

TO THE HONORABLE A.V. BARKER, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS IN THE COUNTY OF CAMBRIA.

The petition of the undersigned citizens of the  
Township of Munster, County of Cambria, Penn'a. respectively represents:-

That the public road, beginning at a point on the  
Stone Pike leading from Ebensburg to Cresson in the village of  
Munster at or near John Biters corner in said village, and running  
from said point in a zigzag South-easterly direction to a point  
at or near Adam Smiths, where the said road intersects with the  
road leading from the "Cherry-Tree" on said Stone Pike or Ebensburg  
and Cresson Road to Lilly Borough has been laid out and has been in  
use by the citizens of said Township as well as the Public generally

That by reason of the grade and present location  
of said road the same has become burdensome and almost useless to  
the said citizens as well as to the travelling public, and would be  
less expensive to keep in repair and would better accommodate the  
public if the same were changed so as to begin and end at the same  
points as the same now does, but so that the grade may be made  
such as will best suit the convenience of the public travel.

The petitioners therefore pray the Court to in-  
quire of and change the said road, and for that purpose to appoint  
three persons, qualified according to law, to view the said road  
and the ground proposed for the said change, and inquire of the  
premises and make report of their proceedings at the next term of  
Court. And they will, &c.

NAMES

NAMES

William Haupt supervisor

Michael Cassidy

Leo Turbin

F. B. Griffin

J. W. Griffin

D. A. Glass

John M. Letterman

Thos Sargent

W. H. Sargent

H. J. Cherry

Chas Gauntner

Wm Beiter

W. S. Glass

Names.

NAMES.

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No. 2. ~~December~~ <sup>Dec</sup> 1901  
In the Court of Quarter  
Session R. D.

The petition of the  
Citizens of the Township  
of Munster for orders  
to change the grade in  
the public Road leading  
from a point on the  
Stone Pike in village of  
Munster at or near Peter  
Corner in said village to  
a point at or near  
Adam Smiths on the  
road leading from the  
cherry tree on said Stone  
Pike to Borough of Willy.

Filed 2 Dec 1901

J. S. Elder.

And Nov Dec 2d 1901  
~~John Smith~~ - George Garrett  
Gerrard W. O'Hara  
Appointed owners  
By the Court

Reed

To the Honorable Francis J. Obermer President  
Judge of the Court of Quarter Sessions of Cambria County  
Pa. We the undersigned viewers appointed by the  
annexed order do report, That in pursuance thereof,  
after having been severally duly sworn or affirmed to  
perform our duties impartially and to the best of our  
judgment, and having given due public notice, as required  
by law, and having served copies of said notice upon  
the Supervisors of the territory through which such road is to be  
vacated and supplied and also upon the County Commissioners of  
said County properly attested copies of said notice being hereto  
attached, all the viewers appointed by said order viewed  
the ground described in said order and believing that  
portion of the said road passing through lands of William  
Peters James Durbin Estate John Peters Patrick Cassidy  
and Anthony Ribord in Munster Township as shown by the  
draft attached has become inconvenient and burdensome  
by reason of the hilly condition of the same the grade being  
from 18 to 20 feet to the 100 feet on parts of the road which  
greatly exceeds 5 degrees in Elevation and ought therefore  
to be vacated and have viewed and vacated the  
same as follows. Beginning near John Smiths line  
on William Peters land thence South forty one and one half  
degrees East seven hundred feet thence South twenty seven  
and one half degrees East three hundred and ninety feet thence  
South forty five degrees East three hundred and sixty eight  
Ending on James Durbin Estate land Also Beginning on  
John Peters land thence South forty three and one half  
degrees East four hundred feet thence South sixty one

degrees East two hundred feet thence South twenty two degrees  
East seven hundred and sixty five feet thence North eighty  
three degrees East two hundred and fifty five feet thence  
South forty degrees East one hundred and sixty five feet thence  
South sixty six degrees East three hundred and thirty feet  
thence South twenty one degrees East nine hundred and fifty  
feet thence South twenty eight degrees East two hundred  
and fifty six feet thence South thirty degrees East two hund-  
-red feet thence South fifty degrees East five hundred and  
twenty one feet thence South thirty degrees East three  
hundred and twenty four feet to the Munster Township  
line - and have supplied viewed adopted and  
laid out and do return for public use the following  
road to wit: Beginning at a point on the Stone  
Pike leading from Ebensburg to Cresson in the Village  
of Munster thence South six and one half degrees West eleven  
hundred and seventy four feet thence South twenty nine  
degrees West one hundred and ninety four feet thence  
South twenty four degrees East three hundred and  
thirty two feet thence South three and one half degrees  
East three hundred twenty two feet thence South thirty six  
degrees East two hundred and sixteen feet thence South thirty  
six and one half degrees East five hundred and eighty five  
feet thence South eight degrees West five hundred and  
sixty feet thence South sixty and three fourths degrees  
East four hundred feet thence South forty eight degrees  
East one hundred feet thence South fifty four degrees  
East four hundred and fifty feet thence South forty  
five degrees East two hundred feet thence south

twenty three degrees East three hundred and twenty five  
feet thence South eight degrees met one hundred and  
ninety five feet thence South three and one half degrees  
met three hundred feet thence South five degrees East  
eleven hundred feet thence South forty one degrees East  
two hundred and seventy one feet thence South thirty  
eight and one half degrees East two hundred and forty  
four feet thence South six degrees East four hundred  
and fifteen feet thence South nineteen degrees East  
two hundred and twenty eight feet thence South thirty four  
degrees East one hundred and sixty three feet thence  
South fifty four degrees East one hundred and ninety  
feet thence North seventy eight degrees East two hundred  
feet thence South eighty nine degrees East three hundred  
and thirty five feet thence South seventy two and one  
half degrees East eleven hundred and eight feet thence  
South eighty six and one fourth degrees East one hundred  
and twenty five feet thence South seventy two and one half  
degrees East fourteen hundred and thirty feet  
thence South sixty four degrees East two hundred  
and twenty feet thence South seventy one degrees  
East twelve hundred feet thence South eighty  
one degrees met one hundred and forty two  
feet thence South forty nine degrees met two  
hundred and twenty five feet thence South thirty  
two and one half degrees met three hundred  
feet thence South twenty one degrees met two  
hundred feet thence South twenty eight degrees  
met five hundred feet thence South thirty one

degrees meet seven hundred and thirty five feet  
 thence north fifty nine degrees west four hundred  
 and twenty feet to a point at or near Adam  
 Smiths on road to Lilly Borough the point  
 specified in said order from Court the  
 road passes through lands belonging to  
 John Smith Mrs Jane Durbin William Biter  
 James Durbin Estate Michael Cassidy Anthony  
 Gibson Mary E. Cammy John Biter Patrick  
 Cassidy and Adam Smith. We have  
 assessed or awarded to William Biter one  
 hundred and twenty five dollars damages  
 to Patrick Cassidy one hundred and  
 thirty dollars damages to Mary E  
 Cammy fifty dollars damages  
 to Adam Smith thirty dollars  
 damages. said road as aforesaid  
 adopted and laid out we are of the  
 opinion is necessary for a public  
 road and recommend the same  
 a plot or draft thereof is herewith  
 attached to this report and made  
 a part of this report Witness  
 our hands this 21<sup>st</sup> day of February 1902

J. Leard Elder  
 J. Leroy W. Hara  
 Geo. W. Garrett,

J. J. Elder	4 days	16.00
J. W. Pharr	2 days	4.00
George W. Garrett	2 days	4.00
Michael Cassidy	3.00	
		28.40



# ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for vacating and supplying the following public road, Beginning at a point on the Stone Pike leading from Ebersburg to Gresson in the village of Munster near John Biter's corner and running in a southwesterly direction to a point near Adam Smith's where the said road intersects with the road leading from the "Cherry Tree" on said Stone Pike to Lilly Borough will meet at the house of John Biter in the township of Munster aforesaid, on the 10<sup>th</sup> day of February 1902, at 9 o'clock A.M. for the purpose of viewing said ground.

Heard Elder  
George Gairret  
Terrance W. P. Harris

*Viewers.*

Jan. 15 1902

Service of notice accepted for the  
 County Commissioners 1902 J. M. C. Gates  
 Extracting Pa. Jan Clerk

# ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for vacating and supplying the following public road, Beginning at a point on the Stone Pike leading from Ebersburg to Lessor in the village of Munster near John Biter's and running in a southerly direction to a point near Adam Smith's where the said road intersects with the road leading from the "Cherry Tree" on said Stone Pike to Lilly Borough will meet at the house of John Biter in the township of Munster aforesaid, on the 10<sup>th</sup> day of February 1902 at 9 o'clock A.M. for the purpose of viewing said ground.

Leard Elder  
George Garret  
Terence W. O'Hara

Jan 15 1902

Viewers.

- over -

Service of within notice is hereby accepted,

Supervisors { W. C. O'Leary  
John O'Leary

3 4 P  
... 8 0

**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 December A. D. 1901, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Munster, in the said County, setting forth that ~~they labor under inconvenience for want of a~~ road or highway, to lead from the public road beginning at a point on the Stone Pike leading from Ebensburg to Creson in the village of Munster at or near John Biters corner in said village and running from said point in a zigzag southeasterly direction to a point at or near Adam Smiths where the said road intersects with the road leading from the "Cherry Tree" on said Stone Pike or Ebensburg and Creson Road to Lilly Borough has been laid out and has been in use by the citizens of said Township as well as the Public generally. That by reason of the grade and present location of said road the same has become burdensome and almost useless to the said citizens as well as to the travelling public, and would be less expensive to keep in repair and would better accommodate the public if the same were changed so as to begin and end at the same points as the same now does but so that the grade may be made such as will best suit the convenience of the public travel and therefore praying the Court to appoint proper persons to <sup>change</sup> view and lay out the same according to law. The Court upon due consideration had of the premises, do order and appoint

J. David Elder SURVEYOR, and  
George James and Terrance W O'Hara

VIEWERS, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such <sup>change in</sup> 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:

L. E. Procell, 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. 2, Dec. SESSION, 1901.

Order to — view ground  
for a change in public  
road in this town-  
ship

Report of Viewers  
Filed March 3<sup>rd</sup> 1902

Viewers.  
J. Fair Elder  
George Garrett  
Lemuel W. Haring

Clerk's fee for Elder 90 cts.  
Reed

MOUNTAIN-HERALD PRINT.

425

And now April 22, 1902 approved and breadth fixed  
at thirty feet

By the Court

26 July 1902 Confirmed.

b. e. Truller clk.