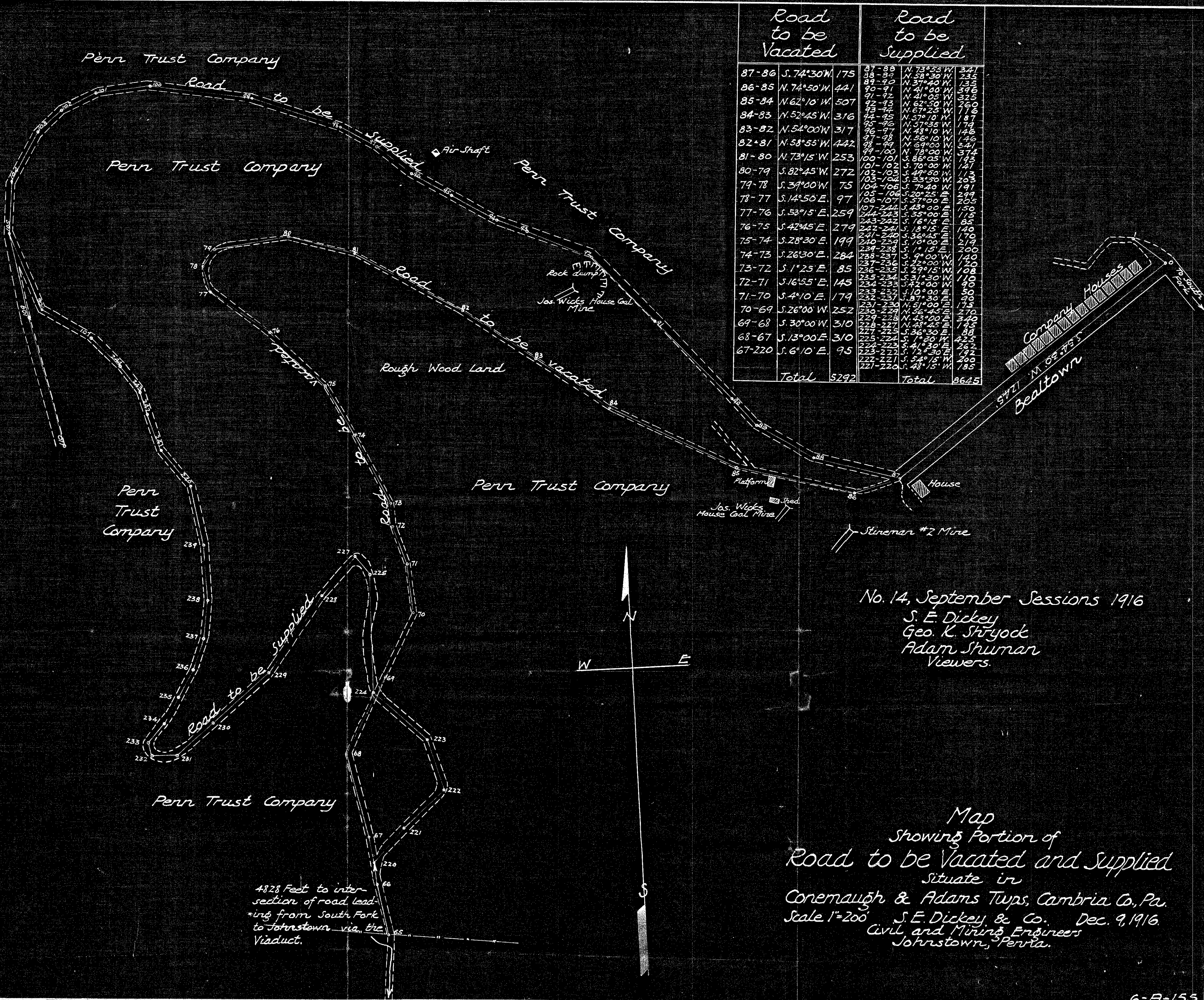


Not Microfilmed

RD # 14

Sept. 1916



Road to be Vacated			Road to be Supplied		
87-86	S. 74° 30' W.	175	87-88	N. 73° 55' W.	341
86-85	N. 74° 50' W.	441	88-89	N. 58° 30' W.	235
85-84	N. 62° 10' W.	507	89-90	N. 37° 40' W.	135
84-83	N. 52° 45' W.	316	90-91	N. 41° 00' W.	396
83-82	N. 54° 00' W.	317	91-92	N. 41° 05' W.	325
82-81	N. 58° 55' W.	442	92-93	N. 62° 30' W.	260
81-80	N. 73° 15' W.	253	93-94	N. 67° 25' W.	181
80-79	S. 82° 45' W.	272	94-95	N. 57° 10' W.	179
79-78	S. 39° 00' W.	75	95-96	N. 57° 35' W.	179
78-77	S. 14° 50' E.	97	96-97	N. 43° 10' W.	146
77-76	S. 53° 15' E.	259	97-98	N. 56° 10' W.	146
76-75	S. 42° 45' E.	279	98-99	N. 69° 03' W.	341
75-74	S. 28° 30' E.	199	99-100	N. 78° 00' W.	374
74-73	S. 26° 30' E.	284	100-101	S. 86° 05' W.	193
73-72	S. 1° 25' E.	85	101-102	S. 70° 00' W.	141
72-71	S. 16° 55' E.	145	102-103	S. 47° 50' W.	113
71-70	S. 4° 10' E.	179	103-104	S. 33° 50' W.	203
70-69	S. 26° 00' W.	252	104-105	S. 70° 10' W.	238
69-68	S. 30° 00' W.	310	105-106	S. 20° 25' E.	205
68-67	S. 13° 00' E.	310	106-107	S. 37° 00' E.	150
67-220	S. 6° 10' E.	95	107-244	S. 43° 00' E.	115
Total 5292			244-243	S. 35° 00' E.	85
			243-242	S. 16° 15' E.	140
			242-241	S. 18° 15' E.	170
			241-240	S. 36° 45' E.	219
			240-239	S. 10° 00' W.	200
			239-238	S. 1° 15' E.	140
			238-237	S. 22° 00' W.	1080
			237-236	S. 29° 15' W.	1110
			236-235	S. 31° 30' W.	900
			235-234	S. 42° 00' W.	500
			234-233	S. 10° 00' E.	270
			233-232	S. 37° 30' E.	175
			232-231	N. 51° 00' E.	340
			231-230	N. 56° 45' E.	138
			230-229	N. 43° 00' E.	425
			229-228	N. 28° 30' E.	262
			228-227	S. 41° 30' E.	192
			227-226	S. 12° 30' E.	200
			226-225	S. 54° 15' W.	185
			225-224	S. 48° 15' W.	
Total 8645					

No. 14, September Sessions 1916
 S. E. Dickey
 Geo. K. Shryock
 Adam Shuman
 Viewers.

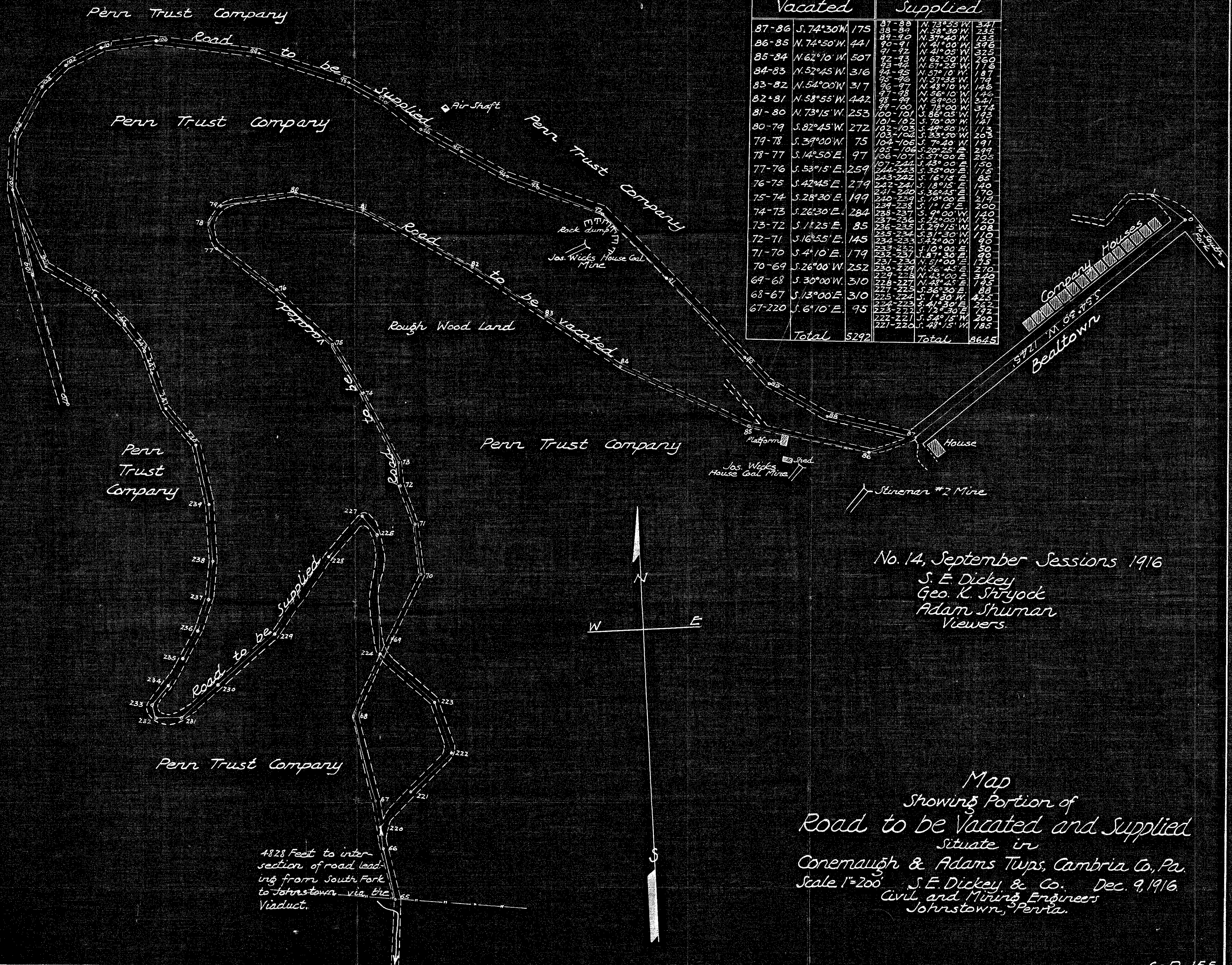
Map
 Showing Portion of
 Road to be Vacated and Supplied
 Situate in
 Conemaugh & Adams Twp., Cambria Co., Pa.
 Scale 1"=200' S. E. Dickey & Co. Dec. 9, 1916.
 Civil and Mining Engineers
 Johnstown, Pa.

4828 Feet to inter-
 section of road lead-
 ing from South Fork
 to Johnstown via the
 Viaduct.

Rot Microfilmed

RD#14

Sept. 1916



Road to be Vacated			Road to be Supplied		
87-86	S. 74°30' W.	175	87-88	N. 73°55' W.	3.4
86-85	N. 74°50' W.	441	88-89	N. 58°30' W.	7.3
85-84	N. 62°10' W.	507	89-90	N. 37°40' W.	13.3
84-83	N. 52°45' W.	316	90-91	N. 41°00' W.	59.6
83-82	N. 54°00' W.	317	91-92	N. 41°05' W.	32.5
82-81	N. 58°55' W.	442	92-93	N. 62°50' W.	260
81-80	N. 73°15' W.	253	93-94	N. 67°25' W.	17.6
80-79	S. 82°45' W.	272	94-95	N. 57°10' W.	18.7
79-78	S. 39°00' W.	75	95-96	N. 51°35' W.	17.9
78-77	S. 14°50' E.	97	96-97	N. 43°10' W.	14.6
77-76	S. 53°15' E.	259	97-98	N. 56°10' W.	14.6
76-75	S. 42°45' E.	279	98-99	N. 59°00' W.	37.4
75-74	S. 28°30' E.	199	99-100	N. 78°00' W.	19.3
74-73	S. 26°30' E.	284	100-101	S. 86°05' W.	141
73-72	S. 18°25' E.	85	101-102	S. 70°00' W.	13
72-71	S. 16°55' E.	145	102-103	S. 49°50' W.	20.3
71-70	S. 4°10' E.	179	103-104	S. 33°50' W.	191
70-69	S. 26°00' W.	252	104-105	S. 7°40' W.	299
69-68	S. 30°00' W.	310	105-106	S. 20°25' E.	205
68-67	S. 13°00' E.	310	106-107	S. 37°00' E.	150
67-220	S. 6°10' E.	95	107-221	S. 45°00' E.	165
			221-222	S. 51°00' E.	140
			222-223	S. 56°45' E.	119
			223-224	S. 62°15' W.	108
			224-225	S. 67°15' W.	110
			225-226	S. 71°30' W.	90
			226-227	S. 75°00' W.	50
			227-228	S. 78°00' W.	49
			228-229	S. 81°00' W.	17.9
			229-230	S. 84°00' W.	270
			230-231	S. 87°00' W.	320
			231-232	S. 90°00' W.	145
			232-233	S. 93°00' W.	88
			233-234	S. 96°00' W.	42.5
			234-235	S. 99°00' W.	262
			235-236	S. 102°00' W.	192
			236-237	S. 105°00' W.	200
			237-238	S. 108°00' W.	185
			238-239	S. 111°00' W.	175
			239-240	S. 114°00' W.	165
			240-241	S. 117°00' W.	155
			241-242	S. 120°00' W.	145
			242-243	S. 123°00' W.	135
			243-244	S. 126°00' W.	125
			244-245	S. 129°00' W.	115
			245-246	S. 132°00' W.	105
			246-247	S. 135°00' W.	95
			247-248	S. 138°00' W.	85
			248-249	S. 141°00' W.	75
			249-250	S. 144°00' W.	65
			250-251	S. 147°00' W.	55
			251-252	S. 150°00' W.	45
			252-253	S. 153°00' W.	35
			253-254	S. 156°00' W.	25
			254-255	S. 159°00' W.	15
			255-256	S. 162°00' W.	5
			256-257	S. 165°00' W.	0
			257-258	S. 168°00' W.	0
			258-259	S. 171°00' W.	0
			259-260	S. 174°00' W.	0
			260-261	S. 177°00' W.	0
			261-262	S. 180°00' W.	0
			262-263	S. 183°00' W.	0
			263-264	S. 186°00' W.	0
			264-265	S. 189°00' W.	0
			265-266	S. 192°00' W.	0
			266-267	S. 195°00' W.	0
			267-268	S. 198°00' W.	0
			268-269	S. 201°00' W.	0
			269-270	S. 204°00' W.	0
			270-271	S. 207°00' W.	0
			271-272	S. 210°00' W.	0
			272-273	S. 213°00' W.	0
			273-274	S. 216°00' W.	0
			274-275	S. 219°00' W.	0
			275-276	S. 222°00' W.	0
			276-277	S. 225°00' W.	0
			277-278	S. 228°00' W.	0
			278-279	S. 231°00' W.	0
			279-280	S. 234°00' W.	0
			280-281	S. 237°00' W.	0
			281-282	S. 240°00' W.	0
			282-283	S. 243°00' W.	0
			283-284	S. 246°00' W.	0
			284-285	S. 249°00' W.	0
			285-286	S. 252°00' W.	0
			286-287	S. 255°00' W.	0
			287-288	S. 258°00' W.	0
			288-289	S. 261°00' W.	0
			289-290	S. 264°00' W.	0
			290-291	S. 267°00' W.	0
			291-292	S. 270°00' W.	0
			292-293	S. 273°00' W.	0
			293-294	S. 276°00' W.	0
			294-295	S. 279°00' W.	0
			295-296	S. 282°00' W.	0
			296-297	S. 285°00' W.	0
			297-298	S. 288°00' W.	0
			298-299	S. 291°00' W.	0
			299-300	S. 294°00' W.	0
			300-301	S. 297°00' W.	0
			301-302	S. 300°00' W.	0
			302-303	S. 303°00' W.	0
			303-304	S. 306°00' W.	0
			304-305	S. 309°00' W.	0
			305-306	S. 312°00' W.	0
			306-307	S. 315°00' W.	0
			307-308	S. 318°00' W.	0
			308-309	S. 321°00' W.	0
			309-310	S. 324°00' W.	0
			310-311	S. 327°00' W.	0
			311-312	S. 330°00' W.	0
			312-313	S. 333°00' W.	0
			313-314	S. 336°00' W.	0
			314-315	S. 339°00' W.	0
			315-316	S. 342°00' W.	0
			316-317	S. 345°00' W.	0
			317-318	S. 348°00' W.	0
			318-319	S. 351°00' W.	0
			319-320	S. 354°00' W.	0
			320-321	S. 357°00' W.	0
			321-322	S. 360°00' W.	0
			322-323	S. 363°00' W.	0
			323-324	S. 366°00' W.	0
			324-325	S. 369°00' W.	0
			325-326	S. 372°00' W.	0
			326-327	S. 375°00' W.	0
			327-328	S. 378°00' W.	0
			328-329	S. 381°00' W.	0
			329-330	S. 384°00' W.	0
			330-331	S. 387°00' W.	0
			331-332	S. 390°00' W.	0
			332-333	S. 393°00' W.	0
			333-334	S. 396°00' W.	0
			334-335	S. 399°00' W.	0
			335-336	S. 402°00' W.	0
			336-337	S. 405°00' W.	0
			337-338	S. 408°00' W.	0
			338-339	S. 411°00' W.	0
			339-340	S. 414°00' W.	0
			340-341	S. 417°00' W.	0
			341-342	S. 420°00' W.	0
			342-343	S. 423°00' W.	0
			343-344	S. 426°00' W.	0
			344-345	S. 429°00' W.	0
			345-346	S. 432°00' W.	0
			346-347	S. 435°00' W.	0
			347-348	S. 438°00' W.	0
			348-349	S. 441°00' W.	0
			349-350	S. 444°00' W.	0
			350-351	S. 447°00' W.	0
			351-352	S. 450°00' W.	0
			352-353	S. 453°00' W.	0
			353-354	S. 456°00' W.	0
			354-355	S. 459°00' W.	0
			355-356	S. 462°00' W.	0
			356-357	S. 465°00' W.	0
			357-358	S. 468°00' W.	0
			358-359	S. 471°00' W.	0
			359-360	S. 474°00' W.	0
			360-361	S. 477°00' W.	0
			361-362	S. 480°00' W.	0
			362-363	S. 483°00' W.	0
			363-364	S. 486°00' W.	0
			364-365	S. 489°00' W.	0
			365-366	S. 492°00' W.	0
			366-367	S. 495°00' W.	0
			367-368	S. 498°00' W.	0
			368-369	S. 501°00' W.	0
			369-370	S. 504°00' W.	0
			370-371	S. 507°00' W.	0
			371-372	S. 510°00' W.	0
			372-373	S. 513°00' W.	0
			373-374	S. 516°00' W.	0
			374-375	S. 519°00' W.	0
			375-376	S. 522°00' W.	0
			376-377	S. 525°00' W.	0
			377-378	S. 528°00' W.	0
			378-379	S. 531°00' W.	0
			379-380	S. 534°00' W.	0
			380-381	S. 537°00' W.	0
			381-382	S. 540°00' W.	0
			382-383	S. 543°00' W.	0
			383-384	S. 546°00' W.	0
			384-385	S. 549°00' W.	0
			385-386	S. 552°00' W.	0
			386-387	S. 555°00' W.	0
			387-388	S. 558°00' W.	0
			388-389	S. 561°00' W.	0
			389-390	S. 564°00' W.	0
			390-391	S. 567°00' W.	0
			391-392	S. 570°00' W.	0
			392-393	S. 573°00' W.	0
			393-394	S. 576°00' W.	0
			394-395	S. 579°00' W.	0
			395-396	S. 582°00' W.	0
			396-397	S. 585°00' W.	0
			397-398	S. 588°00' W.	0
			398-399	S. 591°00' W.	0
			399-400	S. 594°00' W.	0
			400-401	S. 597°00' W.	0
			401-402	S. 600°00' W.	0
			402-403	S. 603°00' W.	0
			403-404	S. 606°00' W.	0
			404-405	S. 609°00' W.	0
			405-406	S. 612°00' W.	0
			406-407	S. 615°00' W.	0
			407-408	S. 618°00' W.	0
			408-409	S. 621°00' W.	0
			409-410	S. 624°00' W.	0
			410-411	S. 627°00' W.	0
			411-412	S. 630°00' W.	0
			412-413	S. 633°00' W.	0
			413-414	S. 636°00' W.	0
			414-415	S. 639°00' W.	0
			415-416	S. 642°00' W.	0
			416-417	S. 645°00' W.	0
			417-418	S. 648°00' W.	0
			418-419	S. 651°00' W.	0
			419-420	S. 654°00' W.	0
			420-421	S. 657°00' W.	0
			421-422	S. 660°00' W.	0
			422-423	S. 663°00' W.	0
			423-424	S. 666°00' W.	0
			424-425	S. 669°00' W.	0
			425-426	S. 672°00' W.	0
			426-427	S. 675°00' W.	0
			427-428	S. 678°00' W.	0

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

In re petition of the inhabitants)
of Conemaugh and Adams Township) #14 September Sessions, 1916.
and South Fork Borough, vacating)
and supplying a public road lead-) November 9, 1916, peti-
from the Borough of South Fork past) tion filed.
#2 Mine of the Stineman Coal and)
Coke Company through Conemaugh and)
Adam Townships and connecting with)
Frankstown Road.

And now, March 2nd, 1917, comes Haldeman O'Connor
by his attorney, James A. Graham, and excepts to the report of
viewers in the above entitled case, and for cause thereof, as-
signs the following:

REASONS:

1. The petition for the vacation of the road
is not in proper form in that the petition and the docket entry
thereof do not contain a reference to the number and term of
the original case; or to the number and page of the docket con-
taining the record thereof as required by rules of Court,-- see
rule #24 at page 71, Joint Rules for Common Pleas, Orphans'
Court, Oyer, and Terminer and Quarter Sessions of Cambria County,
which is as follows:--

Rule #24:-- Every petition for the
review, or vacation, or change
of a road, and the docket en-
try thereof, shall contain a
reference to the number and
term of the original case,
or to the number and page of
the docket containing the
record thereof.

2. The petition for the vacation of the road is not in proper form in that it does not adequately describe the portion of the said road proposed to be vacated and termini thereof, but the same are vague and insufficient.

3. The petition is defective in that the bond accompanying the said petition is executed by the attorney for petitioners contrary to the rule of Court #17 at page 12, Joint Rules, which is in part as follows:--

Rule #17:-- No attorney practicing in the Courts of this county shall be admitted or suffered to become bail for an appeal, security in a replevin bond, for costs, or stay of execution, or for the appearance of a Defendant in any suit or action depending in said Courts or on any Administrator's or Trustee's bond, or on any bond or recognizance requiring the approval of the court.

4. Notice of the view as required by the decisions of the Courts and the proper protection of the persons affected was not given by the viewers.

5., The report of viewers is defective in that it does not show that notice of the view was given as required, the said

report not setting forth how many notices were posted, where the notices were posted, when the notices were posted, and the form of the notices.

6. The report of the viewers is defective in that it does not show the owners of the adjacent property along the route of the road.

7. The report of the viewers is defective in that it does not describe the termini of the proposed road as laid out as is required by law, but said report is vague and indefinite in this respect.

8. The report of the viewers is defective in that it does not aver that an effort was made to secure a release of damages from owners of property adjacent to the route of the proposed road .

9. The report of the viewers is defective in that it was not filed during the first week of the next term of Court as required by the rules of Court. See rule #23 at page 71, Joint Rules for Common Pleas, Orphans' Court, Oyer and Terminer, and Quarter Sessions of Cambria County which is, in part, as follows:--

Rule #23:-- Every report on order for view or re-view of a road shall be returned and filed within the first week of the term to which it is returnable.

10. The report of viewers is defective in that it shows that the viewers disregarded the termini mentioned in the petition by going beyond the same.

11. The report of viewers is defective in that it does not show the route of the proposed road nor the courses

and distances thereof, except as the latter are set out in the plot accompanying the report.

12. The report of viewers is defective in that the improvements are not noted either along the line of the road attempted to be laid out or along the line of the road attempted to be vacated.

13. The report of viewers is defective in that no reason is given for refusal to award damages to property of Haldeman O'Connor.

14. The report of viewers is defective in that it does not show that the viewers met at the place designated in the notice to wit, "the place of beginning."

15. The report of viewers is defective in that it does not state particularly who of the viewers were present at the view.

16. The report of viewers is defective in that it does not state that the road attempted to be laid out is necessary for a public road.

17. The report of viewers is defective in that the report including papers attached to it, shows that the view was not completed before the beginning of the next term.

18. The report of viewers is defective in that it does not conform to the order of Court appointing the viewers, the order being to lay out a road and the report attempting to vacate and supply.

19. The viewers did not perform their duty in that they did not take into consideration the damages resulting to property of Haldeman O'Connor.

20. The proposed road shown in the report of viewers exceeds five present (5%) grade.

21. The proposed road as laid out in the report of viewers is not so laid out as to do the least injury to private property as required by the Act of Assembly.

22. The proposed road as attempted to be laid out in the report of viewers is not necessary for the public.

23. The proposed road as laid out by the viewers will be excessively expensive.

24. The order of Court continuing the appointment of viewers rendered it improper for the viewers to make the report before the next term.

25. The order of Court for continuing the appointment of viewers must have been made during the week in which the report was required to be filed by the rules of Court.

26. The order continuing the appointment of viewers was improper and improvidently made. The motion should have been to enlarge the time in which the report could be filed.

27. The termini of the proposed road as set forth in the petition and report are vague, uncertain and indefinite.

Respectfully Submitted
James A. Graham

#14 September Sessions, 1916.

In re petition of the inhabitants of Conemaugh and Adams Township and South Fork Borough, vacating and supolying a public road leading from the Borough of South Fork past #2 Mine of the Stineman Coal and Coke Company through Conemaugh and Adams Townships and connecting with Frankstown Road.

EXCEPTIONS

Filed 3 March 1917

James A. Graham,
Attorney-at-Law,
Johnstown, Penna.

In Re Road in Conemaugh)
and Adams Township)

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

No. 14 September Sessions, 1916

Rule to Show Cause.

To the Honorable, the Judges of the above named
Court:

For answer to the Rule to Show Cause in the above stated
matter, the Supervisors of Conemaugh Township, by their Attorney,
D. P. Weimer, make answer as follows:

First. It is immaterial whether or not the reference to
the proceedings wherein the road in said Township prayed to be
vacated and supplied was laid out was omitted in said petition
by inadvertence or otherwise, the rule requiring that the petition
as well as the docket entry contain the reference to the No. and
Term to the original case, and the docket entry having been made
up from the original petition, the amendment of the petition there-
fore would not cure the defect in the docket entry, and the rule
should therefore be dismissed.

Second. The rule should be dismissed for the further rea-
son that the proceedings are based upon the petition, and their
validity and effect is determined on the state of the record at
the time the order to view is issued and persons interested can
only act on such information as they find at the time that notice
is given them of the view.

Third. It is further objected to that the amendment as
asked for is not a true statement of the record, in that it sets
forth that the proceedings were to vacate and supply a road, where-
as the fact is that the order is to lay out a road.

D. P. Weimer
.....

Cambria County, SS.

D. P. Weimer, being duly sworn according to law, deposes and says that the facts set forth in the foregoing statement are true and correct, to the best of his knowledge and belief.

.....*D. P. Weimer*.....

Sworn and subscribed before me this 16th day of October
A. D. 1917.

.....*S. Ethel Weimer*.....

Notary Public.

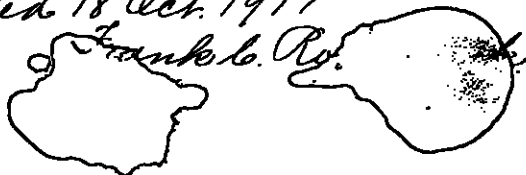
My Com. Expires Jan. 20, 1919.

No. 14 Sept. Sess. 1916

John Road in Con-
emauah and Adams
Township.

Filed 18 Oct. 1917

Franklin Co.



Answer to Rule to
Show Cause

March 11, 1918, exceptions

sustained. By the court,
Francis J. [unclear]
Jury

D. J. Meunier.

In re Road in Conemaugh
and Adams Township

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. 14 September Sessions 1916.

And now, January 1917, W. C. Berkebile, Oscar Yarnick and John Helbig, Supervisors of Conemaugh Township, by their Attorney, D. P. Weimer, come and file the following exceptions to the report of viewers in the above entitled matter.

First.- The petition for the vacation of the Road and the Docket entry thereof do not contain a reference to the number and term of the original case or to the number and page of the docket containing the record thereof, as required by Rule No. 24 of the Rules for the Courts of Oyer and Terminer and Quarter Sessions of the Peace in and for Cambria County, which rule is as follows:- "24. Every petition for the review or vacation or change of a road, and the docket entry thereof shall contain a reference to the number and term of the original case or to the number and page of the docket containing the record thereof"

Second.- The Report of viewers does not conform to the order of Court appointing the viewers, the order being to lay out a Road and the report attempting to vacate and supply.

Third.- The improvements are not noted either along the line of the road attempted to be laid out or along the line of the road attempted to be vacated.



Attorney for Supervisors of
Conemaugh Township.

No. 14 September Sessions 1916

In re Road in Conemaugh and
Adams Township.

Exceptions to report of
Viewers.

Filed

7 January 1917

*March 4, 1918 exceptions
sustained. Byche Court
Francis J. Oliver
Judge*

D. P. Weimer.

map
In Re: Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and connecting
with the Frankstown Road.

In the Court of Quarter Session,
of Cambria County,
Pennsylvania.
No. 14 September Session,
1916.

REPORT OF VIEWERS

To the Honorable, the Judges of the above mentioned Court, We the undersigned Viewers appointed by the annexed order to view the roads within mentioned, respectfully report: That we have been duly sworn or affirmed as members of the permanent board of Viewers of Cambria County as shown by the records of the Court.

That having given due public notice of said view and of the time and place of meeting by posting notices as required by law along the route and termini of the said road to be vacated and the said proposed road to be supplied and by service of such notice on the County Commissioners of Cambria County and on the Supervisors of Conemaugh and Adams Townships, evidence of which is shown by the copies of said notices hereto attached. That we met in accordance with the notice given on the 24th day of November A.D. 1916 at 10 o'clock A. M. and proceeded with the duties of our appointment and viewed the portion of road desired to be vacated and the route of the proposed new road, and are of the opinion that the portion of the road prayed for to be vacated has become useless, inconvenient and burdensome and that there is occasion for a public road to supply the portion vacated as prayed for by the petitioners, therefore, we proceeded to layout the same having due respect to the shortest distance and the best ground for a road and in such a manner as would be as near as practicable, agreeable to the desire of the petitioners and at the same time do the least injury to private property. A plot or draft attached hereto and made a part of this report shows the road to be vacated and the road to be supplied and is herewith returned for public uses, a further description of said roads is

shown on the maps attached hereto. The plot or draft attached hereto shows the location of the termini of the roads, the improvements and the Owners of the adjacent property along the route of said road, said road to be vacated and supplied passes through and occupies land of the Penn Trust Company and having failed to obtain a release of damages from the said Penn Trust Company we assess them no benefits and no damages.

During the view of the site of the proposed supply and the road to be vacated several of the petitioners and Council for the petitioners and supervisors were present and heard and after due consideration of all the matter before us we are of the opinion that the part to be vacated has become useless, inconvenient and burdensome upon the tax payers and that the part to be supplied is necessary for public use and that the prayers of the petitioners should be granted.

Witness our hands this 9th day of December A.D. 1916.

P. E. Dickins

Geo. W. Shuman

Adam Shuman

In Re. Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and connecting
with the Frankstown Road.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 14 September Session,
1916.

NOTICE OF VIEW

Notice is hereby given that the Viewers appointed by
the Court of Quarter Session to view the site and determine as
to the necessity of vacating a public road leading from the
Borough of South Fork in said County of Cambria past No. 2 Mine
of the Stineman Coal and Coke Company through Conemaugh and
Adams Townships in said County of Cambria and connecting with
the Frankstown Road in said County of Cambria, to wit:- Beginning
at a point on said first mentioned public road at a point Seven
Hundred (700) feet distance from its intersection with an unnamed
street already opened in said Borough of South Fork, and ending
at a point on said first mentioned road Forty Six (4600) Hundred
feet distance from its intersection with the public road already
opened leading from said point of intersection to the said
Borough of South Fork by way of the Viaduct, and supply a public
road to begin at the point of beginning above described in said
Township of Conemaugh, and to end at the above point of ending
described, likewise in said Township of Conemaugh, will meet at
the place of beginning in the Borough of South Fork aforesaid on
the 24th day of November A.D. 1916, at 10 o'clock am
for the purpose of performing the duties of this appointment.

S. E. DICKEY

Nov. 11, 1916.

ADAM SHUMAN

GEO. K. SHRYOCK
Viewers

Now this 16 day of Nov 1916 service
of the within notice is hereby accepted by the undersigned
Supervisors of the Township of Adams in County of Cambria and
State of Pennsylvania.

Ch. L. Harshberger
%

Supervisors.

In Re Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and Connecting
with the Frankstown Road.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 14 September Session,
1916.

NOTICE OF VIEW

Notice is hereby given that the viewers appointed by
the Court of Quarter Session to view the site and determine as
to the necessity of vacating a public road leading from the
Borough of South Fork in said County of Cambria past No. 2 Mine
of the Stineman Coal and Coke Company through Conemaugh and
Adams Townships in said County of Cambria and connecting with
the Frankstown road in said County of Cambria, to wit:- Beginning
at a point on said first mentioned public road at a point Seven
Hundred (700) feet distance from its intersection with an unnamed
street already opened in said Borough of South Fork, and ending
at a point on said first mentioned road Forty six (4600) Hundred
feet distance from its intersection with the public road already
opened leading from said point of intersection to the said
Borough of South Fork by way of the Viaduct, and supply a public
road to begin at the point of beginning above described in said
Township of Conemaugh, and to end at the above point of ending
described, like wise in said Township of Conemaugh, will meet at
the place of beginning in the Borough of South Fork aforesaid on
the 24th day of November A. D. 1916, at 10 o'clock
for the purpose of performing the duties of this appointment.

Nov. 11, 1916.

B. M. JUCKEY

ADAM SHUMAN

GEO. K. SHRYOCK
Viewers

Now this 16th day of Nov. 1916 service
of the within notice is hereby accepted by the undersigned
Supervisors of the Township of Adams in County of Cambria and
State of Pennsylvania.

J. D. Bastlow
2

Supervisors.

In Re Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and Connecting
with the Frankstown Road.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 14 September Session,
1916.

NOTICE OF VIEW

Notice is hereby given that the viewers appointed by
the Court of Quarter Session to view the site and determine as
to the necessity of vacating a public road leading from the
Borough of South Fork in said County of Cambria past No. 2 Mine
of the Stineman Coal and Coke Company through Conemaugh and
Adams Townships in said County of Cambria and connecting with
the Frankstown road in said County of Cambria, to wit:- Beginning
at a point on said first mentioned public road at a point Seven
Hundred (700) feet distance from its intersection with an unnamed
street already opened in said Borough of South Fork, and ending
at a point on said first mentioned road Forty six (4600) Hundred
feet distance from its intersection with the public road already
opened leading from said point of intersection to the said
Borough of South Fork by way of the Viaduct, and supply a public
road to begin at the point of beginning above described in said
Township of Conemaugh, and to end at the above point of ending
described, like wise in said Township of Conemaugh, will meet at
the place of beginning in the Borough of South Fork aforesaid on
the 24th day of November A. D. 1916, at 10 o'clock
for the purpose of performing the duties of this appointment.

Nov. 11, 1916.

S. A. HICKEY

ADAM SHUMAN

GEO. K. SHRYOCK
Viewers

Now this 16 day of Nov 1916 service
of the within notice is hereby accented by the undersigned
Supervisors of the Township of Adams in County of Cambria and
State of Pennsylvania.

Joseph Wingard

Supervisors.

In Re Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and Connecting
with the Frankstown Road.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 14 September Session.
1916.

NOTICE OF VIEW

Notice is hereby given that the Viewers appointed by
the Court of Quarter Session to view the site and determine as
to the necessity of vacating a public road leading from the
Borough of South Fork in said County of Cambria past No. 2 Mine
of the Stineman Coal and Coke Company through Conemaugh and
Adams Townships in said County of Cambria and connecting with
the Frankstown road in said County of Cambria, to wit:- Beginning
at a point on said first mentioned public road at a point Seven
Hundred (700) feet distance from its intersection with an unnamed
street already opened in said Borough of South Fork and ending
at a point on said first mentioned road Forty six (4600) Hundred
feet distance from its intersection with the public road already
opened leading from said point of intersection to the said
Borough of South Fork by way of the Viaduct, and supply a public
road to begin at the point of beginning above described in said
Township of Conemaugh, and to end at the above point of ending
described like wise in said Township of Conemaugh, will meet at
the place of beginning in the Borough of South Fork aforesaid on
the 24th day of November A.D. 1916, at 10:00 o'clock A.M.
for the purpose of performing the duties of this appointment.

Nov. 11, 1916.

S. N. DICKEY
ADAM GRUMAN
GEO. E. SMYCK
Viewers

Now this 18th day of November 1916 service
of the within notice is hereby accepted by the undersigned
Supervisors of the Township of Conemaugh, County of Cambria
and State of Pennsylvania.

John Hilbig

Supervisors

In Re. Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and connecting
with the Frankstown Road.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 14 September Session,
1916.

NOTICE OF VIEW

Notice is hereby given that the Viewers appointed by
the Court of Quarter Session to view the site and determine as
to the necessity of vacating a public road leading from the
Borough of South Fork in said County of Cambria past No. 2 Mine
of the Stineman Coal and Coke Company through Conemaugh and
Adams Townships in said County of Cambria and connecting with
the Frankstown Road in said County of Cambria, to wit:- Beginning
at a point on said first mentioned public road at a point Seven
Hundred (700) feet distance from its intersection with an unnamed
street already opened in said Borough of South Fork, and ending
at a point on said first mentioned road Forty Six (4600) Hundred
feet distance from its intersection with the public road already
opened leading from said point of intersection to the said
Borough of South Fork by way of the Viaduct, and supply a public
road to begin at the point of beginning above described in said
Township of Conemaugh, and to end at the above point of ending
described, likewise in said Township of Conemaugh, will meet at
the place of beginning in the Borough of South Fork aforesaid on
the 24th day of November A.D. 1916, at 10 o'clock AM
for the purpose of performing the duties of this appointment.

S. E. LICKY

Nov. 11, 1916.

ADAM SKULAN

GEO. K. SERVOCK
Viewers

Now this 16 day of Nov 1916 service of
the within notice is hereby accepted by the Undersigned Super-
visors of the Township of Conemaugh, County of Cambria and
State of Pennsylvania.

W. L. Burkholder

Supervisors

In Re Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and Connecting
with the Frankstown Road.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 14 September Session,
1916.

NOTICE OF VIEW

Notice is hereby given that the viewers appointed by
the Court of Quarter Session to view the site and determine as
to the necessity of vacating a public road leading from the
Borough of South Fork in said County of Cambria past No. 2 Mine
of the Stineman Coal and Coke Company through Conemaugh and
Adams Townships in said County of Cambria and connecting with
the Frankstown road in said County of Cambria, to wit:- Beginning
at a point on said first mentioned public road at a point Seven
Hundred (700) feet distance from its intersection with an unnamed
street already opened in said Borough of South Fork, and ending
at a point on said first mentioned road Forty six (4600) Hundred
feet distance from its intersection with the public road already
opened leading from said point of intersection to the said
Borough of South Fork by way of the Viaduct, and supply a public
road to begin at the point of beginning above described in said
Township of Conemaugh, and to end at the above point of ending
described, like wise in said Township of Conemaugh, will meet at
the place of beginning in the Borough of South Fork aforesaid on
the 24th day of November A. D. 1916, at 10:00 o'clock A.M.
for the purpose of performing the duties of this appointment.

S. E. FLOCKEY

Nov. 11, 1916.

ADAM SHUMAN

GEO. K. SHRYOCK
Viewers

Now this 14th day of Nov. 1916, service
of the within notice is hereby accepted by the Commissioners, of
Cambria County, Pennsylvania


Clerk

In Re Vacation and supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and Connecting
with the Frankstown Road.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 14 September Session.
1916.

NOTICE OF VIEW

Notice is hereby given that the Viewers appointed by the Court of Quarter Session to view the site and determine as to the necessity of vacating a public road leading from the Borough of South Fork in said County of Cambria past No. 2 Mine of the Stineman Coal and Coke Company through Conemaugh and Adams Townships in said County of Cambria and connecting with the Frankstown road in said County of Cambria, to wit:- Beginning at a point on said first mentioned public road at a point Seven Hundred (700) feet distance from its intersection with an unnamed street already opened in said Borough of South Fork and ending at a point on said first mentioned road Forty six (4600) Hundred feet distance from its intersection with the public road already opened leading from said point of intersection to the said Borough of South Fork by way of the Viaduct, and supply a public road to begin at the point of beginning above described in said Township of Conemaugh, and to end at the above point of ending described like wise in said Township of Conemaugh, will meet at the place of beginning in the Borough of South Fork aforesaid on the 24th day of November A.D. 1916, at 10:00 o'clock A.M. for the purpose of performing the duties of this appointment.

Nov. 11, 1916.

G. E. DICKEY
ADAM SHUMAN
GEO. K. SHRYOCK
Viewers

In Re: Vacation and Supply of
a Public Road leading from the
Borough of South Fork past No.
2 Mine through Conemaugh and
Adams Townships and connecting
with the Frankstown Road

In the Court of Quarter Sessions
of Cambria Co., Penna.
No. 14 September Session
1916.

To S. E. DICKEY, GEO. K. SHRYOCK & ADAM SHUMAN Dr.

To S. E. DICKEY Dr.

Preparing notices -----	\$3.50
Stationery and stamps -----	.30
Posting and serving notices -----	5.00
Mileage -----	1.60
Making view -----	5.00
Mileage -- -----	2.00

Making Survey

Dec. 1 - To services of Engineering Corps ---	\$10.00
" Mileage -----	3.90
Nov. 30 To services of Engineering Corps ---	10.00
Mileage -----	3.90
Dec. 2 - To services of Engineering Corps ---	10.00
Mileage -----	3.90
" 4 - To services of Engineering Corps ---	10.00
Mileage -----	<u>3.90</u>
	\$55.60

Making Draft

Dec. 7 - To services of Draftsman -----	5.00
Detail Paper -----	.50
" 8 - To services of Draftsman -----	5.00
Tracing cloth -----	.50
" 9 - To services of Draftsman -----	5.00
Blue Prints -----	<u>.75</u>
	\$16.75
Preparing report -----	5.00
Services of Stenographer -----	.50
Total -----	<u>\$95.25</u>

To GEO. K. SHRYOCK Dr.

Making View -----	\$5.00
Mileage -----	<u>1.60</u>
Total -----	\$6.60

To ADAM SHUMAN Dr.

Making View -----	\$5.00
Mileage -----	<u>2.20</u>
Total -----	\$7.20

RECAPITULATION

To S. E. Dickey Dr. -----	\$95.25
To George K. Shryock Dr. -----	6.60
To Adam Shuman Dr. -----	<u>7.20</u>
Total cost of View -----	\$109.05

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 Ninth day of November A. D. 1916, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of South Fork Borough of Conemaugh & Adams &, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from

That a large portion of the public road leading from the Borough of South Fork in said County past No 2 Mine of the Stineman Coal and Coke Company through Conemaugh and Adams townships in said County of Cambria and connecting with the Frankstown road in said County of Cambria, to wit; beginning at a point on said first mentioned public road at a point Seven Hundred (700) feet distant from its intersection with an unnamed street already opened in said Borough of South Fork, and ending at a point on said first mentioned road Forty six (4600) Hundred feet distant from its intersection with the public road already opened leading from said point of intersection to the said Borough of South Fork by way of the Viaduct, - has become useless, inconvenient and burdensome for the following reason

(a) The location and grade of said road are such that it is practically impossible to keep the water from washing away a large portions thereof and rendering the same impassible.

(b) The expense of attempting to keep said road in repair is so great on account of its grade and location, as to render it birdensome.

(c) The grade thereof is so steep that it is entirely impossible to use said road for motor vehicles traffic and practically impossible to use it for any other purpose.

2. That they labor, therefore, under great inconvenience for want of a public road in said Township of Conemaugh to begin at the point of beginning above described in said Township of Conemaugh, and to end at the above point of ending described, like wise in said Township of Conemaugh,

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

S. E. Dickey surveyor, and

Adam Shuman and Geo. K. Shryock,

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:

Frank A. Robb 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. 14, Sept. SESSION, 1916.

Order to view Vacate and Supply a

Public Road leading from the

Borough of South Fork Past No.

2 Mine through Conemaugh and

Adams Townships and connecting

with the Frankstown Road.

DEC

Viewers:

S. E. Dickey

Adam Shuman

Geo. K. Shrivock

Clerk

90 cts.

Filed 11 December 1916
in Open Court

13 December 1916 Approved and breadth fixed at forty feet.

By the Court

IN RE ROAD IN

CONEMAUGH AND ADAMS

TOWNSHIPS.

In the Court of Quarter Sessions

Of Cambria County, Penna.

No. , December Sessions, 1916.

P E T I T I O N

TO THE HONORABLE, THE JUDGES OF SAID COURT :

The petition of the undersigned inhabitants of the Township of Conemaugh, the Township of Adams and the Borough of South Fork, County of Cambria and State of Pennsylvania, respectfully represents :

1. That a large portion of the public road leading from the Borough of South Fork in said County past No. 2 Mine of the Stineman Coal and Coke Company through Conemaugh and Adams Township in the said County of Cambria and connecting with the Frankstown Road in said County of Cambria, to wit,- beginning at a point on said first mentioned public road at a point Seven Hundred (700) feet distant from its intersection with an unnamed Street already opened in said Borough of South Fork, and ending at a point on said first mentioned road Forty-six (4600) Hundred feet distant from its intersection with the public road already opened leading from said point of intersection to the said Borough of South Fork by way of the Viaduct,- has become useless, inconvenient and burdensome, for the following reasons :-

(a) The location and grade of said road are such that it practically impossible to keep the water from washing away large portions thereof and rendering the same impassible.

(b) The expense of attempting to keep said road in repair is so great, on account of its grade and location, as to render it burdensome.

(c) The grade of said road is so steep as to render it extremely dangerous for any sort of traffic.

(d) The grade thereof is so steep that it is entirely impossible to use said road for motor vehicle traffic and practically impossible to use it for any other purpose.

2. That they labor, therefore, under great inconvenience for want of a public road in said Township of Conemaugh to begin at the point of beginning above described in said Township of Conemaugh, and to end at the point of ending above described, likewise in said Township of Conemaugh.

Your petitioners, therefore, pray your Honorable Court to appoint viewers, duly qualified according to law, to view, inquire of and vacate the portion of said road above described as being useless, inconvenient and burdensome, and to view the ground proposed for said road above prayed for, and, if they see occasion, to lay out the same and make report of their proceedings to the next term of this Court.

John L. Cummings

D D Russell
John Bender
John L. Cummings
W. B. Under
W. H. Jennings
Oliver F. Higgins
W. J. Jennings
Geo. L. Russell
Russell Rust

STATE OF PENNSYLVANIA
 COUNTY OF CAMBRIA

ss

Before me, the undersigned authority, personally
 appeared Russell Rust, one of the above
 named petitioners, who being duly sworn according to law,
 did depose and say that the allegations of fact set forth
 in the foregoing petition are true and correct.

Sworn to and subscribed before me
 this 9th day of September, 1916.

November
 James Gregory
 Notary Public

Russell Rust

IN RE ROAD IN
CONEMAUGH AND ADAMS
TOWNSHIPS.

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

B O N D

KNOW ALL MEN BY THESE PRESENTS, That we, O. M. Stinemann,
Russell Frost and _____, of
the Borough of South Fork, County of Cambria and
State of Pennsylvania, are held and firmly bound unto the
Commonwealth of Pennsylvania, in the sum of Fifty Dollars,
lawful money of the United States, to be paid to the said
Commonwealth, to which payment well and truly to be made we
do bind ourselves, our and each of our heirs, executors and
administrators, and every of them, jointly and severally by
the se presents. Sealed with our seals and dated the 9th
day of November, A. D. 1916.

WHEREAS a petition to vacate and supply a certain pub-
lic road in the aforesaid Township of Conemaugh and Adams is
to be presented to the above Court on the ninth day of Novem-
ber, A. D. 1916;

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, That if
the said road shall not be vacated and supplied by the Viewers
to be appointed, and the costs of said view be paid by the
petitioners, if required so to do by the Court, then this ob-
ligation to be void; otherwise, to be and remain in full force
and virtue.

Sealed and delivered
in the presence of

James Gregory

O. M. Stinemann SEAL
Russell Frost SEAL

SEAL

IN RE ROAD IN
CONEMAUGH AND ADAMS
TOWNSHIPS.

In the Court of Quarter Sessions of
Cambria County, Penna.
No. , December Sessions

TO THE SUPERVISORS OF CONEMAUGH AND ADAMS TOWNSHIPS :

Please take notice that a petition will be presented to the above Court on *Thursday*, the ~~9th~~ ^{9th} day of ~~October~~ ^{November}, A. D. 1916, asking for the appointment of viewers to view, inquire of and vacate that portion of the public road leading from the Borough of South Fork in said County of Cambria and past the No. 2 Mine of the Stineman Coal and Coke Company, beginning at a point on said road 700 feet distant in a Southwesterly direction from its intersection with an unnamed Street already opened in the said Borough of South Fork, and ending at a point on said first mentioned road 4600 feet distant in a Westerly direction from its intersection with the public road already opened leading from the said point of intersection to the said Borough of South Fork by way of the viaduct, and to view the ground between said points and, if they see occasion, to lay out a public road between said points.

October 30, 1916.

Russell Root
Attorney for petitioners.

Service of the above notice accepted.

Wm. B. B. B.
John Walberg
W. S. H.
Joseph H. W.
Ed. B. T.
Supervisors of Conemaugh and
Adams Townships.

No. 14 September Sessions 1916
No. , December Sessions 1916

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

IN RE ROAD IN
CONELLAUGH AND ADAMS
TOWNSHIPS

Petition for Viewers.

And now, November 9th, 1916, the within petition read and upon due consideration thereof the Court does appoint Doanick

Adam Shumper and
Geo K Shryock, Viewers
to view the ground proposed
for such road as well as the
road proposed to be vacated,
and make report of their proceedings to the next term
of this Court.

By the Court

Filed 9 Nov. 1916.

RUSSELL R. YOST
ATTORNEY-AT-LAW
JOHNSTOWN, PA.

IN RE ROAD IN
CONEMAUGH AND ADAMS
TOWNSHIPS.

In the Court of Quarter Sessions of
Cambria County, Pennsylvania.
No. , December Sessions, 1916.

PETITION

TO THE HONORABLE THE JUDGES OF THE ABOVE COURT :

The petition of Russell R. Yost, Esq., Attorney for petitioners in the above matter, respectfully represents that through an inadvertence, reference to the proceedings wherein the road in said petition prayed to be vacated and supplied was laid out, was omitted in said petition.

Your petitioner, therefore, respectfully prays your Honorable Court for leave to amend said petition by adding the following paragraph thereto :

The proceedings laying out said road which is herein prayed to be vacated and supplied are found entered in the Court of Quarter Sessions of Cambria County, Pennsylvania, to No. 7, September Sessions, 1884, and are found in Road Docket, Vol 4, Page 56.



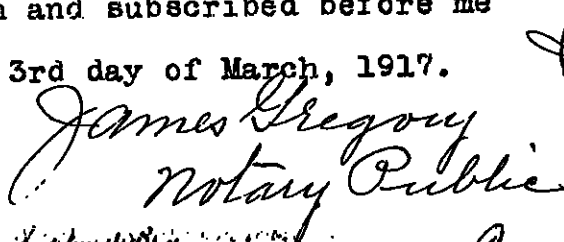
Attorney for petitioners.

STATE OF PENNSYLVANIA
COUNTY OF CAMBRIA

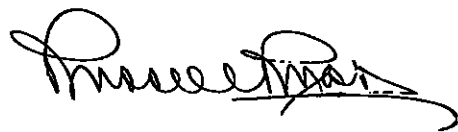
ss

Before me, the undersigned authority, personally appeared Russell R. Yost, Attorney for the petitioners above referred to, who being duly sworn according to law, deposes and says that the allegations of fact set forth above are true and correct.

Sworn and subscribed before me
this 3rd day of March, 1917.



James Gregory
Notary Public



Sept
No. 14, Dec. Sessions, 1916.

In the Court of Quarter Sessions of Cambria Co. Pa.

IN RE ROAD IN
CONEMAUGH AND ADAMS
TOWNSHIPS.

Filed 19 March 1917.

Petition for leave to
amend.

And now, March 5, 1917, the
within petition read and *rule*
to show cause why amendment/allowed as prayed
for.

*Returnable at next
argument to be
by the Court*

RUSSELL R. YOST
ATTORNEY-AT-LAW
JOHNSTOWN, - PENNA.