

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

To the Honorable, the Judges of the Quarter Sessions of the Peace
in and for the County of Cambria:-

The petition of the undersigned inhabitants of the
Township of Adams, County of Cambria and State of Pennsylvania,
respectfully sets forth:-

That your petitioners labor under great
inconvenience for want of a public road or highway in the said
Township of Adams, to begin at a certain point, which said point
of beginning is ¹⁹⁵⁸~~1815~~ feet distant from an intersection of a public
road leading from Lovett to South Fork, which place of beginning is
on the public road leading from Lovett to Salix and thence extend-
ing by a convenient route to the Lovett Cemetery, which said point
of ending is 1150 feet from the point of beginning by the most
direct route, there being no intersection of any highway in the
point of ending.

Your petitioners therefore, pray
the Court to appoint proper persons to view the land and report the
same according to law, and they will ever pray.

J. J. Messinger

C. V. Messinger

Ed. Cortlow

Geo. H. Fye

Henry Sauter

Clude Harbaugh
~~Ernest Sauter~~
W. G. Krupper
Ed. Neff
Harry St. Thomas
Arthur Miller
Frank G. Fyfe
John L. Messinger
Wm. G. Neff
A. Stanley Kissinger
Walter W. Adams
W. W. Rhoads
H. C. Coleman
Edward Jopper
Moll Miller
R. F. Costlow
David Reed
C. F. Costlow
R. H. Rhoads
H. Slovaker
Chas. B. Bush
Clarence K. English
Robert F. Fos

State of Pennsylvania, |
County of Cambria. | ss.

Personally appeared before me the undersigned authority, J. F. Kauffman C. V. Kissinger, who having been duly sworn according to law, do depose and say, that the statements made in the foregoing petition are true and correct to the best of their information, knowledge and belief,

J. F. Kauffman
C. V. Kissinger

Sworn to and subscribed before me this
6 day of May, A. D. 1925.

J. F. Kissinger
Notary Public
My commission expires,
March ~~2~~, 1929.
6 1927

State of Pennsylvania,
County of Cambria.

ss.

Personally appeared before me the undersigned authority, Jonas Kuuffman, one of the within petitioners, who having been duly sworn according to law, doth depose and say, that he served personally, a notice of the intention to present the within petition upon the Township Supervisors of the Township of Adams, by reading and making known to them the contents thereof and by leaving a true and correct copy of the same with each member.

Jonas F. Kuuffman

Sworn to and subscribed before me
this 23 day of June A. D. 1925.

J. J. Kessinger
Notary Public
My commission expires,
March 6. 1927.

Adams Township, Cambria County, Penna.

June ____ A.D. 1925.

We the undersigned Board of Supervisors of the Township of Adams, County of Cambria and State of Pennsylvania, hereby accept service of notice of the intention to present a petition for the proposed highway as more fully set forth in the foregoing petition.

Board of Supervisors of
Adams Township.

*I accept service for the County
Commissioners,
June 29, 1925.*

*A. S. Thurman,
Clerk*

No. 2. June Sessions 1925

In Ct. Fines.

Sam. Co. Pa

Re Petition

for

Read in Adams

Trp.

Now judge 29th App.
1925, return petition
read and upon consideration
of the Court of fine
Wahler J. Sam. Co. Pa. Et
Dinner Lamb and
Philip N. Caspitt.

Witness to view
premises and report
upon request for pro-
posed road extending
to law

CHARLES C. GREER
LAWYER
JOHNSTOWN, PA

Filed 30 June 1925 Et

2:45 P. M.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNA.

In re laying out public road in Adams Township. } No. 2 June Sessions, 1925.

EXCEPTIONS TO THE REPORT OF VIEWERS FILED, Sept. 11, 1925.

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

The Supervisors of the Township of Adams by its Attorney, Mahlon J. Baumgardner, files the following exceptions to the Report of the Board of Viewers in the above stated proceedings:

1. That the road if laid out as proposed in the Report will have but one terminus.
2. That the road if laid out will be a public road used for private purposes.
3. That there are no dwellings or buildings having occupants residing on either side of the road proposed to be laid out.
4. That the road proposed to be laid out if approved by your honorable Court would be exceedingly burdensome upon the taxpayers of the Township of Adams in opening same.
5. That there is no necessity for the above proposed road to be laid out:

P. M. McCar
Barnes Hunter
H. Baumgardner
Supervisors of the
Township of Adams.

STATE OF PENNSYLVANIA
COUNTY OF CAMBRIA

SS

Personally appeared before me the undersigned authority A. C. Baumgardner, Barney Hunter, P. M. McCon, who having been first duly qualified according to law depose and say that they are the Supervisors of Adams Township, Cambria County, Pennsylvania, and that the statements hereinabove made are true and correct, and that this affidavit is not made for the purpose of delay, but because your deponents verily believe that an injustice would be done to the tax payers of the Township of Adams, Cambria County, Pennsylvania if the proposed road hereinabove described was approved by your honorable Court.

P. M. McCon
Barney Hunter
A. C. Baumgardner

Sworn and subscribed to
before me this
day of October A. D. 1925.

Notary Public
My Com. expires Jan. 19, 1929.

No 2 June Sessions 1925.

In re Laying Out Road in
Adams Township, Cambria County,
Pennsylvania.

Filed 9 October 1925.

EXCEPTIONS TO REPORT OF VIEWERS

In the Court of quarter Sessions of Cambria County.
Pennsylvania.

In Re: No. 2 June Sessions, 1925.
Order to View and lay out public
road in Adams Township.

The petition of Charles C. Greer, Attorney for
petitioners for the said road, respectively presents that Mahlen
J. Baumgardner, one of the Viewers appointed by your Honorable
Court is disqualified in the opinion of your petitioner, to act
as such, and he desires to be excused, for the reason that he is
the Counsel for the Board of Road Supervisors of the Township of
Adams.

Wherefore, your petitioner, prays that the order
be amended and another Viewer substituted.


Attorney for Petitioners for Road.

Commonwealth of Pennsylvania, |
County of Cambria. | ss.

Personally appeared before me the under-
signed authority, Charles C. Greer, petitioner above named, who
having been duly sworn according to law, doth depose and say,
that the statements made in the foregoing petition are true and
correct.


Petitioner.

Sworn to and subscribed before me
this 10 day of July A. D. 1925.


Notary Public
My commission expires, March 2, 1929.

DECREE

And Now, the 13th day of July, A. D. 1925 the
within petition read and upon due consideration the Court do
grant the prayer thereof, and amend its former order and decree
and appointed as viewer in this proceeding in place of Mahlen
J. Baumgardner, A. M. Schenck.

By the Court
m

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

No. 2 June Sessions, 1925.

Order to View and Lay out
Road in Adams Township.

petition to substitute
another Viewer in place of
Mahlon H. Baumgardner.

Filed 13. July 1925

CHARLES C. GREER
LAWYER
JOHNSTOWN, PA.

REPORT OF VIEWERS .

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

We, the undersigned members of the Board of Viewers of Cambria county, appointed by your honorable Court upon the attached order and therein directed to view and determine as to the necessity for a certain piece of public road in Adams Township, Cambria County, Pennsylvania, as therein described; respectfully report:-

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria county, the Supervisors of the Township of Adams and to the traveling public by printed hand bills served and posted; and having been first duly qualified according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability, we met upon the premises and having gone over and carefully viewed same and concluded that a public road between the terminal points indicated on the attached order was necessary for the convenience and accomodation of the public, proceeded to lay out a road between the termini indicated in said attached order, beginning on the improved public road which leads from Lovett to Salix and running thence North $68^{\circ} 50'$ West two hundred nine and eight tenth feet, South 66° West one hundred twenty six and five tenth feet and North $76^{\circ} 30'$ West six hundred ninety eight feet, through and over land of George Miller, and North $76^{\circ} 30'$ West one hundred feet, over land of the Maryland Coal Company, to the Lovett Cemetery.

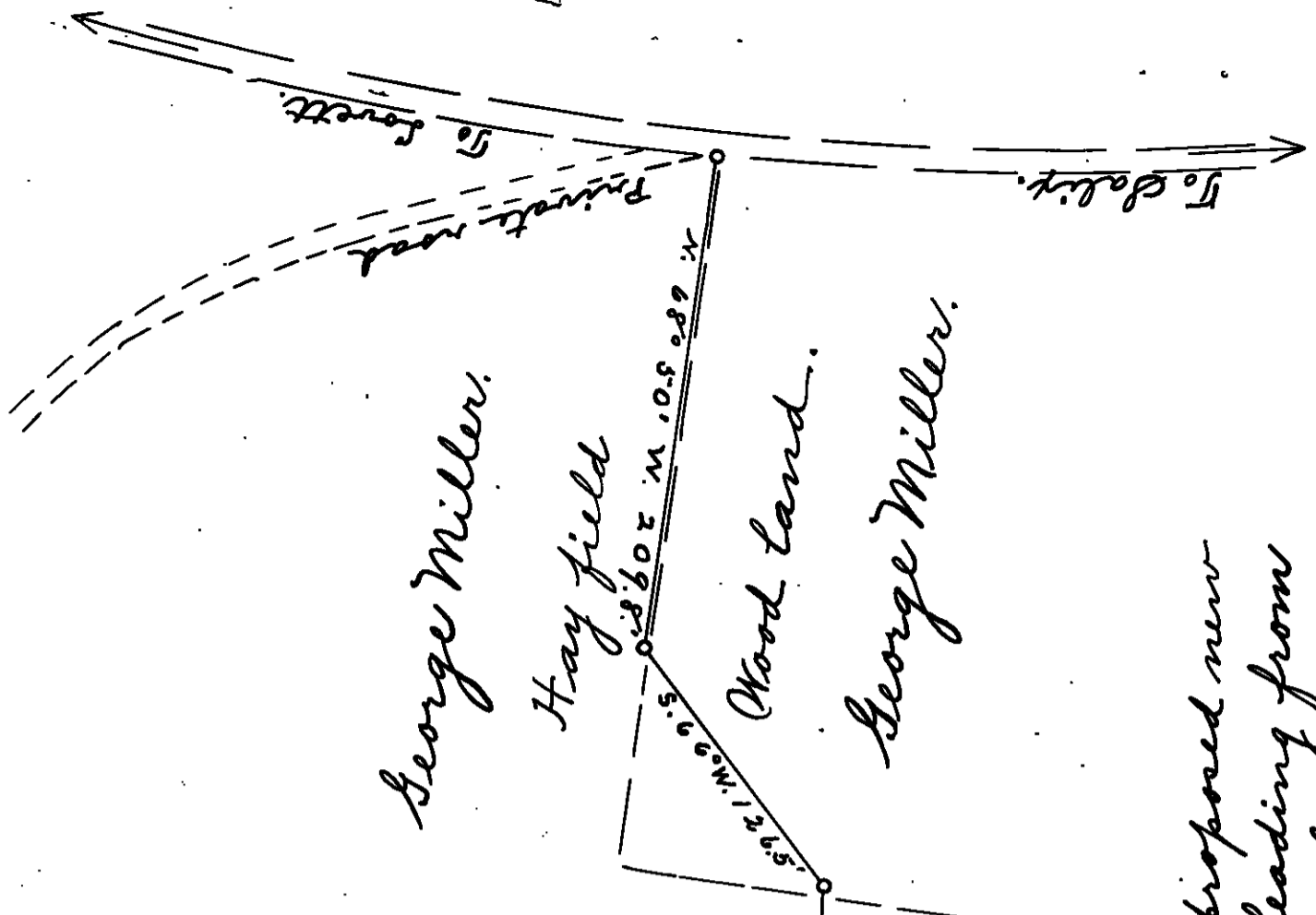
A plot or draft showing the road as viewed, laid out and recommended for public use is hereto attached and made a part of this report.

The parties through and over whose land the above mentioned road was viewed and laid out having agreed that it might be so laid out and opened and that no damages would be expected; accordingly we have assessed them no damages.

Witness our hands this 1st. day of September, A. D., 1925.

Dixon Tomb
Philip E. Canfield
A. M. Shoemaker.

Viewers.



Maryland
Coal Company.
Oats field.

Lovett Cemetery.

George Miller.

Hay field.

1009
M. 0 E 0 9 L N

Maryland Coal Company.

Plot or draft showing the location of a proposed new public road in Adams Twp., Cambria Co., Pa., leading from the improved Lovett-Salix road to the Lovett Cemetery, as viewed upon an order of the Court of Quarter Sessions of said county dated 29th June, A. D., 1925.
A. M. Shoemaker, Dixon Tomlinson Philip Caulfield, Viewers.

Private road
Md. Coal Co.

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter
. . . . Sessions of Cambria County, Pa., to view and lay out a public
road in Adams Twp., Cambria Co., Pa., Beginning on the public
road leading from Lovett to Balix, at a point 1958 ft. from the
intersection of a public road leading from Lovett to South Fork
and ending at the Lovett Cemetery:

will meet . . . AT THE PLACE OF BEGINNING, ABOVE INDICATED, in the
. . . . Township of Adams aforesaid,
on the . . . 7th . . . day of . . . August 1925, at . . 10:30 o'clock . . A. M.,
for the purpose of performing the duties of their appointment.

. A. M. Shoemaker,
. Dixon Tomb and
. Philip Caulfield,
Viewers.

Ebensburg, Pa. 7/27/1925.

Now, July 25 1925, Service of the within notice is hereby
accepted for the Supervisors of the Township of Adams, Cambria Co.,
Pa.

Mehlon J. Baumgardner

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of ... Quarter ... Sessions ... of Cambria County, Pa., to view and lay out a public road in Adams Township, Cambria County, Pennsylvania,

Beginning on the public road leading from Lovett to Salix, at a point 1952 ft. from the intersection of a public road leading from Lovett to South Fork, and ending at the Lovett Cemetery:

will meet AT THE PLACE OF BEGINNING, ABOVE INDICATED, in the Township of Adams aforesaid, on the 7th day of August, 1925, at 10:30 o'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,
Dixon Tomb and
Philip Caulfield,
Viewers.

Ebensburg, Pa., 7/27/1925.

Now, July 25, 1925, service of the within notice is hereby
accepted for the Commissioners of Cambria County, Pennsylvania.

D. J. Kirkhead

blind

HH

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter
. . . . Sessions of Cambria County, Pa., to view . . and lay out a pub-
. . lic road in Adams Twp., Cambria Co., Pa., Beginning on the public
. . road leading from Lovett to Sallix, at a point 1950 ft. from the
. . intersection of a public road leading from Lovett to South Fork,
. . and ending at the Lovett Cemetery:

will meet . . . AT THE PLACE OF BEGINNING, ABOVE INDICATED, in the
. . . . Township of Adams aforesaid,
on the . . . 7th . . day of . . August 19 25, at . . 10:30 o'clock . . A. M.,
for the purpose of performing the duties of their appointment.

. A. H. Shoemaker,
. Dixon Tomb and
. Philip Caulfield,
Viewers.

Ebensburg, Pa. 7/ 27 / 19 25.

Cost of View

A. M. Shoemaker

Sifting order — \$ 1.50
6 Days — 45.00
Eng work & prints 65.00
Auto hire (2 trips) 8.00
\$ 119.50

Dixon Tomb

1 1/2 Day — \$ 11.25
Auto hire — 4.50
\$ 15.75

Philip E. Cailfield

1 Day — \$ 7.50
auto hire — 4.50
\$ 12.00

Raymond
Jaworski

CERTIFIED
COUNTY CONTROLLER
Jacob M. Hoffman

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

No. 2 June Sessions, 1925.

D E C R E E .

And now, the 13th day of July, A. D. 1925 the within petition read and upon due consideration the Court do grant the prayer thereof, and amend its former order and decree and appointed as viewer in this proceeding in place of Mahlon J. Baumgardner, A. M. Shoemaker.

By the Court

M.

Extract from the Record.

Certified this 13th day
of July, A. D. 1925.

Frank E. Robb.

Clerk Q. S.

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 29th day of June A. D. 1925, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Adams, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from a certain point, which said point of beginning is 1958 feet distant from an intersection of a public road leading from Lovett to South Fork, which place of beginning is on the public road leading from Lovett to Salix and thence extending by a convenient route to the Lovett Cemetery, which said point of ending is 1150 feet from the point of beginning by the most direct route, there being no intersection of any highway in the point of ending.

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

Dixon Tomb

surveyor, and

Mahlon J. Baumgardner and Philip Caulfield

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 E. Roth, 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, June SESSIONS, 1925

Order to view and lay out public

road in Adams Township.

and

Report of Viewers.

CERTIFIED

Jacob Johnson

July 11 1925

Viewers

Mehlon J. Baumgardner

Dixon Tomb

Philip Caulfield

\$16.50

1925 cts.

Robb

Clerk

14 Sept. 1925 Approved and breadth fixed at forty feet
By the Court

14 Dec. 1925 confirmed absolutely
Frank B. Robb, Clerk