

Depositions of Witnesses, produced & sworn, affirmed and
Examined, at the Office of M. Kinkadee, a Justice of the
Peace in and for the Borough of Ebensburg, Cambria County,
State of Penn^a in said Borough of Ebensburg, on the 7th day,
of February, A.D. 1886, between the hours of 8 o'clock A.M.
and 10 o'clock P.M., of said day, in obedience to
the rule of Court, and Notice hereto attached, to be read
in a cause, depending in said Court, in the
Matter to Review a Road in Washington Township
from house of Charles Cooney to Old Portage
Rail Road,

Inducted Feb 2. 52

Recd - My fees
of M. Doncho
16 Kinkadee

James Bradley sworn
Question by Council for exceptions to
Review.

State what necessity there
is, for the view of the Road, from the head
of No 4 to ~~Portage~~ New Portage at Pennsylvania
Rail Road

answer

In the first place it is
an actual necessity, with myself, Peter
Risban, William Carney & Margaret & son
and John McCool. Michael Doncho James
McCool James Hagan & Risib Bender and
a great many others, living along the old
Portage near the head of No 4, to come out

the View from Head of 4, to the New Portage
and to go ~~there~~ by the way of View to the settlement
at Coomys in Munster Township. The People
living along the old Portage, get their feed
Hodder, Hay &c also grain, in the neighbor-
hood of Coomys, and the People in Munster
Township in the Neighborhood of Coomys
get their Coal back of No 4, and for the
want of this Road they have to travel around
by the way of Crisson or Sillicy, which
would be about $4\frac{1}{2}$ or 5 Miles of a round, at least, further
than by the View. If the View from the old
Portage to the New Portage was vacated
then ~~that~~ the Review from Coomys to the
New Portage, would be of no use to the
Petitioners, for the reasons that the Persons
living along the old Portage could not
get to the Review, without going a great
round to get there, and it is dangerous
for the Country Teams to be driven along
the New Portage, so near to the Pennsylvania
Rail Road, and also since the Review
the Pennsylvania Rail Road, have driven
Stakes along the center of the New Portage
and have partly occupied the bed of
the New Portage, by a side track below
Crisson, and in one place they have torn

up the bed of the Road altogether. The Review
would be of great disadvantage to Philip
Pitch & Joseph Stroman. it would be of
great expense. for it goes throu their
Meadow and they would have to fence
on both sides. If Campbells Crossing was
taken up, ~~it~~ he would have to a Road
thru Stromers Meadow to get to the Bridge
of the Review
James Knadley

Peter Cristan Sworn

I live west of the View
about 60 yards from the new Portage RR.
I have no way of getting out except by
road of the view. There is absolute
necessity for the road as viewed from
the new Portage to the head of No 4
Alleghany Portage RR. The crossing of
the Pa RR Co on the view is at grade.
The ^{Rail} road is straight where the road
as viewed crosses. There is a slight
Curve 200 yds west of the Crossing.
From the Crossing you can see along
the track 2 miles Eastward I mean
from the crossing of the view you can
see 2 miles Eastward. Standing at the
Crossing of the view you can see an

Engine $\frac{1}{2}$ mile approaching from the westward I know about the bed of the new Portage being staked off by the PaRRCo since the review. ~~I know~~ The PaRRCo are in the habit of throwing out ties and broken Machinery or trucks and also throw the snow from the main line into the bed of the new Portage and in that way they obstruct the travel on the Township Road there are 4 crossings at grade 2 at Lillys 1 at Philip Puticks and 1 at Jas Campbells No accident has ever happened to any man or animals at these crossings in the last nine years that I know of my first acquaintance there was 9 years ago. I know that if an animal is on the track and if a train approaches it will make for a crossing and get off if it can. When an animal is on the track and a train approaches it will run ahead ^{of the train} and not get off sometimes will leave the track but hardly ever until overtaken by the train or come to a crossing or some good place to leave the track. I never saw the Supervisors work on the Township Road laid on the bed of the new Portage.

at any time within the last 9 years
from Lillys up to Cresson. I have seen
the foreman Michael Slattery, of the
PARR dressing up and fixing the
new Portage the same as he did the
main line getting ready for inspection
between the roads as viewed and viewed
and west of the view $\frac{1}{2}$ a mile I saw
Mr Stewart dress it up some this fall
The road as viewed would suit the
petitioners far better than the road as viewed
I could not get onto the road as viewed
at all. Peter Ribban

Michael Dermahoe sworn.

I am a
petitioner for the view also James Brady
and Peter Ribban are petitioners The
road as viewed is the most convenient
way there is for the people at the head
of it to get across to the Munster
Settlement. and also for the people in
the Munster Settlement to haul Coal
the from the Coal banks near the head
of it The Supervisors for some years
have refused to work on the line of the
new Portage where the township road
is laid on it between Lillys & Cresson

I have often seen the PARKER throw ties on the Township road laid on the bed of the new Portage. The opening of the review would be a big damage to Mr Puttick also a damage to Mr Stromer it cuts through the middle of his land I have lived there for 18 years and have never known of any accidents happening on any of these crossings at grade. At the crossing of the view they can see a train approach from the East nearly two miles and $\frac{1}{2}$ mile from the West the PARKER is straight where the view crosses there is a curve westward about 200 yards.

Michael ^{son} Demahoe
mark

William J. Carney sworn.

He own land on the line of the view. He gave a release of damages for the view. All the parties owning land on the line of the road have released damages except Charles Cooney and Baron Lahey who claim no damages. I heard Chas Cooney say he was satisfied the road should be opened and he would claim no damages.

and I never heard that Baron Lakey ever claimed any damages. There would be a great deal of damage done to the land of Philip Pritch & McStromer by the review and it would the opening would be a heavy expense to the citizens of the Township and but little or no benefit to them. It is dangerous to drive teams along where the township road is laid on the bed of the new Portage between the place where the review crosses and where the view crosses. It is very necessary to have a road from the new Portage to the old Portage at head of Plane No 4 on account of the people hauling fuel or fuel. The Pa R.R.Cs occupy the new Portage whenever they wish to between Cresson and Lillys.

Wm. J. Barney

James Bradley recalled.

I was born and raised near where the view is laid out and no accident has ever happened to men or animals since the crossings were made between Cresson and Lillys. When an animal is on the track and

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a train approaches. it will run along the track ahead of the train till it comes to a crossing if not killed before. I have been on other roads and have seen two horses come out and they got on the track ahead of the train and the train could not be checked up I think they were going at the rate of 25 miles an hour and the horses ran ahead about a mile and a quarter when they came to a crossing and they both sprang for the crossing just in time to escape the train. I have frequently seen it when cattle came on to the track ahead of the train they would run along the track until they came to a crossing or some convenient place to get off if not sooner killed. Mr. Pritchard and Mr. Stromer would certainly receive heavy damage by the opening of the review and it would be no benefit to them what ever as they already have roads sufficient. The review goes triangular through the middle of 50 acres of my land and I could not fence both sides of the road for less than \$150 or \$200. I gave no reason

to the reviewers nor they never asked me
for one

James Bradley

Philip Putech Swoon

Down the land
adjoining Mr Stromer and the review
is laid on the line between Stromer
and myself and if the road as
reviewed was opened I would have
to build one fence through my land
to the Pa RR. And if the crossing which
I have there was taken up I would
have to make a road from my house
and pass through my cleared land
out to the review and I would have
to make a fence on both sides
about 80 rods from my buildings to
the review and on one side for about
~~about~~ 90 rods along the Stromer line.
The injury to the place and expenses
of opening the road would be not less
than \$500 ^{damage} to me. At the time of locating
the review they did not ask me to
sign any release of damages and if they
had I would not have given it. I
have been there about 16 years and
no accident has ever happened to any

person or animals at any of these crossings that I know of I know where Peter Risbon and James Bradley live they have no chance to get out from their own land, across the P. & R.R.

The road as viewed will be convenient for the people along the line of it as well as the people at both ends of the road and there is no necessity for the road as reviewed

Philip Britsch

I Certify that the above and foregoing witnesses were duly qualified and examined at the time stated in the Caption, and subscribed their deposition in my presence, no person appearing to cross examine,
Before me

H. Kinkead J.P.
Ebensburg
Feb'y 7th 1880.

In the matter to Review
a Road in Washington
Township from house of
Charles Coney to Old
Portage Rail Road.

Quarter Session
In the Court of ~~Common Pleas~~ of
Cambria County, Penna.

Of _____ Term, A. D. 18____, No. _____

Exceptions to Review

And now, to wit, the *28th* day of *January* A. D., 1880: Rule
on part of *Exceptants* _____ to take the depositions of witnesses
to be read on the hearing of the above stated case.

Cambria County, ss:

Extract from the Record of said Court.

Certified the

day of

January A. D., 1880.

A. H. Donnell Prothonotary.
Chk 2.5.

To *Messrs. Johnston & Scoullan Attorneys for Review*

Take notice, that in pursuance of the above rule, the depositions of witnesses to be read in evi-
dence on the *hearing* of the above stated *cause* on the part of the *Except-*
ants will be taken at the office of *N. Kirkhead Esq. in Etchewy*
Cambria County Pa. on *Saturday* the *7th*
day of *February* A. D. 1880, between the hours of *eight* o'clock A. M.,
and *ten* o'clock P. M., before *said N. Kirkhead Esq. a*
Justice of the Peace in and for said *County* or before some other
person of competent authority, at the time and place aforesaid, when and where you may attend, if
you think proper.

G. M. Reader
Atty for Exceptants

Jan'y 31" 1889

31 January 1880 London
Johnston & Deane by order
of J. C. Deane Esq. M. P.

Testimony
In the Matter of Service
as Bonds in Washington
of a ship from house
of Charles Cooney to ship
Portage Rail Road

Depositions of Witnesses, produced, sworn, affirmed
and examined, at the office of No Kirkland a Justice of
the Peace in and for the Borough of Ebersburg, Cambria
County Pa, in said Borough, on the 24th day of September
AD 1877, between the hour of 6 O'clock A M and 10 o'clock
P M of said day, in obedience to the rule of Court and
Notice hereto attached, to be read in a cause depending
in said Court in the Matter of the Report of Viewers to lay
out a ~~road~~ Public Road from the house of Charles W.
Cooney to head of No 4 in Washington Township.

Indorses \$1.50

Rec^d The above
costs of M
Resbon
No Kirkland

James Bradley Sworn

I note two Notices
and put them up close to Cooney's place
The road commences, one of them and the
other I put up on the Telegraph Pole, where
the road crosses the Rail Road. The notice
was to give notice of the day of the View of
laying out the Road. I saw an other notice
wrote by James Woon. it was put up at
the other end of the road. I saw it ~~put up~~ there
after it was put up. I think the two Notices I
put up, was put up from 12 to 15 days before
the time fixed for the Viewers, The road goes
through a part of my land. it goes the length of
50 acres in one piece and the length of
4 1/2 acres in the other piece of ~~my~~ land. I

And notice of the View, there is an other
piece of unimproved land, but a man living
on it, and we notified him of the View,
which the road went through, and the land owner
all knew of the time of the View, ~~and was~~ This
road ends at the head of Place No 4, or a
short distance above, it ends at the old Portage
Rail Road; the old Portage Rail Road is used
as a Township road there ~~there~~, at least I worked
on my Taxes on it.

Also Examined by Wm. Johnston

The road ~~the~~
crosses the River Rail Road at grade, it is
a State track but a curve west of it about
a 100 yards off. It may be about a quarter
of a mile from Ritchie's crossing.

Re examination in chief

It is also a straight road
east of it I guess it is over a mile east of it and
I think it might be over a mile perhaps a mile
and a quarter.

James Bradley

William Harvey Sworn

The road runs along the
line of our lands and Bradley's land and apart

through our lands. I had Notice of the View, I
 also read a notice to Mr Cooney of the time
 of the View, The road ends on the head of the
 old Portage Rail Road, near the head of Run
 No 4, to my knowledge the head of the old Portage
 road has been used as a Public road for
 the last 18 years. There is an occasion for
 this road, it is much needed, It crosses the
 Rail Road at a straight line of the Rail Road,
 William Kearney

Peter Ribson sworn

I own land through which
 this road goes, I had notice of the view, there
 is a necessity for this road, it is needed badly,
 I could not get in or out without it, The
 Rail Road is a straight line where this road
 crosses it, The nearest curve in the Rail
 is about 100 yards west of this crossing, Mr
 Michael Slattery is Division Boss and
 Medrick Ehrenfelt is the Supervisor along
 where this road is made, Thomas Michael
 Slattery passes up and down this part of
 the road where this crossing is, twice a day
 or oftener oftener, Mr Ehrenfelt was there the
 morning of the View, and passed up and down
 this part of the road before the View about once
 a day. The crossing of Philip Pritch is a private

crossing, It is a mile from this crossing to Lillys crossing, and two miles to the Green Crossing. These are the highest public crossings to this road, I like ~~section~~ about 50 yards of the Rail Road.

Peter Rishon

Michael Donchoo Sworn

The Road in controversy runs along the line of my land, I had notice of the view. I was along with the view in laying out the road. The land owners along the road all had notice of the view. They were all along with the view, but Kennedy and he had notice of it. This road terminates near the head of No 4, on the old Portage road. The old Portage road has been used as a public road since 1862. I notified Michael Slattery of the ^{day of the} view, It is a road that is badly wanted in that part of the country, and is ~~bad~~ greatly needed, there is several persons that has to go several miles around to get out from where they live to the Summit of Lillys. Michael Slattery is Division Boss on that part of the Rail Road, his duties as a Division Boss is to keep the roads up in repair, and this crossing in repair if it was granted, I gave Slattery this notice about the view, about 10 or

12 days before the view

Michael ^{his} Donehoo
mark

John Eager Swann

I am one of the Supervisors of Washington Township. I have charge of that part of the Township where this road is laid out. I believe there is an necessity for this road as it is laid out. The old Portage road has been ~~used~~ used as a public Township road ever since I was a boy. 22 years I think anyhow I have been working on this old Portage road as Supervisor in 1876 & 1877. There is no public crossing on the Central Rail Road between Casson & Lillies. It is about three miles from Lillies to Casson. Cooney's house is on the public road from the Cherry trees on the Pike to Lillies.

John Eager

Christopher Robinia Swann

I am one of the Supervisors of Washington Township. I am on the west end of the Township. I have known the old Portage Rail Road to have been used as a Township road ever since 1836 from Lillies to the Summit. I have also worked on as Supervisor from Lillies to the Summit in 1876 & 1877 and I have also worked

on it from the head of No 4 to the head of No 3.
I would think there would be a public necessity
for this road for the reason that there is a number
of families living about this road that can
neither get in or out without it,

Christopher Robins

I certify that the above and foregoing witnesses
were duly qualified, and examined at the time and
place stated in the Caption, and subscribed their
depositions in my presence

Before me, J. H. Kinsland J. P.
Edinburgh Sept 22nd 1879

Quarter Sessions

In the matter of the Report
of viewers to lay out a
Public Road from the
house of Charles Conroy
to
the head of Sta. H.
in Washington Twp.

In the Court of ~~Common Pleas~~
of Cambria County, Pa.

Of Term, A. D., 18..... No.....

And now, to wit, the fourth day of September A. D. 1879: Rule
at the instance of the petitioners..... to take the depositions of aged, absent, infirm, and going wit-
nesses, to be read in evidence on the trial of this cause in case of their absence, sickness, death, or other legal
inability to attend.

Ex parte Rule on ten days notice to the exceptants..... Agent or Attorney.

CAMBRIA COUNTY, SS:

Extract from the Record of said Court. Certified the fourth day of

September A. D., 1879

C. H. Donnell..... Prothonotary.

To R. T. Johnston and Cyrus Elder Esqs. Counsel for
exceptants.....

Take notice, that in pursuance of the above rule, the depositions of witnesses to be read in evidence on the trial
of the above stated cause on the part of the View..... will be taken at the office of
H. Kimbrell Esq. in Ebensburg Cambria Co. Pa.
on Wednesday the 24th day of Sept..... A. D., 1879, between the
hours of eight o'clock, A. M., and ten o'clock, P. M., before said H. Kimbrell
Esq. a Justice of the Peace..... in and for said County....
or before some other person of competent authority, at the time and place aforesaid, when and where you may attend
to cross-examine if you think proper.

Sept. 5th 1879

Geo. M. Pease
Atty. for View

Handwritten scribbles at top left.

Handwritten scribbles at top right.

*Sept. 1879 Remud
on R. J. J. Co. 4 copy
H. M. R.*

Testimony

*In the Matter of the Report
of Wickers to Layton & Public
Road from the House of Charles
Dooney.*

*To
the House of No. 4, in
Washington Township*

In the Quarter Sessions of
Baltimore County.

Excepting to the re-view of the road
leading from Charles Burness to the head of No. 4
N. P. R. in Washington Township.

1. ~~That the report and draft of said re-view is irregular~~
and insufficient, because no distances are given in locating
said re-view from one post or course to the next point
or course.
2. The said re-view is erroneous and void because
the same is located upon the bed of the New-Portage
Rail-Road, now claimed by the Pa. Rail-Road Co.
and is liable to be appropriated at any time to the use
of the said Pa. R. R. Co. and the same has been
staked off by the said Pa. R. R. Co. since the said
re-view, for some purpose of their own.
3. That the said re-view is erroneous, partial and unjust
in this, that it vacates the part from the New-Portage
to the head of No. 4, absolutely: the said part of the view
being of great proposed necessity to the wants of the citizens
in that vicinity.
4. That said re-view was not applied for or obtained at
the next Term after the said confirmation of the view.
5. That the new-Portage, upon which the said re-view
is located, is not a Township-road, maintained or
kept as such.

Y. M. Reade
Atty. for James Braddy
and others petitioners for view

Dec. 5, 1879

Exception to report.

of means of road

from Charles County to

No. 4 N. P. R. R. in

Washington Co.

Filed Dec 1879

Reade

Cambria County Jo:



At a Court of General Quarter Sessions of the Peace held at Ebensburg in and for said County on the 2nd day of April A.D. 1879 before the Honorable John Dean President Judge and John Managan and John D. Thomas Esquires Associate Judges.

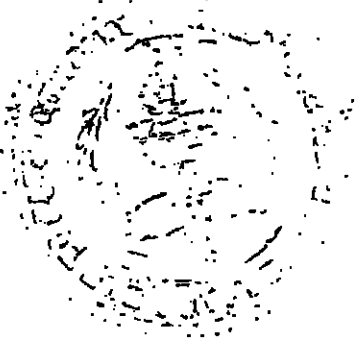
The petition of sundry citizens of Washington Township was presented setting forth That they labor under inconvenience for want of a public road to begin at or near the house of Charles Rooney on the road leading from the Turnpike to Lillys and thence by the best and nearest route to the Old Portage Road at or near the head of No. 4 in Washington Township and praying the Court to appoint proper persons to view and locate the same.

The Court upon due consideration had of the premises do order and appoint James Bradley Wm Kearney and Michael Donahoe to view the ground proposed for said road, who after having first given due and legal notice by printed or written advertisements of the time and place of meeting and having been duly qualified according to law to discharge the duties of their appointment with fidelity shall proceed to view the same, and if all the said viewers view the same and a majority of them agree that there is occasion for such road they shall proceed to lay out the same as agreeably to the wishes of the petitioners as may be, having respect to the best ground for a road and the shortest distance and in such manner as shall do the

least injury to private property.

If the viewers aforesaid shall decide in favor of locating said road it hereby made their duty to obtain from the persons through whose lands the road may pass releases from any damages that may accrue to them from opening the same; and in every case where where the owners of such land refuse releasing their claim to damages the said viewers shall assess the damages, if any and make report thereof signed by a majority of the viewers present, and transmit the same together with all releases to the next Court of Quarter Sessions to be filed with the papers relating to said road. And the said viewers shall make report of their proceedings herein to the next Court of Quarter Sessions to be held for said County, accompanying the same with a plot or draft of said road and the courses and distances and reference to the improvements through which the same pass. In which report they shall state that they have been sworn or affirmed and also whether they judge said road necessary for a public or private road.

By the Court.
C. H. Odumell Clerk

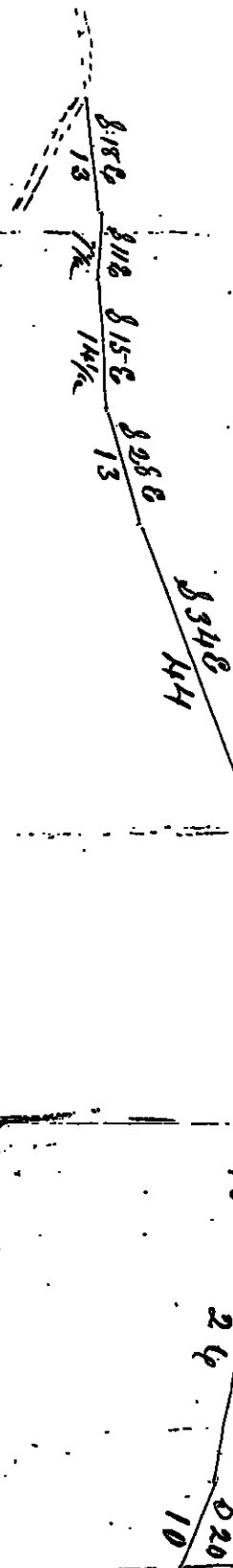
my
To the Honorable Judges within named
me the persons appointed by the within
order of court. Do report that after being
duly sworn ^{all the views being present that may all} agree that there is occasion for said road as depicted by the
Public use the following described Road
beginning at a point on the Lowndes
Road leading from the Turnpike to hills
near the house of Charles Cooney thence
through Land of said Charles Cooney
South Eighteen degrees East thirteen perches
thence South Eleven degrees East Seven and
one half perches thence South fifteen degrees
East fourteen and one half perches to a
Beech thence South twenty eight degrees East
thirteen perches to corner of Land of Jas
Bradley thence by line of Jas Bradley and
Mr Kearney South thirty four degrees East
forty four perches to a Beech thence through
Land of Mr Kearney South Seven degrees
East twenty five perches to Beech thence
South five degrees west thirteen perches
thence South ten degrees west twenty six
perches to a Beech thence South twenty
degrees west ten perches to corner of Land
of Jas Bradley thence by said line South
Twenty degrees East one hundred and sixty
perches to Line of Pennsylvania Rail
Road thence South forty degrees west four
perches thence through Land of Lynch
South thirty three degrees East twenty
three perches thence South thirty one degrees
East twenty two perches to Line of Mr
Donahoe thence by said line South
Eighty seven degrees East forty five perches
to the old Postage Rail Road near the

head of Place No 4 a Road

and for this time
 A.D. 1879

James Bradley
 William Curran
 Michael Donohue
 more

James



Line
 James Bradley 1 Day
 Wm Curran 1 "
 Michael Donohue 1 "

Wm J. McConnell (Sergeant) 1 Day 8 miles

160

PRR
2.340m

336
23

316.22

8878
4.05

old Postage Road

In the heart of Quarter Section of Cambria County.

In the Court of Quarter Sessions of Camden County.

In the matter of the View of the Road beginning at
Charles Cooney and ending at or near The Head
of Jones Wood ^{on the old Porters Road}
in Washington Township in said County.

Now know ye, that for diverse good causes, we the undersigned
owners of the land over which the above mentioned Road is
laid out, do hereby release all right or claim to damages, for
or in account of the opening of the said road through our
Lands.

Witness our hands and seals this 28th day of May

A.D. 1879

Witness

Peter Risban

Seal
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James Bradley
Michael ^{his} Donahoe
_{monk}

M^{rs} Daniel. Barney Seal

W. Barney
J. Mitchell ^{his} Donahoe Seal

W. Barney
for M^{rs} Daniel. Barney
Michel. Donahoe
James Bradley

James Bradley

1879

Order to View and Lay out a
public road to lead from a
point at or near the house of
Charles Rooney on the public
road from the Townshite to
Silly, to the Old Portage
Rail Road at or near the
head of No. 4.

Viewing
James Bradley
Wm Kearney
Michael Donahoe

McConnell 907

Filed 29 June 1879
City of Boston

1 Sept 1879 Exceptions filed

7 Oct 1879 Remonstrance filed
Remanded 12 Apr 1880

Read

6 August 1879 Read and Confirmed Axi and
ordered to be opened 30 feet wide

By the Court

6th April 1880. Exceptions overruled, and Report
of Viewers confirmed.

By the Court

To The Honorable, The Judges of the Court
of Quarter Sessions of Cambria County. Pa.

In pursuance of the order of your Honorable
Court dated the 7th day of October 1899 appointing
the undersigned members of a Township road that
has been lately laid out, beginning at or near the
house of Charles Cooney in Washington Township and
ending at or near to L. in said Township, we have
to report, that after having been duly qualified ac-
cording to law, we met on the 10th day of November
instant, at the house of Charles Cooney and proceeded
to make said review upon the line as surveyed and
located by Mr. J. McCounell Esq. and shown on the ac-
companying diagram or draft, and marked No. 1, which
we considered in several respects unsuitably located,
particularly at the point where it is proposed to approach
and cross the Pennsylvania railroad at grade, it being
for some distance through low and swampy ground,
and crossing said railroad near a curve which would
be dangerous from liability to accidents, in addition
to this potent objection, the cost of construction of this
portion of the road would entail heavy expense upon the
Citizens or taxables of said Township,
In consideration of the difficulties and drawbacks
as above stated, and with the purpose of endeavoring to
create a more practicable, safer and less expensive
route for said road, the undersigned adjourned
on the day above mentioned, to meet again at the Cooney's
on the 18th of November inst, upon which day with the
aid of S. Blackstone Esq. Civil Engineer, they saw and
located the route marked No. 2 on diagram here with,

adapting for a short distance the original line, and thence over good ground, and by easy gradients through the lands of Chas. Cooney and James Bradley, and along the division line between the lands of Pitcher and Strawn to the railroad cut a short distance East of Pitcher's house, thence connecting with the New Portage Township road as shown by diagram, marked No 2, We find therefore of the decided advantages and conveniences in all respects of route No 2 over the original line as located, the undersigned have concluded to adopt it, provided, The Pennsylvania railroad Company will agree to build ~~a bridge~~ a proper bridge for public use and travel over this road at the point where the line crosses said cut, If this were done we think that both the present crossing at Prado, known as Pitcher's and Campbell's, situate a short distance East and West of said cut would be abandoned for the safer and more convenient crossing at the bridge, Should however the P. railroad Company decline to build said bridge as suggested and recommended, it appears to us that there would be no other alternative than the adoption of the original route for said road, marked on diagram No 1, to meet the wants of the petitioners therefor, and we would in such case so advise, but in either case we cannot perceive the necessity or utility for the continuance of the line from the New Portage road to No 4, and have accordingly vacated that portion of the original route, and in the event of the adoption of route No 2 we vacate the whole of route No 1 from its intersection with line No 2, to the New Portage road; In considering the question of damages the undersigned regarded the advantages and benefits to the owners of land

through which said road, marked No. 2, would
 pass, so manifestly favorable and advantageous
 to them, that they did not deem it requisite to obtain
 releases, or to assess damages, believing that said
 owners or holders would be gainers rather than
 losers by the construction of said road through or
 over their lands and premises,
 All of which is respectfully submitted by

Bill of Costs of Survey.

A. L. Fiddle

2 days & 35 miles \$ 7.50

Reb. J. Lloyd

2 days & 35 miles 7.50

James Myers

2 days & 35 miles 7.50

\$22.50

A. L. Fiddle

James Myers

Reuben Lloyd

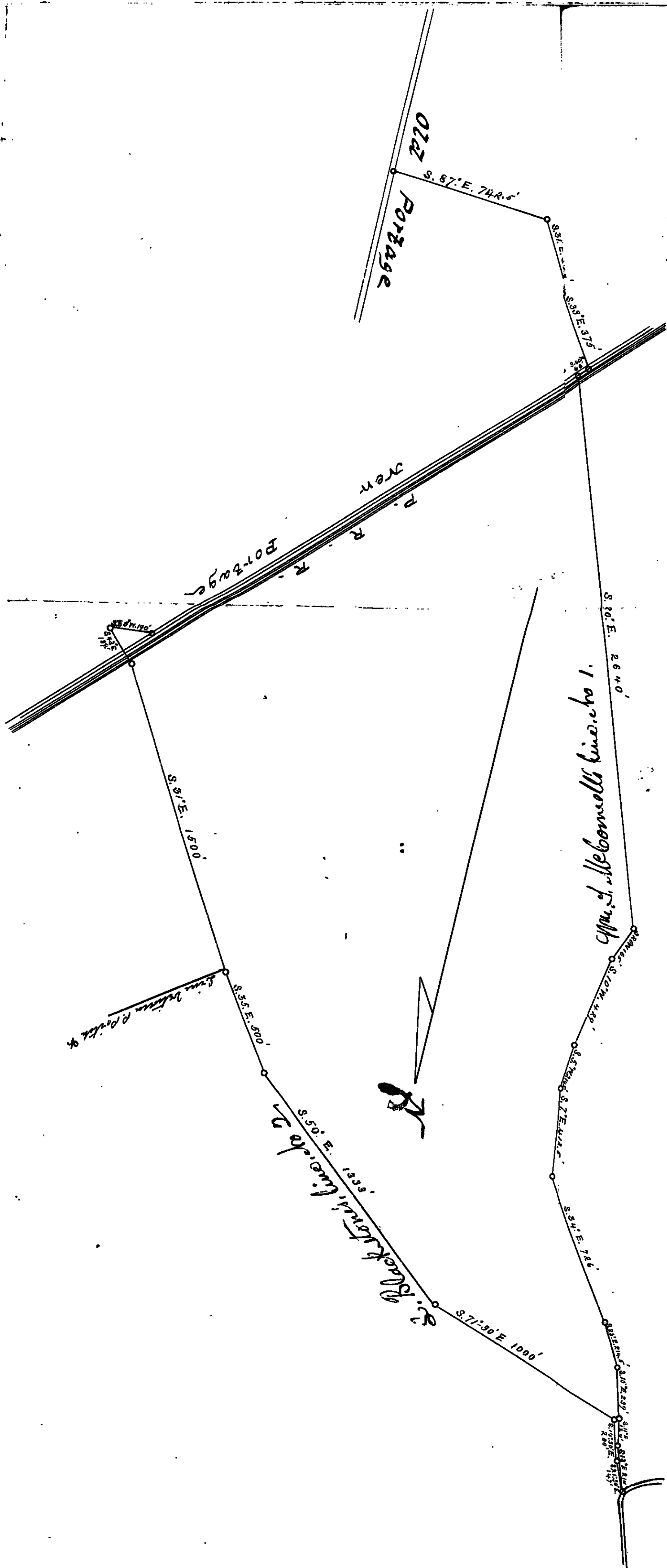
Survey

Proposed New County Road

From a point on road near Cooneys house

To Old, or New Portage.

Scale 40 ft = 1 in



Viewers { A. P. Pindle
Rus. J. Lloyd
James Myers

Surveyor L. Blackstone

11/18/79

In the matter of the report of Jurors appointed
by the Court to view and lay out a public road
from a point at or near the house of Charles
Conney in the road from the Turnpike to Lees,
to the old Potomac Railroad at or near
the head of 10th in Washington Township

Exceptions.

1. It does not appear from the report
of Jurors that notice was given to the
owners of improved lands through which the
road is laid out.
2. The road as returned lands upon
the private property of the Pennsylvania Rail-
road, and not as a public road, or at a
public place.

R. L. Johnson

Clerk of Court

Atty of Penn RR Co

Exceptions

1899

Exp. captions

At the Registry house
Appointed to lay out
a public road from
Stine & Starks corner
to Oak Grove Road.
Road at or near the
heavy road, and
road from road

Dec 1899

John W. Starks
C. E. Starks

Cambria County vs:

At a Court of General Quarter Sessions of the Peace held at Ebensburg in and for said County on the 7th day of October 1879 before the Honorable John Dean President Judge and John D. Thomas and John Flanagan Esqs, Associate Judges.

The petition of divers inhabitants of Washington Township was presented setting forth; that a road has lately been laid out by order of Court, in said Township from the house of Charles Cooney to the Old Portage Rail road at or near the head of No 4, which road if confirmed by the Court will be injurious to your petitioners and burdensome to the inhabitants of the Township; and praying the Court to appoint proper persons to review the said road and parts adjacent and make report to the Court according to law &c.

The Court upon due consideration had of the premises do order and appoint A. T. Pindle, Rees J. Lloyd and James Myers to review the ground proposed for said road; who after having given due and legal notice by written or printed advertisements of the time and place of meeting, and having been duly qualified according to law to discharge the duties of their appointment with fidelity, shall proceed to review the same, and if a majority of them agree that there is occasion for such road, they shall proceed to lay out the same as agreeably to the wishes of the petitioners as may having respect to the

best ground for a road and the shortest distance and in such manner as shall do the least injury to private property.

If the re-viewers aforesaid shall decide in favor of locating said road, it is hereby made their duty to obtain from the persons through whose land the road may pass releases from any damages that may accrue to them from opening the same; and in every case where the owners of such land refuse releasing their claims to damages, the said re-viewers shall assess the damages, if any, and make report thereof signed by a majority of the re-viewers present, and transmit the same together with all releases to the next Court of Quarter Sessions to be filed with the papers relating to said road.

And the said re-viewers shall make report of their proceedings herein to the next Court of Quarter Sessions to be held for said County, accompanying the same with a plot or draft of said road and the courses and distances and reference to the improvements through which the same passes. In which report they shall state that they have been sworn or affirmed, and also whether they judge said road necessary for a public or private road.

By the Court.

C. F. O'Donnell, Clk.

1879

Order to Service of Road

in Washington Territory
from house of Charles
Leoney to Old Portage
Railroad.

10th May 1879
James M. Lee
Attorney

17th Dec 1879

W. J. Smith
Rev. J. Lloyd
James M. Lee

Mr. Edmund 90d

17th Dec 1879 is returning filed.

17th May 1878
J. M. Lee and wife
of New York City.

By the Court.

Shelton, Secy.

To the Honorable the Judges of the Court
of Quarter Sessions of Cambria County

The remonstrance of the Pennsylvania
Railroad Company and Citizens of Waship-
ton Township, respectfully represents

That the road laid out in said Township
leading from the line of Charles Conner to the
old Portage Railroad at or near the head of
No. 4. Should not be confirmed by the Court
for the following reasons

First. Said road as laid out and
returned, is not necessary for public use.

Second. Said road will be unduly expensive
for the Township to construct, and will be
inconvenient and burdensome.

Third. Said road crosses the Pennsylv-
ania Railroad at grade, which will be
dangerous to the travelers on both high-ways.

Fourth. There are two crossings
in that vicinity one not more than 530 yards
and 2nd 1200^{yds} from the proposed crossing, and the
said road should be changed as to
use one of the existing crossings, &c.

Names	Names
Charles Stratt	P. R. R. Co.
J. H. Brown	F. Ehrenfeld, Supervisor
Valentine Quarty	
M. A. McGonigle	
John Harris	
George Grant	
John Leaf	

L. A. McGinley
Henry Leary
G. M. McKee
Jacob Brindle
Robert Morrison
Thomas Hanna
Adam Myers
~~James~~ Conrad
Andrew East
Joe H. Mayers
Henry Ehrenfeld
Edward Edwards
Thomas Lewis
Fred Wheldon
Friedrich G. George
Albert George
Alexander P. George
James McCool
Bernard Biglin
Paul W. George
Philip Biglin
Garret Leakey
John Leakey Jr
Patrick Leakey
Thos. Leakey
Geo Leakey
Michael Slattery
Mike Storm
Gottlieb Fister
Daniel Slattery
James M. Dermitt
John Mitchell
William Bo.
W. C. O'Connell
James Ban
John Leitman

Frederic Farrer
J. D. Colman
Charles M. Garity
James Boland

James M. Garity
W. P. Ouellet
J. H. Blair
Robert Devereaux

Remittance of
Remittances, & City
of Washington & District
of Columbia

Charles Henry & Co
City of D.C.

March 7th 1879

John
Steele

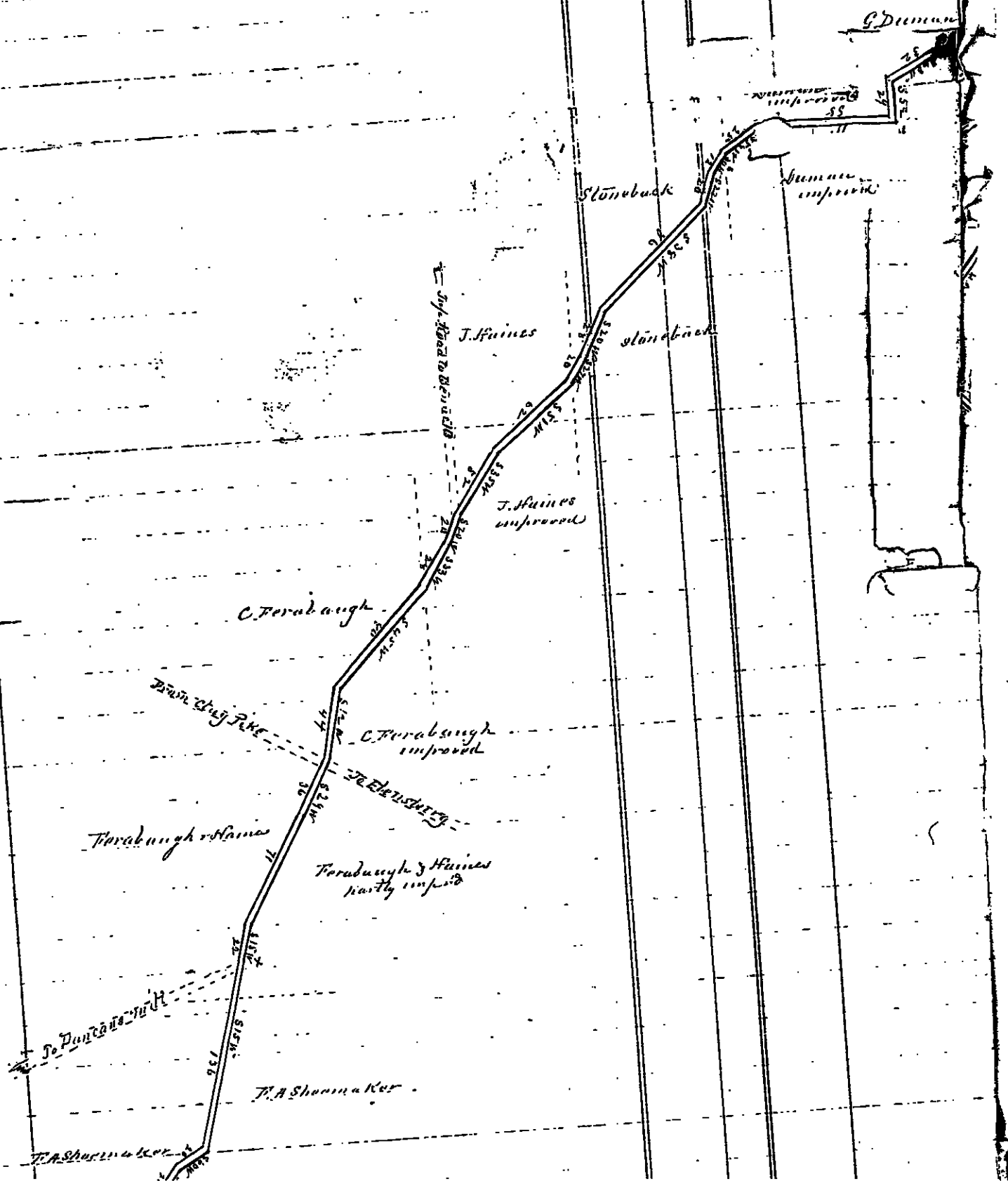
To The Honorable, The Judges of The Court of Quarter
Sessions of Cumberland County.

We the persons appointed by the undivided order of
Court, to view, lay out, vacate and supply
the road therein mentioned. Having been duly
sworn according to law and notice having been
given to the owners of stated lands through which
said road passes. Met at the time and place
mentioned in said notice, and proceeded to view
and lay out the following road. (Beginning
at St Nicholas and running S 45 W 75 P's thence)
S 5 W 120 P's thence S 35 W 88 P's thence S 28 W 74 P's thence
S 33 W 19 P's thence S 14 W 18 P's thence S 33 W 62 thence S 22 W 59 P's
thence S 17 W 64 P's thence South 24 P's thence S 15 E 50 P's along
old Top road to T. Griffiths mill. thence S 25 W 87 P's
thence N 26 P's thence S 71 W 18 P's thence S 62 W 23 P's thence S 84 W
24 P's thence N 65 W 41 P's thence S 28 W 288 P's thence S 81 W 54 P's
thence S 63 W 32 P's thence S 5 E 29 P's thence W 88 P's thence S 58 W
25 P's thence S 30 W 12 P's thence S 22 W 20 thence S 38 W 86 P's
thence S 20 W 28 P's thence S 27 W 20 P's thence S 51 W 62 thence
S 35 W 52 P's thence S 20 W 20 P's thence S 33 W 28 thence S 45 W
80 P's thence S 12 W 114 P's thence S 29 W 107 P's thence S 15 W 22 P's
along old Top road thence S 15 W 136 P's thence S 60 W 20 P's
thence S 40 W 20 P's thence S 20 W 20 P's thence S 7 W 60 P's thence
S 45 E 60 P's thence S 53 E 16 P's thence S 6 E 20 P's thence S 43
W 44 P's thence S 10 W 24 P's new road laid out - thence
S 10 W 28 P's thence S 8 E 50 P's thence S 12 W 30 P's thence S 57 W
30 P's thence S 41 W 22 P's thence S 43 W 30 P's thence S 40 W
24 P's thence S 47 W 52 P's thence S 34 W 16 P's along old Top
road to Clay Pike near residence of Jos. Marcus
thence S 62 E 94 P's thence S 67 E 14 P's along the Clay pike
thence S 21 E 32 P's thence S 4 E 42 P's thence S 15 E 57 P's thence
thence S 5 E 21 P's thence S 18 W 22 P's thence S 16 W 12 P's thence
S 66 E 21 P's thence S 25 E 14 P's thence S 15 E 9 P's thence S 0 E 34 P's
thence S 21 W 18 P's thence S 15 E 10 P's thence S 19 W 15 P's thence
S 53 E 24 P's thence S 40 E 10 P's thence S 80 E 112 P's thence E 56 P's

thence S 57° 24' 48" P. thence S 76° 26' 0" P. thence S 67° 36' 0" P. thence
S 50° 26' 0" P. thence S 33° 24' 0" P. thence E 28° 0" P. thence S 65° 24'
48" P. thence S 60° 24' 42" P. thence S 11° 24' 34" P. thence S 24° 11' 34" P.
thence S 15° 11' 14" P. thence S 33° 11' 10" P. thence S 8° 11' 40" P. thence S 3°
11' 48" P. thence S 7° 11' 60" P. thence S 14° 11' 15" P. thence S 12° 11' 60" P.
thence S 10° 11' 18" P. along old Turf road to nearest point
to Perrys meadow thence S 70° 11' 22" P. thence S 75° 11' 40" P.
thence S 57° 11' 10" P. along old Turf road - then supply by
running S 38° 11' 22" P. thence S 12° 11' 0" P. thence S 35° 11' 26" P. as shown
on dft by double black lines. then vacate by running S 57° 11'
20" P. thence S 25° 11' 16" P. thence S 6° 11' 36" P. from place we began
to supply - thence along old Turf road S 7° 11' 32" P. thence S 16° 11'
28" P. thence S 26° 11' 0" P. thence S 20° 11' 16" P. then supply by running
S 41° 11' 16" P. thence S 69° 11' 58" P. thence S 10° 11' 0" P. thence S 5° 11' 12" P. thence
S 18° 11' 0" P. thence S 30° 11' 22" P. thence S 16° 11' 16" P. thence S 25° 11' 22" P.
thence S 30° 11' 12" P. thence S 65° 11' 14" P. then vacate by running S
15° 11' 44" P. thence S 35° 11' 40" P. thence S 50° 11' 16" P. thence S 25° 11' 20" P.
thence S 45° 11' 20" P. from place we began to supply. thence along
old Turf road S 20° 11' 70" P. thence S 37° 11' 88" P. thence S 30° 11' 40" P.
thence S 24° 11' 0" P. thence S 72° 11' 40" P. thence S 13° 11' 18" P. thence S 10° 11'
34" P. to Stone Pike at Martin's meadows. and return the
same for public use. a draft is hereto annexed.

Witness our hands this 17th day of July
A. D. 1879

J. A. Shoemaker
John B. Ross } witnesses
Jas M. Lippincott



T.A. Shumaker

T.A. Shumaker

J. Wilson

Elk Creek

S. Wilson improved

S. Wilson

S. B. Wike improved

G.B. Wike improved

J. Mardis improved

Mrs. Mardis improved

S. Emfield

S. Adams improved

Belsano

Mrs. Sambray

To Niagara Falls

S. Reade improved

S. Reade improved

D. Rowland improved

P. Wagner improved

S. Rowland improved

P. Wagner improved

Robt. Ferguson

R. Ferguson

Ellis Rowland

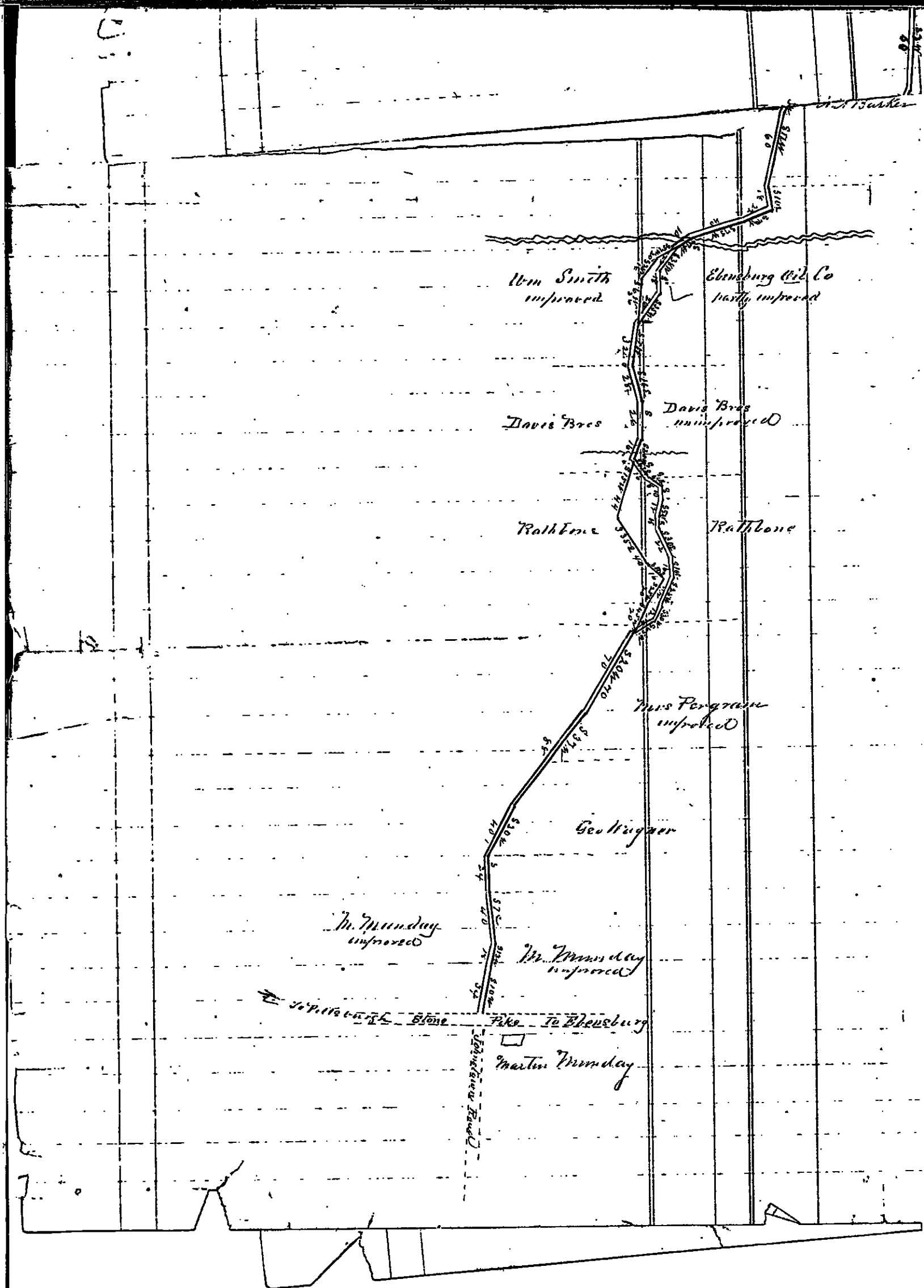
E. Rowland improved

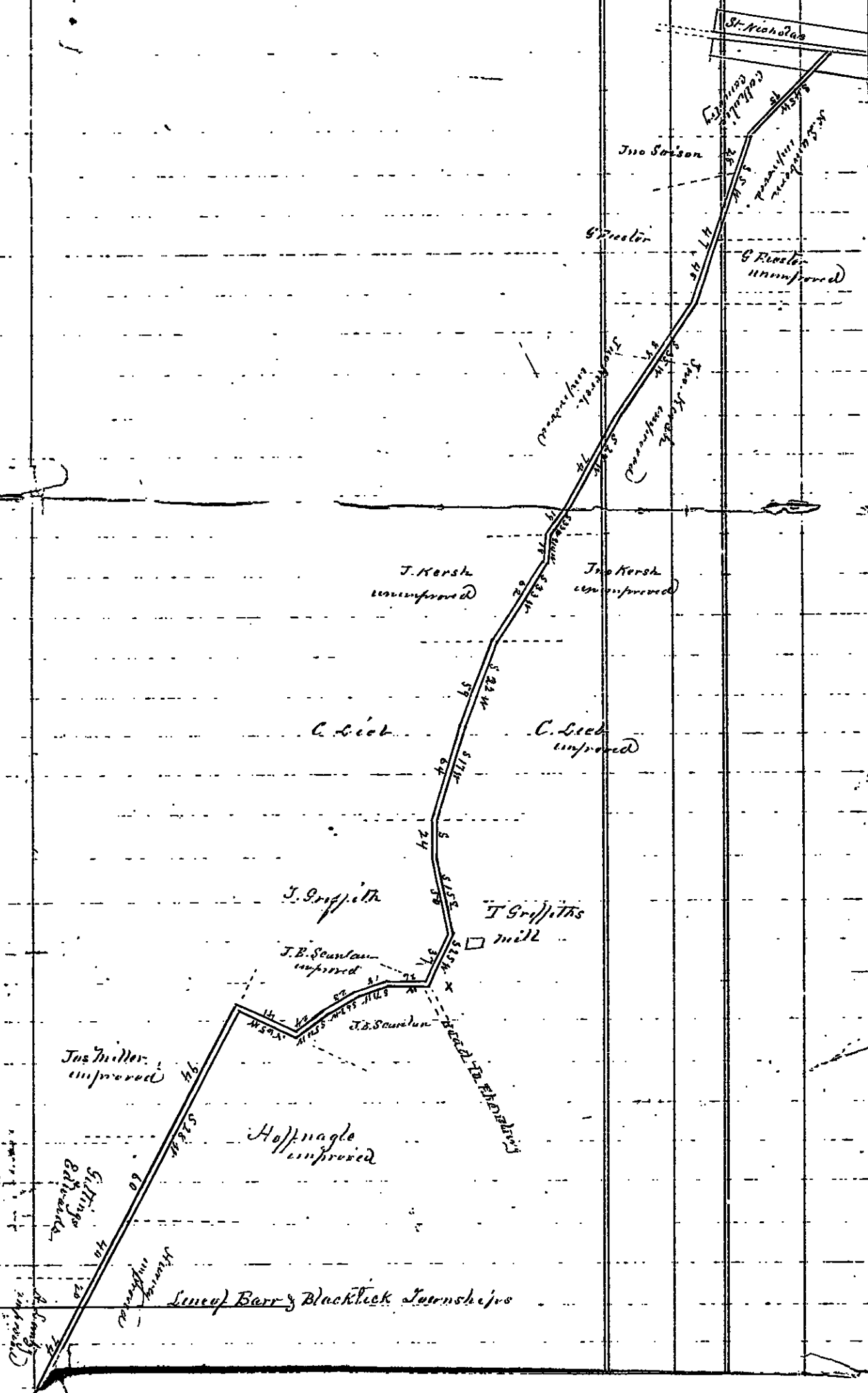
A. Rowland improved

Wm. Davis improved

Wm. Davis

Wm. Davis





James Rowland

James Davis

Perry's Meadow

June

L. A. Shumanster 8 days & 24 miles
Jas M. Surgen 6 " 24 "
Jas B. Rose 6 " 14 "
Notes of view " " 1 " 24 "
Jas B. Rose 5 days counting chain
Jas M. Surgen 5 "
Chas. H. Lang 5 days 24 miles

Red lines show old Imp Roads. adopted
Black lines show new Roads laid out
Red lines show old Roads vacated

Cambria County, Pa.

At a Court of General
Quarter Sessions of the
Peace held at Chambersburg
in and for said County on
the 9th day of June A.D.
1879 before the Honourable
John Deaw, President Judge
and John Managan and

John S. Thomas, Esquires Associate Judges.

The petition of divers inhabitants of Barr,
Blacklick and Jackson Townships in said
County was presented setting forth; That they
labor under great inconvenience for want of a
Public Road to convey their produce to market;
the roads that now are, being of too heavy a
grade for travel and not being on the most
suitable ground, and praying the Court to
appoint viewers to view and lay out a public
road Beginning at the village of St. Nicholas
in Barr township and running the nearest
and best route to Thomas Griffiths Saw
mill and from thence to a point in Black-
lick township at or near the residence of
Joseph S. Mardis and thence to a point
on the stone pike by way of Perrys mead-
ow out the South branch of ~~the~~ Blacklick
in Jackson Township between the residence
of Mr. Long on said Pike and the road
leading to Johnstown Borough in said County,
said road to be of a reasonable grade
as the Court may direct; The viewers to
have power to vacate other roads where this
will supply the same without inconvenience
to the public good.

The Court upon due consideration had of the premises do order and appoint, J. A. Shoemaker, John B. Ross and James M. Dinger to view the ground proposed for said, who after having first given due and legal notice by printed or written advertisements of the time and place of meeting and having been duly qualified according to law to discharge the duties of their appointment with fidelity, shall proceed to view the same and if all the said viewers view the same and a majority of them agree that there is occasion for such road, they shall proceed to lay out the same as agreeably to the wishes of the petitioners as may be, having respect to the best ground for a road and the shortest distance and in such manner as shall do the least injury to private property.

If the viewers aforesaid shall decide in favor of locating said road it is hereby made their duty to obtain from the persons through whose land the road may pass releases from any damages that may accrue to them from opening the same and in every case where the owners of such land refuse releasing their claim to damages, the said viewers shall assess the damages, if any, and make report thereof signed by a majority of the viewers present, and transmit the same together with all releases to the next Court of Quarter Sessions to be filed with the papers relating to said road. And the said viewers shall make report of their proceedings herein to the next Court of Quarter Sessions to be held for said County accompanying the same with a plot or draft

of said road and the courses and distances
and reference to the improvements through
which the same passes. In which report
they shall state that they have been sworn
or affirmed and also whether they judge
said road necessary for a public or private
road.

By the Court.
C. D. Donnell
Clk L. S.

1879

Order to New and stay
such as Road from St
Nicholas in New South
to Alabamga to better in
our travels

W. Vincent

Geo W. Shoemaker
John B. Rogers
James M. Dinger

W. H. Shoemaker, Jr.
Faintly written

Filed May 1, 1879

March 11, 1887

Order to open Trade
with John C. Watts
etc.

Shoemaker

Shoemaker 1879 Confirmed New and ordered to
be opened 30 feet wide
By the Court.
The October 1879 Confirmed Absolutely
By the Court.

Columbia County, N.Y.

At a Court of General Quarter
Sessions of the Peace held at Olean-
burg in and for said County
on the 5th day of August 1879
before the Honorable John Deane
President Judge and John Blau-
gaw and John M. Thomas, Esquires, Associate Judges.

The petition of divers citizens of the townships
of Sumnerhill in said County was presented set-
ting forth that they labor under great inconvenience
for want of a road or highway to lead from
Pennsylvania Rail Road Depot at Olean to a
point on old Portage Rail Road at or near resi-
dence of Alexander B. Pingle in said townships;
and praying the Court to appoint proper per-
sons to view and lay out the same according
to law.

The Court upon due consideration had of the
premises do order and appoint Wm. McConnell, Philip
Kelley, and David Shaffer to view the ground pro-
posed for said road, who after having first given
due and legal notice by printed or written adver-
tisements of the time and place of meeting, and hav-
ing been duly qualified according to law to dis-
charge the duties of their appointment with fi-
delity shall proceed to view the same and if all
the said viewers view the same and a majority
of them agree that there is occasion for such
road they shall proceed to lay out the same
as agreeably to the wishes of the petitioners as may be,
having respect to the best ground for a road and
the shortest distance and in such manner as
shall do the least injury to private property.

If the viewers aforesaid shall decide in favor

of locating said road it is hereby made their duty to obtain from the persons through whose land the road may pass releases from any damages that may accrue to them from opening the same and in every case where the owners of such land refuse releasing their claim to damages the said viewers shall assess the damages, if any, and make report thereof signed by a majority of the viewers present and transmit the same together with all releases to the next Court of Quarter Sessions to be filed with the papers relating to said road. And the said viewers shall make report of their proceedings herein to the next Court of Quarter Sessions to be held for said County, accompanying the same with a plot or draft of said road and the courses and distances and reference to the improvements through which the same passes. In which report they shall state that they have been sworn or affirmed and also whether they judge said road necessary for a public or private road.

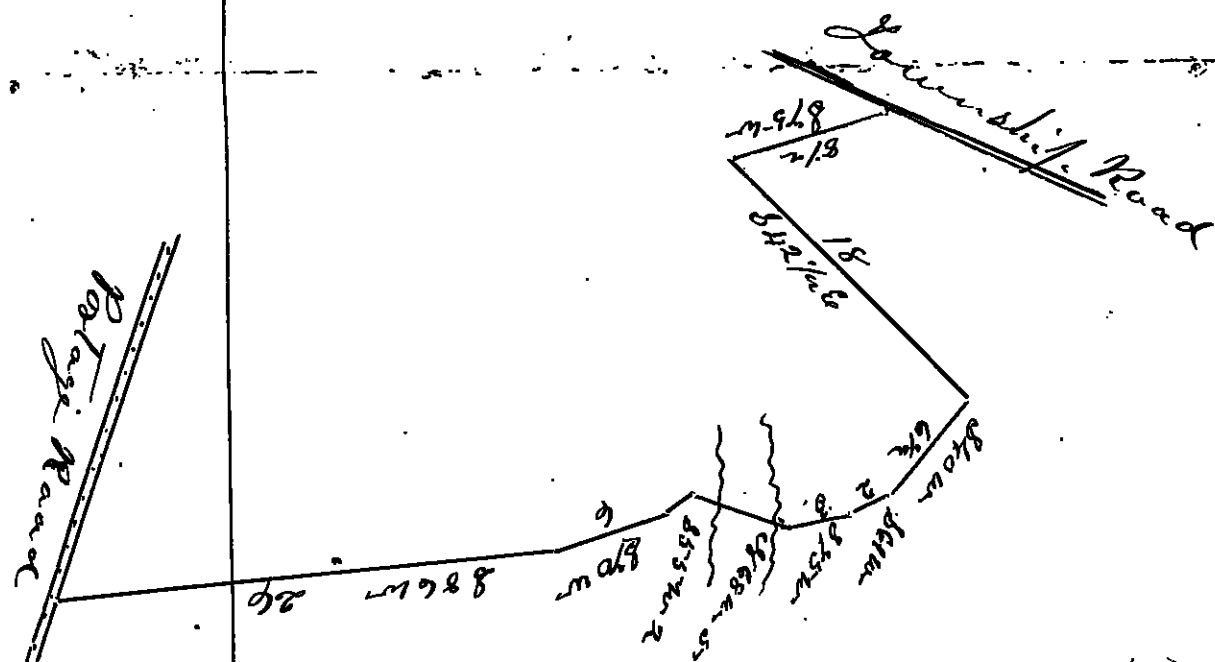
By the Court.

C. J. Donnell, Clerk

To the Honorable Judges within named
 we the persons appointed by the within
 order of Court ~~that~~ all being present
 do Report that after being duly sworn
~~according to Law~~ we have viewed and
 laid out for Public use ~~the~~ following
 described Road Beginning at a post on
 the Public Road near the Depot of PRR at
 Welmore thence South seventy five degrees
 west eight and one half perches to a post
 thence through Land of P, R, R, Co South forty
 two and one half degrees East Eighteen perches
 to post thence South forty degrees west six
 and one half perches to a Birch thence South
 sixty one degrees west two perches to a post thence
 across Cornemah Creek South seventy five degrees
 west three perches to a post thence through Land
 of Alex B Pringle South North sixty eight degrees
 five perches to post thence South fifty five degrees
 west two perches thence seventy degrees west six
 perches to Post thence South eighty six degrees
 west twenty six perches to a point on the
 old Postage Rail Road near the residence of
 Alex B. Pringle in Summer Hill Township
 a draft of which is hereto annexed witness our
 hands Nov 29th 1879

Wm J McConnell
 Philip Skelly
 David Shaffer

Done
 Wm J McConnell Surveyor 1 Day 2 miles
 Philip Skelly 1 " 3 "
 David Shaffer 1 " 1 "



Road View Notice

Notice is hereby given that the undersigned
viewers appointed by the Court of Quarter
Sessions of Cambridge County to view & locate
a road to lead from a point on the public
road near the R. R. Depot at Wilmore
to a point on the old Portage Rail Road
near the residence of Alex B. Bringle in
Summerhill Township will meet at the house of
said Alex B. Bringle in Summerhill Township
on Saturday the 29 day of November at ^{nine} ~~five~~
o'clock P. M. for the purpose of attending to the
duties of said appointment.

Wm McConnell

Phillip Kelly

David Shaper

viewers

1879

Order to View and lay out a
Road to lead from a point
on the Public Road near
the A. P. R. R. depot at Wilmore
to a point on the Old Portage
Rail Road near the residence
of Alex. B. Bingle in said
Township

Report of

Viewers

Wm. M. Grunwell
Philip Kelley
David Shaffer

Filed Dec 1879

Wm. M. Grunwell 90
sent by Mr. H. S. Schuler Esq.

Oct. 6 1879 - Continued to
same viewers to report at
next session.

By the Court
Recorded 12. Apr. 1880

Cochran

10 July 1880 confirmed view & ordered to
be opened 30 ft wide &c
R. H. H. H. H.

6th April 1880. Confirmed absolutely.
By the Court.