

In the Court of Quarter Sessions of Cambria County

To the Honorable A. V. Barker Judge of the above
named Court

The petition of Albert Goughnour respectfully
represents

that he is the owner of certain lands in East
Poyler Township Cambria County, whereon he has
developed Coal and erected a Coal Bank.

that he has heretofore petitioned this Honorable
Court for a private Road, from his Coal Bank
to the North end of Fourth Street in Conemaugh
Borough, that the said petition should have stated
from his Coal Bank to or near the East end
of Fourth Street, that the referees meet and
cannot now locate the said road as in the order
directed, and so made return.

Your petitioner is desirous of having a private
road from his Coal Bank in East Poyler Town-
ship to ~~the~~ or near the East end of Fourth Street
in the Borough of Conemaugh.

And therefore prays your Honor to appoint three
disinterested persons one of whom shall be an engineer,
to review and lay out the same according to law, and
he will ever pray &c.

Albert Goughnour

State of Pennsylvania &
County of Northumberland ss.

Albert Goughnour being duly sworn ac-
cording to law says that the facts set out in the petition
are correct and true.

Subscribed and sworn to } Albert Goughnour
this 14th day of March, }

1898
Walter Shipman
Justice of the Peace.

1898

No 5 Mar 1898
In Mr. Stuart's absence
William J. Allen, Esq.
was for the purpose of
to call on Mr. Stuart
in East 4th St. Portland

And now, March 16th 1898
The western public road
and Lumberland and
Mr. Stier, L. B. Murphy
and J. J. Stetson
are appointed members
of the Lumberland
association. They are
and make up the 1898
Plan, 1898
By the Court

Filed 16 Mar 1898

Stuart

620
To the Honorable Judge
Barker, of the within named
Court,

We the subscribers
appointed by the within order
of Court to view the ground pro-
posed for said road, doth
respectfully report; That having
given timely notice of our
meeting by six type written
notices, stuck up in most public
places near to said road,
And we do further report that
we met on the 8th day of Aug.
1898, And after all of us being duly
affirmed we proceeded to view
the route proposed for said road,
And that we have laid out, and
do report a road for private use
according to the following courses
& distances, A draft whereof is
hereto annexed, Beginning across
river at a post corner of Albert
Goughnour's Coal Bank, thence
South thirty eight degrees west Two perches
to coal shed whole distance sixteen perches
to a post in road, thence South six deg.
east six perches to a post in road thence

South thirty degrees west ten perches
to a post in road, thence South
eighteen degrees west twelve perches
to post in road, thence South sixty
three degrees west twenty seven &
two tenth perches to ~~post~~ the East
end of Fourth Street of Con-
emaugh Borough

Now this road we have located
is on a private road claimed
by Joseph Mock this road is
the only out^{let} for both
parties,

Witness our hands & seals the
day & year first above written

Wm Slick 2 days
2 miles

J. B. Murkey 1 "

J. J. Shaffer 1 "

Wm Slick (Seal)
J. B. Murkey (Seal)
J. J. Shaffer (Seal)

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 Sixteenth day of March A. D. 1898, before the Honorable Judge of the said Court: Upon the petition of ~~divers inhabitants of the Township of~~ ^{Albert} ~~in the said County, setting forth that they~~ ^{the} ~~labor under inconvenience for want of a~~ ^{road} ~~or highway, to lead from~~ ^{he is the owner of certain lands} in East Taylor Township, Cambria County, wherein he has developed coal and erected a coal Bank. That he has heretofore petitioned this Honorable Court for a private road from his Coal Bank to the North end of Fourth street in Conemaugh Borough. That the said petition should have stated from his Coal Bank to or near the East end of Fourth street, that the viewers met and could not locate the said road as in the order directed, and so made return. Your petitioner is desirous of having a private road from his Coal Bank in East Taylor Township to or near the East end of Fourth Street in the Borough 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 ^{Wm Slick} ~~and~~ ^{SURVEYOR,} ~~J B Murphy and J J Shaffer~~

^{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:

S W Davis

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 5
March Term 1898

private
Order to — view a road from
Coral Branch of Albert Springs
road in East Taylor Shop
to or near the East end
of Forest Stream Cove
in Washington Borough

June 13th 1898 Court 2242
viewers
By the Court

viewers:
Wm. Slick
J. B. Mumby
J. J. Shaffer

Cost Davis 90 cts

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Martin