

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

We the Subscribers the persons ap-
pointed by the said Court to view and lay
out the road therein mentioned report that
having ^{been} generally affirmed in the manner pre-
scribed by said order that all of us having
viewed the ground for the proposed road and
unanimously concurring did lay out and
now return the same for a private road
with no damage to any person, party or corporation
beginning at a point on the public road
leading from Shymton to Glasgow, near
the residence of George Foxell - thence South
four degrees West. Two hundred and sixty-six
perches to a point, along the line of George Kuhn.
Alex Foxell, Jacob Foxell Mrs Aiken and
through lands of Adam Esq J. C. Gates and
Jno. D. Hall. - thence South thirty-six degrees
West, sixty-four perches to a point - thence South
Twenty-two degrees West Southern perches
to a point on the Township Road leading
from Glasgow to Fallis Finner at a point
near the lane leading to the residence of Joseph
D. Glass with reference to the improvements through

which it passes a plan or draft of which is hereto annexed

Subscribed and made before signing
Witness our hands & seals this

30th day of November A.D. 1888

Attest and subscribe before me
Nov 30th A.D. 1888

Wm. J. Smith

J. B. Spence (Sergeant)

W. C. Glasgow

Chas. E. Lovell

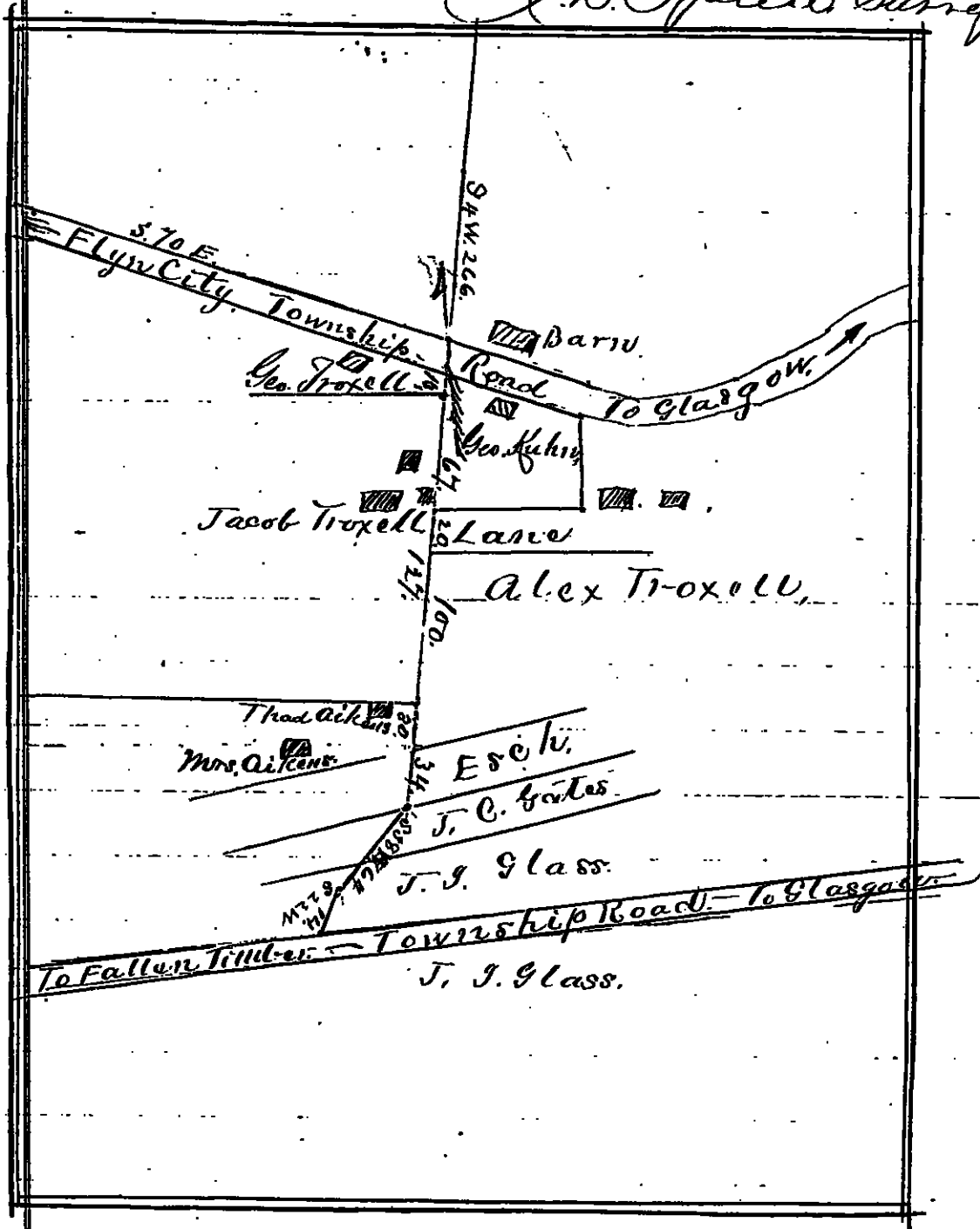
[Handwritten signatures and initials]

No 11. June Session
1888.

Report of Viewers

No. 11. June Session. 1888
H. M. Reader-Atty.

Plan of survey for Private Road in Reader-Atty. Cambria
Co. Pa. For Jacob Troxell & others. Surveyed
Nov. 30th 1888. Wm Glasgow, Surveyor.
(Scale 100 P = 1 inch.) Thos Troxell.
J. J. Glass, Surveyor.



Commonwealth of Pennsylvania, }
County of Cambria, } SS.

At a court of Quarter Sessions of the Peace of the County of Cambria held at Clearburg in the said County, on the 14th day of June A. D. 1888, before the Honorable the Judges of the same court: Upon the petition of divers inhabitants of the township of Reade in the said county, setting forth that ~~they labor under inconvenience for want of a~~ ~~they labor under great inconvenience for road or highway, to lead from~~ the want of a Private Road with swinging gate, ~~thence~~ to lead from the public road where the line of George W. Kuhn and Geo. H. Popell, strikes the road. Thence along said line of Geo. H. Kuhn, Geo. H. Popell, Alexander Popell, Mrs. Kuhn across a piece of land owned by John C. Gates and Adam Cook and by lands of Joseph Isaac Glass until it intersects with the public road leading from Fallers Run to Glasgow near where Joseph I. Glass now lives in said County. That some of the petitioners have no outlet to either of the public roads above mentioned.

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, J. D. Spear SURVEYOR, and William Glasgow & Charles Popell

— 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 desire 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:

H. A. Shumaker
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 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. 11
Term Sessions 1888.

Order to view ~~road~~ a private road to lead from Phillips road where line of East & Lake 1/4 Sec. 10, Twp. 10 N., R. 10 E., to intersect with the purchaser's road leading from Fallow Township to Glasgow near where Francis S. Glass runs line.

Viewers—William Glasgow
Charles J. Giffel
J. B. Shedd.

And now: November 5th 1888,
continued to same place
By the Court
19th 1889 Election filed
J. B. Shedd, 1888

Letk. Sheddman. 90
Paid by City of Lowell
Shedd

10 Jan. 1889. Confirmed view and ordered to be opened 25 feet wide,
P. W. Curran

127.
1100
1300
1366
2666

Costs

Justice

3.00

Jacob Foxell Ser of Sulphur & mile

195

George H. Kuhn Ser & mile on Sulphur

96

Witness on part of Pff

Geo H. Gallahan

62

Geo B. Richards

56

James Dixon

56

Wit on part of Deft. Alex Foxell

56

Jos. J. Glasco

56

Jno C. Gates

50

Wm. Glasgow

56

O. C. Mulholland

56

Geo H. Foxell

56

Thaddeus Aiken

56

11.81

J. B. Spiess claims \$5 for his day as

an Expert Lewis his mile 30 cts

County of Cambria SS;

Depositions of Witnesses produced, Sworn (or affirmed),
And Examined, at the Office of Wm. S. Smith, One of the Justices of the Peace in and for the County of Cambria in Read Township County of Cambria, Pa. On the 10th day of April. A.D. 1889. Between the hours of 8 A.M. and 12 P.M. of said day, in Obedience to the Rule of Court, and Notices hereto attached, to be read in a cause depending in said Court, in which George W. Kuhn is plaintiff and Jacob Troxell Defendant.

J.B. Spiess being duly sworn deposes and says. I am a civil engineer and surveyor, reside at Coalport in Clearfield County, Pennsylvania. I made the survey for the private road intersecting with the public road leading from Hagerstown to Gallen Dierker. J.B. Spiess. C. E.

George J. Gallahan being duly sworn deposes and says I am acquainted with J.B. Spiess know him to reside in Coalport Clearfield Co.
Interrogatory 1st
Interrogatory 2nd I am acquainted with Chas. E. Troxell and believe him to be a second cousin of Jacob Troxell
Cross Examination. know him to be a nephew of George W. Kuhn by marriage
know Jacob Troxell to be a nephew of G.W. Kuhn
Geo W. Gallahan

George B Richards being duly affirmed deposes
Interrogatory 1st And says I am acquainted with J. B. Spiese of
Coalport know him to reside in Coalport Cleaveland
County

Interrogatory 2^d am acquainted with Chas E Loxell. believe him
to be a second Cousin of Jacob Loxell

Cross Examination

I know Chas E Loxell to be a nephew of George J. Loxell
by marriage Geo. B. Richards

Cross Examination J. B. Spiese the date of the view on
the road was on 24th of November 1888 the draft being
made the same day J. B. Spiese

I certify that the above Witnesses were duly qualified
and Examined at the time and place stated in the
captions, And subscribed their depositions in my presence
Before Wm. Smith Justice of Peace Beade Township
April 10th 1889 Wm. Smith J.P.

*Ex parte petition for
private road & line of
G. H. Kuhn & G. H. Topell
to intersect with public
road from Fuller
Timber & Leigaw*

Division Sessions
In the Court of Common Pleas
of Cambria County, Pa.:

Of *June* Term, A. D. 1888, No. *11 R.R.*

And now, to-wit, the *First* day of *April* A. D., 1889:

Rule on part of *Ex parte* to take 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 *1st* of *Apr* 1889
W. S. Smith Prothonotary.

To *G. W. Grosell or his atty G. M. Beade Esq*

Take Notice, That in pursuance of the above Rule the depositions of witnesses to be read
in evidence on the *hearing* of the above stated *case* on part of
the *Ex parte* will be taken at the office of *W. S. Smith*
in *Reeds Township Cambria Co* on *Wednesday*
the *twelfth* day of *April* A. D. 1889, between the hours
of *8* o'clock, A. M., and *12* o'clock, P. M., before *W. S. Smith 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.

P. A. S. Matter
att for Ex parte
Apr. 1st 1889

Albion

Nov 11 from Dec 1888 etc.

In a private road
in Road 1888.

Dec 5, 1888

Write in front of
Cathedral & State etc.

Reps. Cont. - 11.11
Reps. " "

Albion

1000 1000 1000 1000

1000 1000 1000 1000

To the Honorable Judge of the Court of Quarter Sessions
of the Peace of the County of Cambria

The petition of the Subscri-

bers respectfully sheweth; That they labor under great inconvenience for the want of a Private Road, with swinging gate thereon, to lead from the Public Road where the line of George Jr Kuhn and George Jr Foxell strikes the Road. thence along said line of George Jr Kuhn, George Jr Foxell, Alexander Foxell, Mrs Aikens, across a piece of land owned by John C Gates and Adam East, and by lands of Joseph Isaac Glasp until it intersects with the Public Road leading from Fallen Timber to Glasgow, near where Joseph J. Glasp now lives, in said County, and that some of the petitioners have no Outlet to either of the Public Roads above mentioned. They therefore Pray the Court to appoint persons duly Qualified to view the Ground proposed for said Road, And to lay out the Same according to Law

Names of Petitioners

Names

John C. Gates
J. R. H. Foxell
W. A. Foxell
John R. H. Foxell
Geo. B. Richardson
Henry Foxell
Geo. W. Foxell
L. L. M. Foxell
Thomas W. Foxell
Mark Beers
Perry Foxell
John Smith
Jacob Foxell
John C. Aikens
J. H. Foxell
George H. Foxell
Charles Foxell
S. H. Beers
Jas. J. Glasp
Shad Aikens

The propos for surveyors
Geo. H. Bowman
Aaron Young has

Hugh Foxell

Nov. 11 June Dec 1888 R.

For the Quarter Session.

Petition of citizens of
certain parts of Leeds - Town
ship for Private road.

And now: June 14, 1888, 21

William Glasgow: Charles
Droghda: and J. B. Speed
appointed viewers

By the Court.

Filed June 11, 1888.


exceptions to report of viewers appointed to view
and lay out a Private Road in Reads Township from G. W.
Travels to J. J. Chap.

- 1st It does not appear that notice of the time and place
of meeting of the viewers was given as required
by law.
- 2nd Charles E. Travels who signs the report is a relative
of the petitioner, Geo Travels, and was not appointed a viewer
by the Court
- 3rd the petitioner has ground suitable for a road on his own farm
without taking any part of the land of G. W. Travels
- 4th There is no necessity for a road, public or private,
between the points indicated in the petition. There
being a good Township road from one point to the
other by travelling only a short distance further - not
more than three fourths of a mile
- 5th The courses and distances in the report do not correspond
with those marked on the draft
- 6th There is unnecessary damage done to the owners of land
through which the road passes
- 7th J. B. Spice one of the viewers appointed is
not a citizen of Cambridge

8 There is another way or outlet for the
petitioner by the road through land
of Alex. Hoeyall

J. A. Froemster
Atty for G. W. Kuhn
Esq. & Co.
Jan^y 19th 1887

Nov 11 Jim Less 1888
R D

Except to reports
of women buying out
a private road from L. M.
Ingersoll to J. J. Glaspie in
Reade Township

Filed 19 Jan 1889

Sherrill