

Box # 1 June 1928

Not Microfilmed

James Larp  
June 10-1928



No Elton :

Hogben



Draft showing the location of a piece of public road, in Adams Township, Cambria County, Pennsylvania, proposed to be vacated and the line of a piece of new road recommended to be supplied instead of that vacated.

Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania entered to No. 1. June, Sessions, A. D., 1928.  
A. M. Shoemaker, M. J. Baumgardner and Philip E. Caulfield,  
Viewers.

to be supplied.



Not 1 James Leonard 1928

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

IN THE MATTER  
  
OF  
  
ROAD LEADING FROM THE VILLAGE  
OF ELTON TO THE VILLAGE OF  
DUNLO, VIA THE VILLAGE OF  
#42, ALL IN ADAMS TOWNSHIP,  
~~CAMBRIA COUNTY, PENNSYLVANIA.~~  
  
Petition to vacate and  
supply part of public road.

Filed 13 June 1928

~~JOHNSTOWN~~ PERCY ALLEN ROSE  
ATTORNEYS & COUNSELORS AT LAW.  
JOHNSTOWN, PA.  
FISHER BLDG. 607 MAIN STREET

IN THE MATTER  
OF

ROAD LEADING FROM THE VILLAGE  
OF ELTON TO THE VILLAGE OF  
DUNLO, VIA THE VILLAGE OF #42,  
ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

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

TO THE HONORABLE, THE JUDGES OF THE SAID COURT.

The petition of the undersigned respectfully represents:

FIRST. That they are all freeholders of Adams Township,  
Cambria County, Pennsylvania.

SECOND. That a public road was long since laid out and  
opened by order duly issuing out of the Court of Quarter Sessions  
of Cambria County, Pennsylvania, leading from the Village of Elton  
to the Village of Dunlo, via the Village of #42, all in Adams  
Township, Cambria County, Pennsylvania, and usually known as the  
"Elton-Dunlo" road.

THIRD. That a part of said road through Adams Township  
aforesaid beginning at a point in the center line of the said road  
820 feet west of a private road leading therefrom to Eureka No. 42  
Mine office of the Berwind White Coal Mining Company; thence by  
center line of said road as follows: South 75° 30' East, 120 feet  
to a point; thence South 78° 30' East, 300 feet to a point; thence  
South 79° 15' East, 340 feet to a point; thence South 77° 45' East,  
290 feet to a point; South 77° 00' East, 200 feet to a point in the  
center line of said road, a total distance of 1270 feet, has become  
inconvenient, burdensome and useless and that the said road would  
be much improved by a change of its route between said points.

Your petitioners therefore respectfully pray the Court to appoint qualified viewers to view the premises and inquire into the expediency of making said change, and otherwise proceed as directed by the Act of Assembly in such case made and provided.

J. C. Baumgardner  
Ed Kortlow  
P. M. M. C. Lewis  
E. P. Dickinson  
D. H. Hall / Hoge  
H. B. Walter  
J. R. Miller  
W. W. Livingston  
Edgar Evans  
John McKay  
G. A. Miller  
C. B. Coctan

STATE OF PENNSYLVANIA

COUNTY OF CAMBRIA

SS:

On the 11 day of June, A. D. 1928, before me, the subscriber, a Notary Public in and for said County, personally came A. C. Baumgardner, one of the petitioners to the above and foregoing petition, who, being by me duly sworn according to law, did depose and say that the matters set forth in the above and foregoing petition are true and correct.

A. C. Baumgardner

Sworn and subscribed to before me the day and year aforesaid, as witness my hand and Notarial Seal.

Dulcie G. Gates  
Notary Public.

My Com. expires  
Jan 20, 1930

ORDER OF COURT.

AND NOW, June 13<sup>th</sup>, 1928, the above and foregoing  
petition read and considered and the Court do hereby order and  
appoint M. J. Baumgardner, Sam. Chalmers  
and Philip Canfield, viewers, who are to view the  
road in the said petition mentioned, to consider and judge whether  
that part thereof in the said petition set forth has become incon-  
venient, burdensome and useless and if so to report a supply or  
substitution of said part of the said road which will best meet  
or answer the needs and convenience of the public, said report to  
be made to the next session of the Court of Quarter Sessions  
in and for Cambria County, Pennsylvania.

By the Court  
m



IN THE COURT OF COMMON PLEAS,  
CAMBRIA COUNTY, PENNSYLVANIA.  
NO. 1, JUNE SESSIONS, 1928.

IN RE VACATING A PIECE OF ROAD  
IN ADAMS TOWNSHIP, IN THE VILLAGE  
OF MINE #42, AND SUPPLYING A ROAD  
THEREIN, ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

REPORT OF VIEWERS:

*Filed 16 July 1928*

CERTIFIED

*Harold L. Connor*

COUNTY COMMISSIONER

MAHLON J. BAUMGARDNER

ATTORNEY AT LAW

JOHNSTOWN, PENNA.

SWANK BLDG. 2ND FL.

10 Sept. 1928 Approved and breadth fixed at forty feet.

*By the line*  
*M*

10 Dec. 1928 confirmed absolutely.

Frank C. Roff  
Clerk

IN RE VACATING A PIECE OF ROAD  
IN ADAMS TOWNSHIP, IN THE VILLAGE  
OF MINE #42, AND SUPPLYING A ROAD  
THEREIN, ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,  
CAMBRIA COUNTY, PENNSYLVANIA.  
NO. 1, JUNE SESSIONS, 1928.

REPORT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned Viewers, appointed by the annexed Order of the above Court to view the premises for vacating and supplying a Public Road, respectfully report:

That we met at the time and place specified in the notice, to wit: Tuesday, July 10, A. D. 1928, at nine o'clock A. M., Eastern Standard time, at the point of beginning; that we gave due public notice of the time and place of meeting of said Viewers by hand bills posted on the premises and by notice served upon the Commissioners of Cambria County, upon A. C. Baumgardner, Secretary of the Board of Supervisors of Adams Township, and by notice served upon Percy Allen Rose, Esq., Counsel for the Petitioners, acceptance of said service of notices being hereto attached and made a part of this report; all of said notices having been posted and acceptance of service had thereon at least ten (10) days prior to the time of the making of said view; and that on said date we met and proceeded with the duties of our appointment.

We viewed the site and locality of the road proposed to be vacated and made a personal inspection of the ground between the points designated in the Petition and Order. We are of the opinion and agree to vacate and, therefore, do vacate the Public Road leading from the Village of Elton to the Village of Dunlo, via Village #42, all in Adams Township, Cambria County, Pennsylvania, and usually known as the Elton-Dunlo Road, and the portion of the road to be vacated beginning at a point in the center line of said road, eight hundred twenty (820) feet West of a Private Road, leading therefrom to Eureka #42 Mine Office of the Berwind White Coal Mining Company; thence by center line of said road, as follows: South seventy-five (75°) degrees thirty (30') minutes East one hundred twenty (120) feet to a point; thence South seventy-eight (78°) degrees thirty (30') minutes East three hundred (300) feet to a point; thence South seventy-nine (79°) degrees fifteen (15') minutes East three hundred forty (340) feet to a point; thence South seventy-seven (77°) degrees forty-five (45') minutes East two hundred ninety (290) feet to a point; thence South seventy-seven (77°) degrees no (00') minutes East two hundred (200) feet to a point in the center line of said road, making a total distance of twelve hundred seventy (1270) feet.



We are of the opinion and agree that a Public Road between the points designated is necessary, and we authorize the laying out of road according to the accompanying draft. We, therefore, lay out and return for public use a road as follows: Between the termini of the road hereinabove vacated and following these courses and distances, from the stake at the point of beginning of the above referred to piece of road; thence South sixty-five (65°) degrees fifty-seven (57') minutes East two hundred seventy-eight and one tenth (278.1) feet; thence South sixty-six (66°) degrees thirty-five (35') minutes East sixty-eight and seven tenths (68.7) feet; South sixty-eight (68°) degrees forty-five (45') minutes East two hundred forty-six and six tenths (246.6) feet; South eighty (80°) degrees thirty-five (35') minutes East two hundred fifty-eight and seven tenths (258.7) feet and North eighty-eight (88°) degrees one (1') minute East four hundred forty-eight and three tenths (448.3) feet to the place of ending or East of the termini of the piece of road recommended to be vacated. A plot or draft indicating the piece of road suggested to be vacated and also the piece of road recommended to be supplied is hereto attached and made a part of this report.

We allow no damages to the Wilmore Coal Company, abutting property owner affected by the laying out of the above road, because we consider the advantages which will accrue to the property by reason of the laying out of said road is equivalent to all damages which will be sustained by it. We, therefore, assess no damages and no benefits.

WITNESS our hands this fourteenth day of July, A. D. 1928.

Philip E. Langfield  
Walter J. Baumgardner  
A. M. Shoemaker  
Viewers.

IN RE VACATING A PIECE OF ROAD  
IN ADAMS TOWNSHIP, IN THE VILLAGE  
OF MINE #42, AND SUPPLYING A ROAD  
THEREIN, ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,  
CAMBRIA COUNTY, PENNSYLVANIA,  
NO. 1, JUNE SESSIONS, 1928.

NOTICE TO VIEW.

Notice is hereby given that the Viewers appointed by the above Court to view and determine as to the propriety of vacating a piece of road in Adams Township, Cambria County, Pennsylvania, leading from the Village of Elton to the Village of Dunlo, via Village #42, all in Adams Township, Cambria County, Pennsylvania, and usually known as the "Elton-Dunlo" road, and vacating that part of said road aforesaid, beginning at a point in the center line of the said road eight hundred twenty (820) feet West of a private road leading therefrom to Eureka No. 42 Mine, office of the Berwind White Coal Mining Company; thence by center line of said road, as follows: South seventy-five (75°) degrees thirty (30') minutes East one hundred twenty (120) feet to a point; thence South seventy-eight (78°) degrees thirty (30') minutes East three hundred (300) feet to a point; thence South seventy-nine (79°) degrees fifteen (15') minutes East three hundred forty (340) feet to a point; thence South seventy-seven (77°) degrees forty-five (45') minutes East two hundred ninety (290) feet to a point; South seventy-seven (77°) degrees no (00°) minutes East two hundred (200) feet to a point in the center line of said road, a total distance of twelve hundred seventy (1270) feet; and to supply a piece of road in said Township, beginning at the point of ending of the piece of road described to be vacated and ending in the Village of #42 Mine, will meet at the point of beginning, first above noted, on Tuesday, July 10, A. D. 1928, at nine o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of their appointment.

A. M. SHOEMAKER,

M. J. BAUMGARDNER,

PHILIP CAULFIELD,  
Viewers.

AND NOW, this 1 day of July A. D. 1928, I hereby  
accept service of the above Notice to View as Secretary to the Board  
of Supervisors of Adams Township.

*J. L. Baumgardner*  
Secretary, Board of Supervisors  
of Adams Township.

IN RE VACATING A PIECE OF ROAD  
IN ADAMS TOWNSHIP, IN THE VILLAGE  
OF MINE #42, AND SUPPLYING A ROAD  
THEREIN, ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,  
CAMBRIA COUNTY, PENNSYLVANIA,  
NO. 1, JUNE SESSIONS, 1928.

NOTICE TO VIEW.

Notice is hereby given that the Viewers appointed by the above Court to view and determine as to the propriety of vacating a piece of road in Adams Township, Cambria County, Pennsylvania, leading from the Village of Elton to the Village of Dunlo, via Village #42, all in Adams Township, Cambria County, Pennsylvania, and usually known as the "Elton-Dunlo" road, and vacating that part of said road aforesaid, beginning at a point in the center line of the said road eight hundred twenty (820) feet West of a private road leading therefrom to Eureka No. 42 Mine, office of the Berwind White Coal Mining Company; thence by center line of said road, as follows: South seventy-five (75°) degrees thirty (30') minutes East one hundred twenty (120) feet to a point; thence South seventy-eight (78°) degrees thirty (30') minutes East three hundred (300) feet to a point; thence South seventy-nine (79°) degrees fifteen (15') minutes East three hundred forty (340) feet to a point; thence South seventy-seven (77°) degrees forty-five (45') minutes East two hundred ninety (290) feet to a point; South seventy-seven (77°) degrees no (00°) minutes East two hundred (200) feet to a point in the center line of said road, a total distance of twelve hundred seventy (1270) feet; and to supply a piece of road in said Township, beginning at the point of ending of the piece of road described to be vacated and ending in the Village of #42 Mine, will meet at the point of beginning, first above noted, on Tuesday, July 10, A. D. 1928, at nine o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of their appointment.

A. M. SHOEMAKER,

M. J. BAUNGARDNER,

PHILIP CAULFIELD,  
Viewers.

AND NOW, this 2 day of July A. D. 1928, I hereby  
accept service of the above Notice to View as Counsel for the  
Petitioners.

*Percy Allen Rose*  
Counsel for Petitioners.



IN RE VACATING A PIECE OF ROAD  
IN ADAMS TOWNSHIP, IN THE VILLAGE  
OF MINE #42, AND SUPPLYING A ROAD  
THEREIN, ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS,  
CAMBRIA COUNTY, PENNSYLVANIA.  
NO. 1, JUNE SESSIONS, 1928.

NOTICE TO VIEW.

Notice is hereby given that the Viewers appointed by the above Court to view and determine as to the propriety of vacating a piece of road in Adams Township, Cambria County, Pennsylvania, leading from the Village of Elton to the Village of Dunlo via Village #42, all in Adams Township, Cambria County, Pennsylvania, and usually known as the "Elton-Dunlo" road, and vacating that part of said road aforesaid, beginning at a point in the center line of the said road eight hundred twenty (820) feet West of a private road leading therefrom to Eureka No. 42 Mine, office of the Berwind White Coal Mining Company; thence by center line of said road, as follows: South seventy-five (75°) degrees thirty (30) minutes East one hundred twenty (120) feet to a point; thence South seventy-eight (78°) degrees thirty (30') minutes East three hundred (300) feet to a point; thence South seventy-nine (79°) fifteen (15') minutes East three hundred forty (340) feet to a point; thence South seventy-seven (77°) degrees forty-five (45') minutes East two hundred ninety (290) feet to a point; South seventy-seven (77°) degrees no (00') minutes East two hundred (200) feet to a point in the center line of said road, a total distance of twelve hundred seventy (1270) feet; and to supply a piece of road in said Township, beginning at the point of ending of the piece of road described to be vacated and ending in the Village of #42 Mine, will meet at the point of beginning, first above noted, on Tuesday, July 10, A. D. 1928, at nine o'clock A. M. Eastern Standard Time for the purpose of performing the duties of their appointment.

A. M. SHOEMAKER,

M. J. BAUMGARDNER,

PHILIP CAULFIELD.

Viewers.

AND NOW, this 30 day of June A. D. 1928, I hereby accept service of the above Notice to View as Chief Clerk for the Commissioners of Cambria County, Pennsylvania.

*George E. Kerby*  
Chief Clerk, Commissioners of  
Cambria County.

IN RE VACATING A PIECE OF ROAD  
IN ADAMS TOWNSHIP, IN THE VILLAGE  
OF ELTON, AND SUPPLYING A ROAD  
THERETO, ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF COMMON PLEAS,  
CAMBRIA COUNTY, PENNSYLVANIA.  
NO. 1, JUNE SESSION, 1928.

NOTICE TO VIEW.

Notice is hereby given that the Viewers appointed by the above Court to view and determine as to the propriety of vacating a piece of road in Adams Township, Cambria County, Pennsylvania, leading from the Village of Elton to the Village of Dunlo via Village #42, all in Adams Township, Cambria County, Pennsylvania, and usually known as the "Elton-Dunlo" road, and vacating that part of said road aforesaid, beginning at a point in the center line of the said road eight hundred twenty (820) feet east of a private road leading therefrom to Bureau No. 42 Line, office of the Derrand White Coal Mining Company; thence by center line of said road, as follows: South seventy-five (75°) degrees thirty (30) minutes East one hundred twenty (120) feet to a point; thence South seventy-eight (78°) degrees thirty (30) minutes East three hundred (300) feet to a point; thence South seventy-nine (79°) fifteen (15') minutes East three hundred forty (340) feet to a point; thence South seventy-seven (77°) degrees forty-five (45') minutes East two hundred ninety (290) feet to a point; South seventy-seven (77°) degrees no (00') minutes East two hundred (200) feet to a point in the center line of said road, a total distance of twelve hundred seventy (1270) feet; and to supply a piece of road in said Township, beginning at the point of ending of the piece of road aforesaid to be vacated and ending in the Village of #42 Line, will meet at the point of beginning, first above noted, on Tuesday, July 10, A. D. 1928, at nine o'clock A. M. Eastern Standard Time for the purpose of performing the duties of their appointment.

A. M. GIERHAKER,

H. J. BRIDGEMAN,

PHILIP C. GILFILLAN,  
Viewers.

IN RE VACATING A PIECE OF ROAD  
IN ADAMS TOWNSHIP, IN THE VILLAGE  
OF MINE #42, AND SUPPLYING A ROAD  
THEREIN, ALL IN ADAMS TOWNSHIP,  
CAMBRIA COUNTY, PENNSYLVANIA.

IN THE COURT OF COMMON PLEAS,  
CAMBRIA COUNTY, PENNSYLVANIA.  
NO. 1, JUNE SESSIONS, 1928.

TO MAHLON J. BAUMGARDNER, PHILIP CAULFIELD  
AND A. M. SHOEMAKER, DRS.

To Mahlon J. Baumgardner, Dr.

Data and Preparing Notices to View	\$ 12.00	
Stenographer and Stationery	4.00	
Posting Notices to View	12.00	
Mileage	2.80	
Making View	12.00	
Mileage	2.80	
Data and Preparing Report	12.00	
Stenographer and Stationery	<u>4.00</u>	\$ 61.60

To Philip Caulfield, Dr.

Making View	\$ 12.00	
Mileage	<u>2.80</u>	\$ 14.80

*To A. M. Shoemaker*

*Day on View 12.00*  
*5.8 mi 5.80*

*Survey, plotting & drafting 67.60*  
*Help & prints 5.80*  
*5.8 miles 5.80*

*\$91.20*

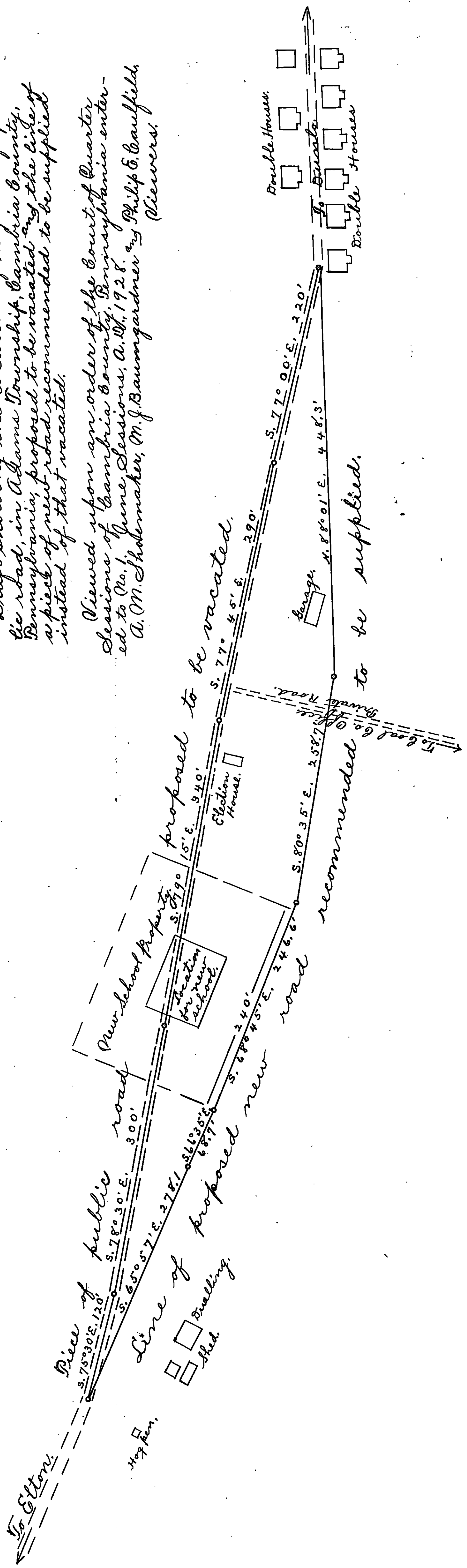
ATTESTED FOR DEPOSIT

*Harold C. Brown*  
*County Controller*



Draft showing the location of a piece of public road, in Adams Township, Cambria County, Pennsylvania, proposed to be vacated and the line of a piece of new road recommended to be supplied instead of that vacated.

Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania entered to No. 1, June Sessions, A.D., 1928, by Philip C. Caulfield, A. M. Sholemaker, M. J. Baumgardner and Philip C. Caulfield, Viewers.



recommended to be supplied.