burgoon
J. C. ...

L. F. ...
L. J. ...
E. H. Miller
W. F. Hoyer
J. O. ...
J. L. Mans

E. G. ... a
S. M. Diehl
Geo. ... a
Chas. H. Lusk
A. ...
J. ... a

George ...
Joseph ...
Hall
J. ...
Joa ...
David ...

Frank ...
James ...
J. E. Hampton
...

To *Simon Schiff*, *J. S. Maus*
and *J. H. Murphy*, Supervisors for Croyle
Township.

You are respectfully notified that a petition of citizens of Croyle, Adams and Summerhill Townships, will be presented to the Court of Quarter Sessions at Ebensburg, Pa. on the First Monday of June, A. D., 1908 at ten o'clock A. M., asking that the Court appoint viewers to view a certain road, which was laid out under proceedings entered to No. 6, September Sessions, 1899, extending from a point near Lovett on a public road, leading from Lovett to Wilmore, to a point on a laid out street in the village of Llodell, formerly Adams Township, now Summerhill Township, and to vacate and change that portion of said road which remains unopened, to wit; that part extending from a point on lands of the Mountain Coal Company in Croyle Township to a point on a laid out public road, near Bavordale in Summerhill Township.

Now, May 27, 1908, the undersigned Supervisors for Croyle Township, accept service of the above notice of the intention to present the said petition on the date above mentioned.

Simon Schiff
J. H. Murphy

To *J. F. Jopper*, *Peter Saunders*
and *Jacob Saunders*, Supervisors for Adams
Township.

You are respectfully notified that a petition of citizens of Croyle, Adams and Summerhill Townships, will be presented to the Court of Quarter Sessions at Ebersburg, Pa. on the First Monday of June, A. D., 1908 at ten o'clock A. M., asking that the Court appoint viewers to view a certain road, which was laid out under proceedings entered to No. 6, September Sessions, 1899, extending from a point near Lovett on a public road, leading from Lovett to Wilmore, to a point on a laid out street in the village of Llodell, formerly Adams Township, now Summerhill Township, and to vacate and change that portion of said road which remains unopened, to-wit; that part extending from a point on lands of the Mountain Coal Company in Croyle Township to a point on a laid out public road, near Baverdale in Summerhill Township.

Now, May 22, 1908, the undersigned Supervisors for Adams Township, accept service of the above notice of the intention to present the said petition on the date above mentioned.

J. F. Jopper
.....
.....
.....

State of Pennsylvania)

County of Cambria)

SS.

Chas L. S.

Before me, a ~~Justice of the Peace~~ in and for Sumnerhill Township, County and State aforesaid, personally came

who being duly sworn according to law, deposes and says that the facts set forth in the within petition are true and correct to the best of his knowledge and belief.

Sworn to and subscribed)

before me, this / day of)

John
A. D., 1908.)

John P. ...

A. S. Kirkland

~~My commission expires~~

Chas L. S.

To W. K. Burtnett, Thomas Doran and J. E. Hampton,
Supervisors for Summerhill Township, Cambria County.

You are respectfully notified that a petition of citizens of Croyle, Adams, and Summerhill Townships, will be presented to the Court of Quarter Sessions at Ebensburg, Pa. on the First Monday of June, A. D., 1908, at ten o'clock, A. M., asking that the said Court to appoint viewers, to view a certain road, which was laid out under proceedings entered to No. 6, September Term, A. D., 1899, extending from a point near Lovett on a public road leading from Lovett to Wilmore, to a point on a liad out Street in the village of Lloydell, formerly Adams Township, now Summerhill Township, and to vacate and change that portion of said road which yet remains unopened, to wit; that part extending from a point on lands of the Mountain Coal Company in Croyle Township to a point on the public road, near Beaverdale in Summerhill Township.

Now may, ~~27~~ 1908, the undersigned Supervisors for Summerhill Township, accept service of the above notice of the intention to present said petition on the date above mentioned.

W. K. Burtnett
J. E. Hampton

In the Court of Quarter
Sessions for Cambria County.

No. | June Sessions, 1908.

Petition of citizens of Sun-
merhill, Adams and Crolye
Townships, asking for the
appointment of viewers to
view a road laid out and
partially opened, and to va-
cate or change that part
which yet remains unopened.

Filed June 1, 1908.

And now, June 1st, 1908, the
within petition having been
presented, read and considered

*J. D. Baker, Samuel
Hess and John Poppe*

.....
are appointed viewers as
prayed for.

By the Court

LAW OFFICE
ALVIN SHERBINE
307-309 SUPPES BLDG.
JOHNSTOWN, PA.

ALVIN BUSHNELL CO., LAW STATIONERS, 342 MARKET ST., PHILADELPHIA, PA.

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 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."

State of Pennsylvania)
) SS'
 County of Cambria)

Before me a Justice of the Peace in and for the Township of Summerhill, County and state aforesaid, personally came F. D. Baker, Samuel Hess and John Topper, viewers named in the within order of Court, who being duly sworn according to law depose and say that as viewers for the purposes mentioned in this order, they will perform the duties of their appointment impartially and according to the best of their judgment.

Sworn and subscribed before me this 24th day of August, A. D., 1908.

J. M. Cowan, Jr.
 My commission expires *May 1912*

F. D. Baker
Samuel Hess
John H. Topper

NO. 1 June SESSION, 1908

Order to view and change public road in Summerhill, Adams and Croyle Townships.

Viewers.
 F. D. Baker
 Samuel Hess
 John Topper

Clerk Kinkaid 90 cts.
 Sherbine

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

To the Honorable Francis J. O'Connor, President Judge of the above named Court.

We, the undersigned viewers appointed by the within order of Court to view the road therein named, and to change the unopened part thereof, respectfully report. That all of said viewers, appointed by said order of Court, met on the 24th day of August, A. D., 1908, at 10 o'clock A. M. on said day, pursuant to due and legal notice given to all parties required by law to have notice, a copy of said notices, together with the service thereof, being hereto attached and made a part of this report. After having been severally sworn, in pursuance of said order, we viewed that portion of said road which remains unopened, as set forth in said order, and all being of the opinion that a better, less expensive and more suitable location could be secured we proceeded to change said unopened part as shown by blue prints hereto attached and made a part hereof, and laid out a road as follows, to wit,

Beginning at a post at end of road now opened, on lands of the Mountain Coal Company in Croyle Township, North Sixteen Degrees East 43 feet from a Birch; thence North 54 degrees East 301 feet to a post; thence North 86 degrees East 524 feet to a point; thence crossing South Fork Creek to Adams Township, South 42 degrees East 216 feet to a post; thence South 89 degrees East 292 feet to a point on bed of abandoned railroad; thence North 60 degrees East 176 feet; thence continuing North 71 degrees East 146 feet to a post; thence South 89 degrees East 1077 feet, along bed of said abandoned railroad, to a post; thence continuing South 76 degrees East 662 feet to a post; South 68 degrees East 316 feet to a post; thence South 64 degrees East 392 feet to a post; thence South 62 degrees East 498 feet to a post; thence South 50 degrees East 427 feet to a post on land of Thomas Michaels Estate; thence South 36 degrees East 187 feet to a post; thence South 82 degrees

East 205 feet to a post; thence South 71 degrees East 510 feet to a post on a public road, leading from Dunlo to Wilmore, said post being located North 12 degrees East 83 feet from a water plug, on and along side of said road. The location of the unopened part, of said road, together with the location of said road as herein changed is fully shown by the draft hereto attached and made a part of this report.

We further report that we endeavored to obtain from all the owners of land upon which said road is located, releases of damages to arise by reason of such location. We procured such release from the Beaver Run Coal Company, and failed to obtain releases from the other owners to wit, the Mountain Coal Company and the Thomas Michaels' heirs. We allow no damages to them because we consider the advantages which will accrue to their respective properties by reason of the road are equivalent to all damages which will be sustained by them

We annex hereto the said release obtained by us and also a draft and blue print required by law and Rule of Court, showing the location of the road as laid out, as well as the location from which said road is changed, stating the courses and distances, and noting briefly the improvements.

Witness our hands this 3d day of September, A. D., 1908.

F. W. Baker
.....
Civil Engineer
Samuel Hess
.....
John H. Tappan
.....
Viewers.

Bill of Costs

Road view in Adams, Crayle & Samuel Hess Twp.

No. 1 June Dec. 1908

Frank W. Baker. (Surveyor)	Views	3 days	15.00	} Part all in one order Pastor
		18 miles	.90	
Jno Bepko	Chairman	1 day	2.00	} 19.90
Chas Hurd	"	1 "	<u>2.00</u>	
John H. Topper	Views	1 "	3.00	
		7 miles	<u>.35</u>	3.35
Samuel Hess	Views	1 day	3.00	
"	"	6 miles	<u>.30</u>	3.30

Addresses

Frank W. Baker. Room 8, Woolf Block Johnstown, Pa.
 Jno H. Topper. South Fork Pa. R.F.W. No. 1.
 Samuel Hess. Wilmore Pa. R.F.W. No. 2.

R-E-L-E-A-S-E---O-F---D-A-M-A-G-E-S.

We, the undersigned, inconsideration of the advantages to us from the road mentioned in the annexed order and report, and at the request of the viewers appointed therein to change the same, do hereby release all claims to damages that may arise to us from the opening of said road.

WITNESS our hands and seals, the day of August, A. D. 1908
William R. ...
C. J. ... (Seal)
..... (Seal)
..... (Seal)
..... (Seal)
..... (Seal)

Witness:
As to C. J. ...
M. Wood

N-O-T-I-C-E-----O-F-----V-I-E-W.

The undersigned viewers, appointed by the Court of Quarter Sessions for Cambria County, Pennsylvania, to view part of a certain road, laid out by proceedings instituted to No. 6 September Sessions, 1899, beginning at a point on the lands of the Mountain Coal Company, and extending to a point on a public road near Beaverdale, which yet remains unopened, and to change said unopened part, will meet at Kensinger's Hotel in Beaverdale in Summerhill Township, on the 24th day of August, 1908, at 10 o'clock A. M., for the purpose of performing the duties of said appointment, at which time at place all interested parties are invited to attend.

F. D. Baker
Samuel Hess
John Tepper,
Viewers.

Saturday August 8, 1908.

In the Court of Quarter Sessions for Cambria County.
No. 1 June Term, 1908.

In re change of public road laid out and partially opened in Summerhill, Adams and Croyle Townships.

Report of Viewers.

And now September 7, 1908, within report confirmed nisi.

.....

*Filed 7 Sept. 1908 mi
open court.*

LAW OFFICE
ALVIN SHERBINE
307-309 SUPPES BLDG.
JOHNSTOWN, PA.

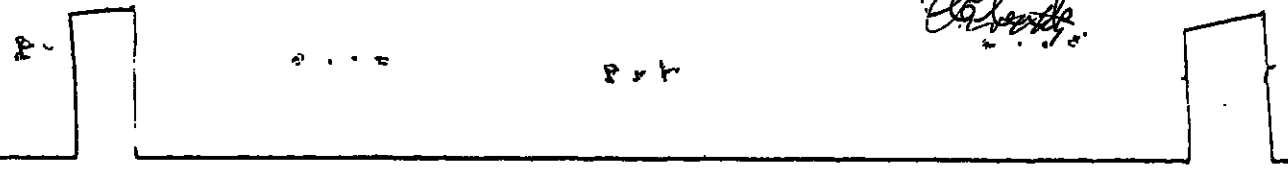
ALVIN SHERBINE, CO., LAW OFFICERS, 315 MARKET ST., PHILADELPHIA, PA.

7 Sept. 1908. Approved and breach fixed at thirty feet.

By the Court.

25 Feb'y. 1909, confirmed.

J. H. Keenan
Plenty



To the Commissioners of Cambria County,

Gentlemen,

You are hereby respectfully notified that the undersigned viewers, appointed by the Court of Quarter Sessions for Cambria County, to view a part of a certain road, laid out by proceedings instituted to No. 6, September Sessions, 1899, beginning at a point on a public road near Beaverdale, ~~###~~ and extending to a point on lands of the Mountain Coal Company, which yet remains unopened, and to change said unopened part, will meet at Kensingers Hotel in Beaverdale, Summerhill Township, on the 24th day of August, 1908, at 10 o'clock A^m, for the purpose of performing the duties of said appointment.

F. D. Baker

Samuel Hess

John Pepper,
Viewers.

Saturday Aug. 8, 1908.

And now, ^{8th} day of August, 1908, the Commissioners of Cambria County, hereby accept notice of the above view.

J. B. Schuman
Clerk

To the Supervisors of Summerhill, Croyle and Adams Townships.

Gentlemen,

You are hereby notified that the undersigned view-
-ers, appointed by the Court of Quarter Sessions for Cambria County,
Pennsylvania, to view part of a certain road, laid out by proceedings
instituted to No. 6, September Sessions, 1899, beginning at a
point on lands of the Mountain Coal Company, and extending to a
point on a public road near Beaverdale, and which said part re-
mains unopened, and to change said unopened part, will meet at
Kensinger's Hotel in Beaverdale, Summerhill Township, on the
24th day of August, A.D., 1908, at 10 o'clock A. M., for the purpose
of performing the duties of said appointment.

Now this 11 day of August, we the undersigned Supervisors
for ~~Adams~~ Township, hereby accept notice of the
above view.

J. J. Topper
.....
.....
.....

F. D. Baker
Samuel Hess
John Tepper, Viewers.

State of Pennsylvania
County of Cambria

Before me, A Justice of the Peace in and for
the Township of Summerhill, County and state aforesaid, personally
came ~~John G. Oby~~, who being duly sworn according to oaths
and says that he served the above notice on ~~Peter Sauter~~
~~Jacob Sauter~~ and ~~J. J. Topper~~
Supervisors for ~~Adams~~ Township, by handing
them a copy of said notice on the 11 day of August, 1908.

Sworn to and subscribed)
before me this, 11 day of)
August, 1908.

John G. Oby

John M. Cowan
by commission expires May 1912

of boards
in the districts
and in the
middle of them
- etc. There will
have to be
to count.

COPIES TO BE MADE
BY THE
SECRETARY

John D. ...

of the Supervisors of Summit Hill, Croyle and Adams Townships

To the Supervisors of Summit Hill, Croyle and Adams Townships.

Gentlemen,

You are hereby notified that the undersigned view-
-ers, appointed by the Court of Quarter Sessions for Cambria County,
Pennsylvania, to view part of a certain road, laid out by proceedings
instituted to No. 6, September Sessions, 1899, beginning at a
point on lands of the Mountain Coal Company, and extending to a
point on a public road near Beaverdale, and which said part re-
mains unopened, and to change said unopened part, will meet at
Konsinger's Hotel in Beaverdale, Cameron Hill Township, on the
24th day of August, A.D., 1906, at 10 o'clock A. M., for the purpose
of performing the duties of said appointment.

Now this 11th day of August, we the undersigned Supervisors
for *Summit Hill* Township, hereby accept notice of the
above view.

Thomas Swan
J. C. Hampton
W. K. Burnett

State of Pennsylvania
County of Cambria

F. D. Baker
Samuel Hess
John Pepper, Viewers.

Before me, A Justice of the Peace in and for
the Township of Summit Hill, County and State aforesaid, personally
came V. H. Burnett, who being duly sworn according to deposit
and says, that he served the above notice on
Supervisor for Township, by handing
them a copy of said notice on the day of August, 1906.

Sworn to and subscribed }
before me this, day of }
August, 1906. }

.....
by commission or action

Recd. Supervisors signature duly returned to the... 8.1.08

To the Supervisors of Summerhill, Croyle and Adams Townships.

Gentlemen,

You are hereby notified that the undersigned view-
-ers, appointed by the Court of Quarter Sessions for Cambria County,
Pennsylvania, to view part of a certain road, laid out by proceedings
instituted to No. 6, September Sessions, 1899, beginning at a
point on lands of the Mountain Coal Company, and extending to a
point on a public road near Beaverdale, and which said part re-
mains unopened, and to change said unopened part, will meet at
Kensinger's Hotel in Beaverdale, Summerhill~~to~~ Township, on the
24th day of August, A.D., 1908, at 10 o'clock A. M., for the purpose
of performing the duties of said appointment.

Now this *11th* day of August, we the undersigned Supervisors
for *Croyle* Township, hereby accept notice of the
above view.

J. H. Murphy
A. S. Mann
Simon Schrift

F. D. Baker
Samuel Hess
Jon Topper, viewers.

State of Pennsylvania
County of Cambria

Before me, A Justice of the Peace in and for
the Township of Summerhill, County and state aforesaid, personally
came W. H. Burnett, who being duly sworn according to deposes
and says, that he served the above notice on
Supervisors for Township, by handing
them a copy of said notice on the day of August, 1908.

Sworn to and subscribed)
before me this, day of)
August, 1908.)

My commission expires