

No. 8 September Sessions, 1910, Road Docket.

In re Road in Croyle and Summerhill Townships.

3039 Docket.  
No. 8 Sept. Sessions, 1910

IN RE ROAD IN CROYLE AND  
SUMMERHILL TOWNSHIPS

OFFICE OF EXHIBITIONS  
JULY 14TH 1911  
10-

1910

And now, June 14th, 1911, it is ordered that the excep-  
tions filed to the Report of Viewers be argued at the motion Court  
Tuesday, August 1st, 1911..

*By the Court*

No. 8 Sept. Sessions, 1910  
Road Docket.

In re road in Croyle and  
Summerhill Townships

IN RE ROAD IN CROYLE AND SUMMERHILL TOWNSHIPS..

AND NOW THIS 14th DAY OF JUNE 1911 IS ORDERED THAT THE EXCEP-

tion be fixed for the hearing of Exceptions and report of Viewers

*Filed 14 June 1911.*

No. 8 September Sessions, 1910, Road Docket..

Message, August 1st, 1911..

to be signed by the Motion Court

7

KNOW ALL MEN BY THESE PRESENTS that

Frank W. White Adam Koch  
D. L. Pringle and Peter A. Wuerfel all of the County of Cambria, in the State of Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of one hundred dollars, to which payment well and truly to be made we bind ourselves, jointly and severally, our and each of our heirs, executors and administrators firmly by these presents.

WHEREAS proceedings have been instituted in the Court of Quarter Sessions of said County of Cambria for a road to lead from the mail box of Frank W. White in the Township of Summerhill, to a point near the Reynolds School House, in the Township of Croyle.

Now the Condition of this Obligation is such, that if the petitioners for the appointment of viewers in said case shall pay the fees of the viewers in said case, if payment of the same is directed by said Court, then this obligation to be null and void, otherwise to be and remain in full force and virtue.

In Witness Whereof we have hereunto set our hands and seals this twenty second day of November, 1910.

Sealed and delivered in presence of

Bird Mungus

Frank W. White (SEAL)

Adam Koch (SEAL)

Henry Reynolds

D. L. Pringle (SEAL)

Peter A. Wuerfel (SEAL)

Cambria County, ss.

Frank W. White

being duly sworn according to law

says that the bond is sufficient, and the parties who executed the same own real estate worth ample amount to justify the approval of said bond.

Sworn and subscribed before me this 21<sup>st</sup> day of November, 1910

A. J. Kelly J.P.

Frank W. White

my commission expires first Monday in December 1910

No. 8 Sept. Sessions 1910

Road Docket.

In re proceedings for road  
in the Townships of Sum-  
merhill and Croyle.

*Filed 23 November, 1910.*

BOND.

*And now November 23<sup>rd</sup> 1910,  
within bond approved.*

*[Signature]*

Kittell & Shettig.

TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

The petition of the undersigned inhabitants of the  
Townships of Summerhill and Croyle, in said County respectfully  
represents: That they labor under great inconvenience for  
want of a public highway beginning at the mail box of Frank W.  
White on the road leading from Wilmore to New Germany, and end-  
ing at a point near the Reynolds School House on the road lead-  
ing from New Germany to Summerhill.

They therefore pray your Honor to appoint proper persons  
properly qualified to view the premises and to make report to  
the Court. And they will etc.

Frank W. White      Michael Neuzger  
John H. S. Cannon      Geo. B. Skelley  
Henry S. Suggs      T. B. Plummer  
Lincoln Roberts      George Ness  
Frank Leakey      John Schift  
Thomas Swan      W. Reynolds  
William Swan      J. H. Murphy  
John W. Smith      M. G. Wesley  
James Noon      G. Daff  
Edward Doffy      Thos. Scortton  
Lemon Pringle      E. M. Sutter  
Adam Koff      Henry Reynolds  
Walter H. Sherburne      James H. White  
Lucian Sherburne      Peter A. Wierfel  
Pied Meanyes      W. L. Rungel  
Joseph Wess      Johann Schmitt  
Geo. W. Berghane      Gehiel E. Hughes

A. H. Coleman

Peter Muckollen

Is Is Muckollen

Sam Schultze

Owen J. Jones

E. P. Ballaher

Wm W Macdonnell

Hugh Jones

Bry' Hys

Nicholas Courno

William H. Cleary

J. H. Dimonds

John Mutchersbaugh

W. L. Settemiya

J. J. Hughes

Blair Melville

Grant Bedford

W. J. Lane

Oliver Hughes

Dennis C. Holsapple

Edward Jones

W. Courno

Cambria County, ss.

Frank W. White being duly sworn according to law says that the matters set forth in the foregoing petition are true, as he verily believes.

Sworn and subscribed before me this 5 day of November, 1910.

*J. Long*

JUSTICE OF THE PEACE,  
MY COMMISSION EXPIRES Dec 1, 1915

*Frank W. White*

No. 8 September Sessions, 1910

Petition for appointment of

Viewers to lay out a road in

Summerhill <sup>Croyle</sup> Township, from Mail  
box of Frank W. White, to a point  
near the Reynolds School House.

And now, November 10, 1910, read  
and the Court appoint A. M.

Shoemaker, D. A. McGeugh and John

T. Long Viewers to view the

premises and report to the Court



*Filed 10 November, 1910,*

Kittell & Shettig.

In the Court of Quarter Sessions for Cambria County.

No. 8 September Sessions, 1910.

In re Road in Croyle and Summerhill Townships, Cambria County, Pennsylvania, beginning at the Mail Box of Frank White on the road leading from Wilmore to New Germany and ending at a point near the Reynolds School House in the Road leading from New Germany to Summerhill.

Now, February 14, 1911, Lydia Reynolds, owner of land through which said proposed passes by her Attorney's H. W. Storey and Alvin Sherbine, hereby excepts to the report of the viewers in the above road matter, and sets forth the following reasons:

1. That the exceptant did not receive notice of the appointment of viewers, nor of the time or place of the meeting of the viewers for the purpose of making said view.

2. That the proper notice was not served upon the Supervisors of Croyle and Summerhill Townships of the intention to present the petition for the appointment of viewers, nor of the time or place of the meeting of said viewers for the purpose of viewing and laying out said road.

3. That the alleged notices filed of record do not bear date, were not served or presented to parties competing service of the same prior to the presentation of said petition and for that reason said report should be set aside.

4. That prior to the date of said view, November 29, 1910, there had been a general fall of snow and on said date the snow covered the ground of exceptant to the depth of six or eight inches.

5. That the petition for said road does not fix definitely the terminal points thereof, as provided by Act of April 23, 1909.

6. That the viewers did not file with their report a blue print or plot of the road filed, as required by Rule 23 of the Courts of Oyer and Terminer and Quarter Sessions for Cambria County.

*H. W. Storey*  
*Alvin Sherbine*  
Attorneys for Exceptant.

1-2-3  
with drawn

In the Court of Quarter Ses-  
sions for Cambria County.

No. 8. September Sessions, '11.

In re Road in Croyle and  
Summerhill Townships.

Exceptions to the Report of  
Viewers by Lydia Reynolds.

*Filed 23 Feby 1911*

W. Storey

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

ALVAN BORNHILL CO., LAW STATIONERS, 242 MARKET ST., PHILADELPHIA, PA.

Report of Viewers.

To the Honorable Francis J. O'Connor, President Judge of the Court of Quarter Sessions of Cambria County, Pennsylvania.

We, the subscribers, persons appointed by your honorable Court, upon the annexed order, to view the ground proposed for a public road, to lead from a point near the mail box of Frank W. White, in Summerhill township, on the road leading from Wilmore to New Germany and ending at a point in the public road, near the Reynold's School House, in Croyle township, on the road leading from New Germany to Summerhill; respectfully report:

That having given due public notice of the time and place of the meeting of the viewers, by printed hand bills posted in conspicuous places near the termini of the said proposed new road, by having service of notice of same accepted by the County Commissioners and the supervisors of both townships; all of us met in accordance with the notice given and having all been duly sworn according<sup>6/4</sup> to law; we viewed the ground proposed for said road, noting the location of same with reference to the necessity of such a road for the convenience of the public and are of opinion that a public road as prayed for, is necessary, for the convenience of the citizens of said townships and for the public generally; And accordingly we proceeded to lay out a road, as follows, and have hereto attached a draft or plot of same which is made a part of this report and shows the following courses and distances:

Beginning at a point near the mail box of Frank W. White in the public road leading from Wilmore to New Germany, thence over land of Frank W. White South  $59 \frac{3}{4}$  degrees West 700 ft., thence South 70 degrees West 750 ft., thence South  $62 \frac{1}{2}$  degrees West 400ft., thence South 50 degrees West 300ft., thence South  $54 \frac{3}{4}$  degrees West 750ft., crossing the line dividing the townships of Summerhill

and Croyle and past the cemetery and the United Brethern Church, and continuing thence over land of Mrs. Lydia Reynolds, South 48 degrees West 850ft., thence South 73 degrees 10 minutes West 726ft, touching the South East corner of the school property and terminating at a point in the township road, which leads from New Germany to Summerhill, about 160 ft. South of the South West corner of the school property: having for the whole distance, up to the last 976 ft., closely followed a private road across the two farms; said 976 ft. of the road passing through the fields of Mrs. Lydia Renolds.

We hereto attach a release of any and all damages obtained from Frank W. White, and having failed to obtain a release of damages from Mrs. Lydia Reynolds, we have assessed her damages at One Hundred Eighty One 40/100 (\$181.40.) Dollars.

Witness our hands this 29th. day of November A.D. 1910.

A.M. Shoemaker

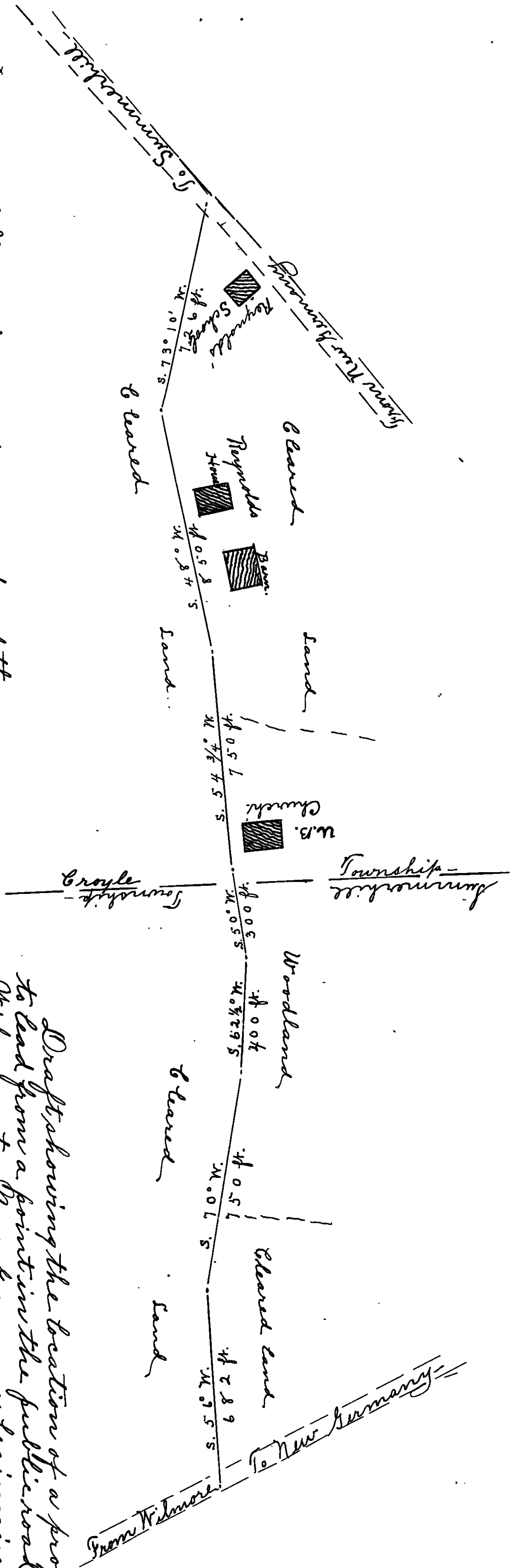
J. T. Long

D. A. McGough  
Viewers.

Cost of View

A.M. Shoemaker	5 days	25 <sup>00</sup>
"	" 108 miles	5 <sup>40</sup>
D. A. McGough	2 days	6 <sup>00</sup>
"	" 108 miles	5 <sup>40</sup>
J. T. Long	2 days	6 <sup>00</sup>
"	" 12 miles	6 <sup>0</sup>
		<u>\$48<sup>40</sup></u>

Board viewed Nov. 29<sup>th</sup> 1910, upon an order of the Court of Quarter Sessions, dated Nov. 10<sup>th</sup>, 1910 - Alfred M. Shoemaker, D. A. McLaughlin & John S. Long, Drivers -



Draft showing the location of a proposed new road to lead from a point in the public road, leading from Wilmers to New Germany, beginning near the mill top of Frank D. White in Summersville Twp., and ending at a point in the public road, leading from New Germany to Summersville, near the Reynolds School House, in Croyle Twp.

Release.

I, Frank W. White of Summerhill Township, Cambria County, Pennsylvania, do hereby forever release any right, claim or demand whatsoever for any and all damages which might accrue to me by reason of the opening and using of a certain public road or highway ; beginning at a point near my mail box on the public road leading from Wilmore to New Germany and extending in a South-westerly direction across my farm, past the United Brethern Church, thence over the farm of Lydia Reynolds to a point in the public road leading from New Germany to Summerhill, near the Reynold's School House, in Croy-le Township, said County,; Provided, however, that the said road over my farm is opened and used as and where the same has been viewed and laid out this 29th. day of November, A. D. 1910, by the view-ers appointed by the Court of Quarter Sessions of Cambria County, for that purpose.

Frank W. White (SEAL)

In the matter of the proposed  
road from the Mail Box of  
Frank W. White

to

Point near the Reynolds  
School house.

§ In the Court of Quarter Sessions of  
§ Cambria County, Pa.  
§ No. 8 Sept. Sessions, 1910.  
§ Road Socket

The undersigned Supervisors of the Townships of Summerhill and  
Croyle, in said County of Cambria, hereby accept and waive service of  
notice of the presentation of the petition for appointment of viewers  
in above stated case, and also waive service of notice of the time  
and place of meeting of said viewers.

W K Burtsett

Frank W. White

Brian Roland

Supervisors of Summerhill Township

M L Gissley

Bird Mangus

Supervisors of Croyle Township.

ROAD NOTICE.

Notice is given hereby that the undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view the premises and report to the Court upon the expediency of laying out a road from the mail box of Frank W. White, in Summerhill Township, to a point near the Reynolds School House, in Croyle Township, will meet at the house of Frank W. White, on Tuesday, November 29th at 10 o'clock A. M., to attend to the duties of their appointment.

A. M. Shoemaker,  
D. A. McGough  
John T. Long  
Viewers

November 12th, 1910,

ROAD NOTICE.

Notice is given hereby that the undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view the premises and report to the Court upon the expediency of laying out a road from the mail box of Frank W. White, in Summerhill Township, to a point near the Reynolds School House, in Croyle Township, will meet at the house of Frank W. White, on Tuesday, November 29th at 10 o'clock A. M., to attend to the duties of their appointment.

A. M. Shoemaker,  
D. A. McGough  
John T. Long  
Viewers

November 12th, 1910.

*Service of above notice accepted*  
*C. C. Trappell*  
*Cons. Clerk.*

1901

... of ...  
... of ...  
... of ...  
... of ...  
... of ...  
... of ...

Service of notice accepted

...

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 ten<sup>th</sup> day of November A. D. 1960, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Summerhill and Doyle, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from the mail box of Frank N. White on the road leading from Wilmer to New Germany and ending at a point near the Reynolds School House on the road leading from New Germany to Summerhill

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 A. M. Schmaher surveyor, and D. A. McLaugh and John J. Long 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:

J. J. Kinkead, 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."

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NO. 5, September Session, 1910

Order to view public road in  
Lancaster and Berks  
Counties

Filed 8 Decemr, 1910  
in open court.

Viewers.  
A. M. Sherraker  
D. A. McLaughlin  
John J. Long

Clerk  
Humbert Smith 90 cts.  
Hittell & Shetler

GREENSBURG MOUNTAIN-HERALD LITHING PRINT.

8 Dec. 1910. Approved and bench fixed at thirty feet,  
By the Court,