

Quarter Session
IN THE COURT OF COMMON PLEAS OF
CAMBRIA COUNTY, PA.

Ives Road
in
Adams Trwp

of James Less Term, A. D. 1899, No. 1

Exceptions

And now, to-wit, the Second day of Jan'y, A. D. ~~1899~~ 1900, Rule
on part of Exceptants to take depositions of witnesses
before R E Crosswell, Esq., Commissioner, to be read on the
hearing of the above stated case.

Cambria County, SS.

Extract from the Record of said Court, Certified the
2 of Jan'y 1900
J. H. Davis Prothonotary.

TO Evans & Seck Exp. Counsel for petitioners
in above named road

TAKE NOTICE. That in pursuance of the above Rule the depositions of witnesses to be read in evi-
dence on the hearing of the above stated case on part of
the exceptants will be taken at the Kueppers Store
Doyle, Pa on Thursday
the 11th day of January, A. D. ~~1899~~ 1900, between the hours
of 10 o'clock A. M., and 10 o'clock P. M., before R E Crosswell
Esq. Commissioner in and for said County
or by some other person of competent authority, at the time and place aforesaid, when and where you may
attend if you think proper.

Nancy Brown
Atty for Exceptants

201 Jonesboro 1899
R.S.

and the Board

in

Admission List

4th Session ending 1900 -
A list of each student which began
by naming G. M. Hunt a copy of the
Certificate -
M. H. Schell

RULE ON PART OF Ex. Secy. Agents

to take all proceedings

Done

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Deposition of Witnesses produced sworn
of affirmed and examined by me the
Elected day of January 1900 at Lueffers Store at Dover in
Cambria County Pa between the hours of Ten o'clock A.M.
and Ten o'clock P.M. by Virtue of the annexed Rule
of Court of ~~Common Pleas~~ ^{Quarterly Sessions} of Cambria County and
notice hereto attached, for the examination
of witnesses in a certain cause depending in
said Court, viz In Re Road in Adams Township.
on the part of the Exceptants.

Harry Doerr Esq appears for Exceptants

Samuel Hawk Affirmed who
says
I live close to Salix in Adams
Township Cambria Co, I
am one of the Supervisors of
Adams Township I am familiar
with the new Road recently
laid out and the one in question
in this suit. There could have
been a less expensive road and
a more suitable Road if it had
been laid out over Hooker
Wilson's farm. This Road
as laid out would run through
about one hundred feet off

Swamp or deep gutter and
it would require two Bridges
to be built, it lays down
in the hollow, and at the one
end it would be apt to drift
in winter, and would be
a very expensive road
for that distance, there is
now in existence a lawfully
laid out township road from
the same starting point to the
same ending or terminus,
as the proposed New Road, and
the New Road would be about
800 ft from the old Road and
then parallel for the entire
distance with the old Road.
The New Road would not be necessary
any only that there is a grave
yard along its route, there
is no road ^{to} the grave yard, Mr
Livingston said he would give
them a road from the old road
over to the grave yard.

If they had stayed up in the field
of Livingston they would have had
a dry road, and a better road, and
the road could have ended as in
accordance with the By-laws of the

section, Mr Livingston liked
 about that, he did not want
 his fields cut. If they had laid
 out the road in accordance with the
 prayer in the petition, ^{then} there would
 have only been one bridge. Meis
 says, people would travel the road
 if it were made, the other one is
 a pretty stilly road, the best
 road for the least money could
 be made through Luke & Wilson
 farm, Twenty two of the signers
 of the petition for the new road live
 in the township of Adams, &
 Eighteen signers live in Croyle
 township, there being 40 signers.
 There is no part of this road
 in Croyle township, there is
 a school house on the old road
 and it would be necessary to
 keep up the both roads if the
 new one is made, I am acquaint-
 ed with the Viewers, J. J. Wisnig
 is one of the Viewers is the
 son of John S. Wisniger one
 of the Petitioners, David J. Hubert
 one of the Viewers is the father
 of Wm. H. Hubert, one of the
 Petitioners, Reuben Rhodes

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The other Viewers is the Father and Son
of W. H. Hubert one of the Petiti-
oners. George W. Deibel would
derive very little benefit from
the Road, and the damages would
be inadequate

Agreed in presence of W. B. Brown and Samuel Short
Commissioners.

George S. Lamb, producee affirmed
and says he lives in Adams Township
The survey of the new Road crosses my
land, I was working for the Township
hauling stone at the time the View
was made. I was not at the
View I had no notice of the View.
I was never ask for a release.
This Road would not have touched
my land at all had the Viewers follow-
ed the termini as prayed for,
and granted in the order of Court.
It was possible to make this Road
considerably more direct than has
been done in this survey. The Road
is necessary if for any thing for the
purpose of getting to the Grave
yard, and that was the apparent
object of getting up the petition
but the signers thought the object
was to get around the Hill.

The best way to get around the Hill was through Luke + Willson's farm, by far the best Route, the distance being shorter ~~less~~ ^{more} than one third shorter, and better grade, no bridges & better ground, The way the New Road is surveyed it would take two bridges and a heap of filling, and one of the ~~harriest~~ ^{horriest} places we have for drifting. It would not drift on Livingston ground, on the present Road survey it would drift. I cannot see that the New Road is necessary to the general public we already have one public Road from the same point, to the same point I would suppose the old Road is shorter than the new proposed Road, It would be necessary to keep up the both Roads, the ~~old~~ school house being on the old Road. The Proposed Road will run parallel with the old Road and the average distance of the proposed Road from the old Road would ~~not~~ ^{be} ~~more~~ ^{less} than a quarter of a mile in my judgment,

The damages awarded to Geo Dibert
are entirely inadequate. The
damages would not make his
fence. He would not be benefi-
led by the New Road.

Signed in presence of R. E. Edwards George S. Gault
Commissioners

Samuel Jones produced ~~some~~
affidavit who deposes and says
to live in Adams township Adams
County I am a Road Supervisor
in Adams Township. I know
when the new Road starts in
and when it comes out. When
it comes out on to the Road
leading to Salix it would
require a good deal of filling
~~at~~ or a bridge. There is an other
Road running between the same two
points. The one the School House
is located on. Yes both Roads
would have to be kept up. The
School House is on the old Road.

The Roads Run the same direction one
runs around the one side of the hill,
the other on the other side of the hill
if you call ^{that} parallel. The Road
could be made cheaper if it went
over Luke Williams farm

Signed in presence of
R. E. Edwards Com.

Samuel Jones

Jacob C Varner produce sworn
and says,

I live in Adams Township
I own property in Adams Township.
I know where the Road begins and where
it ends. I know that there is an
other Road leading from the the
one point to the other. I don't
think these two Roads can be
a quarter of a mile apart,
There is a School House on
the old Road. If the new Road
is opened up it will be ne-
cessary to maintain both Roads
because the School House is
on the old one, in my estimation
there would be a better Route
available, between the two points
prayed for, and at less expense.
Either one of the Roads are be-
tween a half mile and a mile in
length, between the points named
in the petition I don't think it would benefit

the General Public.
Signed in presence of
the C. C. referee Commission
Jacob C. Varner

George W. Sibert - produce sworn
and says I am a land
owner in Adams Township, over
which the New Road is laid

out. Through my land the distance
 is as short as it could be
 made but the distance from
 point or beginning of Road to
 point or ending of Road as men-
 tioned in petition the distance
 is not as short as could be
 made. There is another Road
 leading from the same starting point
 to the same termination, a public
 Road. There is a School House
 on the old Road about 500 ft.
 from when the New Road in-
 tersects the Old Road, which
 point is the ending of the New
 Road, it will be necessary
 to vacate both Roads if the
 new one is granted, because
 the School House is on the old
 Road. The old Road could not
 be vacated ^{at} the School House end
 because of the School House, and
 the end next the Shilo Church
 could not be vacated because
 of the Road going to ~~Lowell~~ from
 Salix ~~from Lowell~~, that is the
 principal Road from Lowell
 to Salix. The New Road is not
 necessary for the use of the General public

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public. The New Road is only necessary
 as is only necessary for the Graveyard
 if it is necessary at all, and they
 have been offered a free Road just
 as good by Mr. Huntington, only
 two or three persons outside of the Cemetery
 people are benefited by the New Road;

It would cost from fifteen ^{hundred} to
 Eighteen Hundred dollars to build
 the New Road, the one end of the
 New Road goes over very swampy
 land and would take two bridges and
 filling bridges, the old Road is dry and
 is the best Route of the two. Part of
 the New Road will be drifted shut with
 the snow half of the winter.

The New & Old Roads are ^{parallel} parallel
 Roads, as near as I can tell they
 are 800 feet apart. The length
 of either Road is from $\frac{1}{2}$ to $\frac{3}{4}$
 of a mile in length between the
 points named in the petition. I
 have filed exceptions to the report
 of the Viewers, and the exceptions
 are correct. I was not notified
 of the View. I was asked for a Release.
 The Damages awarded me was far from being suffi-
 cient. I consider that I was damaged \$300.00
 Three Hundred dollars

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Sixty Two of the Signers to the petition was from Adams Township, the balance from Croyle Township, Thirteen of the Signers from Adams Township are property Owners. The Road does not extend into Croyle Township it is $\frac{1}{4}$ of a mile away from there. The amount of land lying between the new & the old Road is about 60 Acres. Mr Livingston and his son selected one side of the Road with the Viewers, the other end the petitioners pointed out the Route. If the Road ended at the Points named in the petition it would have made a better Road than it is, as laid out. The report of the Viewers does not correspond with the petition and order of Court.

Isaiah Messenger one of Viewers is ~~the~~ son of John Messenger, one of the Petitioners, and Reynard Rhodes is Father in Law of W. H. Hubert one of the petitioners, and David G Hubert is the Father of W. H. Hubert one of the Petitioners. Most of the Signers of the petition for Road are interested in the Church and graveyard, and one of the Viewers is interested in

Grave yard. The grave yard is
 an intermediate point on the New Road.
 The Road is not laid out with respect
 to the least injury to private property
 or the shortest route.

Signed in my presence
 R. E. Foxwell Com. Geo. W. Dibert.

Cost of Witnesses' Exam			
Jacob C. Varner	5 miles	1 Day	1.30
Lemuel Jones	3 miles	1 Day	1.18
Samuel Shank	2 miles	1 Day	1.12
Geo S. Lamb	1 1/2 miles	1 Day	1.09
Geo W Dibert	15 miles	1 Day	1.90
Geo W Dibert - Subpoena & Return			6.59

I hereby certify that the above witnesses were
 duly qualified and examined at the time
 and place stated in the above caption and
 Rule annexed, and subscribed his deposition
 in my presence.

R. E. Foxwell
 Commissioner

No 1 June 3, 1899, Rd.

In Re Road in

Adams Township

of Jennings
County

Section
on part of Expts

Costs

Commissioners Bureau 5.75

Witness Fees 6.59

what you pay with

Sh. Leeds 15 of May 1900

To the Honorable A. V. Barr, President Judge of the Court of Quarter Sessions of Cambria County:

The petition of the undersigned, inhabitants of Adams and Croyle townships in said county, respectfully represents:

That they labor under great inconvenience for want of a public road or highway beginning on a township road leading from Lovett to Salix at a point 40 rods South of Shiloh Church in Adams Township and ending on a public road, leading from the public road leading from Lovett to Salix, to Johnstown at a point 20 rods West of the Wissinger School House in said township of Adams.

The petitioners therefore pray the court to appoint three persons qualified according to law, to view the ground proposed for such road, and, if they see occasion, lay out the same, and make report of their proceedings to the next term of this court.

And they will ever pray etc.,

NAMES

NAMES

J. A. Miller
Chas. D. Costlow,
J. J. Duly
W. C. Breffer
John Elye
Elias Righard
J. T. Kauffman

J. E. Vincent
Lemon Pige
J. F. Stubb
W. S. Bunker
G. W. Grumbling
Charles Bunker
John M. Smay

Joseph Miller
J. C. Hampton
L. W. Kauffman
Daniel Kauffman
J. H. Topper

Edward A. Bask
W. W. Kasper
John Rorbaugh
W. G. King

Joseph Maus

J. F. Kauffman

Ernst English

S. F. Maller

John Wissinger

Charles Chesnutwood

W. H. Hubert

Geo. R. Harbaugh

Geo. Harbaugh

J. W. Wood

D. D. Miller

John H. Seaman

J. L. Knepper

Samuel Lewis

E. F. Wright

S. R. Miller

Jesse Varner

W. R. Wissinger

David Varner

101 June Dec 1899

PETITION OF INHABITANTS OF

ADAMS and
Croyle township for viewers
to view a road beginning
on a township road leading
from Lovett to Salix at a
point 40 rods South of Shi-
loh Church in Adams town-
ship and ending on a pub-
lic road, leading from the
public road leading from
Lovett to Salix, to John-

stown at a point 20 rods
West of the Wissinger
School House in said town-
ship of Adams.

June 5th 1899

J. J. Mearns

Richard Rhodes

David G. Hubert

affirmed viewers

By the Court

Filed 5 June 1899

EVANS & LEECH,

ATTORNEYS-AT-LAW,

EBENSBURG, PA.

To the Honorable A.V. Barker, President Judge of the
Court of Quarter Sessions of the Peace of Cambria County:

The petition of the undersigned inhabitants of the town-
ship of Adams in the county aforesaid, respectfully repre-
sents: That a road has lately been laid out for public
use by order of Court, dated the 4th day of September 1899
beginning at a public road leading from Lovett to Salix
at a point 40 rods south of Shiloh church in Adams town-
ship, and extending by the several courses and distances
thereof to a point on a public road leading from the pub-
lic road leading from Lovett to Salix to Johnstown at a
point 500 feet West from the Wissinger school-house (and
where another road begins in said road and leads to Sa-
lix) in Adams township, which said road if confirmed by
the court will be very injurious to your petitioners and
burdensome to the inhabitants of the township through
which the same will pass.

Your petitioners therefore showing that they are parties
interested, respectfully pray your honorable court to ap-
point three persons properly qualified to review the
ground proposed for said road, and make report of their
proceedings at the next term of court.

R. F. Sney
Samuel Shank
Jacob Larouse
J. M. Fouch
Frank Brown

W. H. Ormuel
J. D. Krine
Jacob Miller
D. D. Costner

Daniel Warner

E

W. B. Gearhart

Jacob & J. Krising

Reuben Hillbig

Levi Kingwell

Henry Larson

Michael Scherle

D. B. Kingwell

Jacob Statter
H. Romgardner

Jacob Kofcher

J. W. Kingwell

Levi King

Philip Bender

J. M. Moek

E. A. Miller

A. W. Ellinger

L. J. Stutzman

George S. Currie

No 1 June Term 1899 R.D.

No 1 June 3 1899 R.D.

Jure Road Adams Prof
J. Weinger et al
Viewers

Petition for Review

Filed 20 Dec 1899

Dec 20th 1899 pe-
tition read and Jurks to
Dye, John W. Hank-
berger and David G. Knipper
appointed viewers
By the Court.

Done

HARRY DOERR,
ATTORNEY AT LAW,
ROOM 6, ALMA HALL,
JOHNSTOWN, PENN'A.

1/2/1900

BUSINESS ATTENDED TO IN GERMAN AND ENGLISH.

S. W. Davis, Esq.

Honorable

Sir -

In the matter
of No 1 June T. 1899 R. D. Road in Adams
Township issue rule to take deposition
on the part of ^{before R. J. Overmire Court} exceptants returnable
see leg.

Harry Doerr

Atty for Exceptant

No 1 Grand Jury 1899
RD

Power for Rule to
take depositions
for Examinations

Filed 2 January 1899

In re Road : No. 1, June Term, 1899. R. D.
in : Exceptions to Report of Viewers.
Adams Township. :

It is apparent, from an examination of the petition, the order to view and the report of viewers, that the third exception must prevail. The petition sets forth that the petitioners labor under great inconvenience for want of a public road or highway, beginning on a township road leading from Lovett to Salix, at a point 40 rods south of Shiloh Church, in Adams township, and ending on public road leading from the public road leading from Lovett to Salix to Johnstown at a point 20 rods west of the Wissinger school house. The order to view, of course, follows the petition. The report of viewers shows that the road, as laid out, ended "at a point 500 feet west from the Wissinger school house," which point would be 170 feet from the terminus named in the petition and the order to view. The petition and order to view designated the end of the road with exactness, as stated above, and the viewers had no discretion, as they have in a case where it is not so designated and described; as, for instance, where it is designated as "at or near" a certain point, and there ~~xxx~~ is an abundance of authorities to this effect.

There are cases where it is held that a substantial preservation of the opening and ending of the road, as stated in the petition, is sufficient; but, it is not so held in any case where the ending was definitely and particularly fixed as in this case; moreover, it appears from the depositions that the terminus selected was on the opposite side of a small run from the terminus named in the petition, and its selection necessitated the appropriation of the land of another person than the one over whose land

the road would have passed in approaching the terminus had the terminus named in the petition been adopted, matters presumably not in contemplation of the petitioners at the time they signed the petition.

The fatal irregularity appearing on the face of the report of viewers makes it unnecessary to refer to the exception as to the relationship of the viewers to some of the petitioners, and it may be that it is too late to take advantage of this fact after the viewers have acted, but we would not be slow to take advantage of such an exception, whenever presented, in a case like the present, where the relationship of all of the viewers is so intimate with some of the petitioners. We assume, when the names of viewers are suggested, that none of them has either interest in the road or relationship to the petitioners, and, ordinarily, depend upon counsel to ascertain whether or not the parties are not disinterested in this respect before they suggest the name to the court.

And now, March 5th, 1900, report of viewers set aside at the costs of the petitioners.

By the Court

No. 1, June Term, 1899. R.D.

IN RE ROAD
IN

ADAMS TOWNSHIP.

-: OPINION OF THE COURT: -

Dec 5 1898

June Road
Adams Township
D. J. Wisinger et al
Viewers

In the Court of Quarter
Sessions of the Peace
of Cambria County
No. 1 June Term 1899 R. D.
Exceptions to Report of Viewers.

George W. Libert a resident of Adams Township and owner of certain land through which the above road passes by his attorney Harry Dorr files the following exceptions to the Report of the Viewers for the said road:

I. That the said road ~~is laid out~~ will be unnecessarily expensive requiring a bridge and filling and is not laid out with respect to the shortest distance and the best ground for a road nor in such manner as will do the least injury to private property between the termini mentioned in the petition and order.

II. That there is no necessity for said road and it will benefit but few people and will be burdensome to the township.

III. That the termini of said road as returned by the viewers in their Report is not the same as that prayed for in the petition for a view or the order of Court thereon.

IV. That said road runs parallel with another road, legally laid out, to the same destination, for a distance of about 2500 feet, said roads being about 800 feet apart, and it would be necessary to keep up both roads as a vacation has not been asked for the old road or any part thereof.

V. That the viewers abused their discretion as to the route pursued.

VI. That the viewers for the road are related to the petitioners, - in two instances viewers and petitioners being father and son.

VII. That the damages awarded the exceptant are inadequate and insufficient.

VIII. That the report is irregular and not as required by law in the above particulars, and therefore should be set aside.

Harry D. Owen
Attorney for Geo. W. Deibert

No 1 June 3, 1899 R.D.
See see Road

Adams Township

S. J. Wisniger et al
Tennese

Exceptions
to Report

Filed 4 Dec 1899

Sherr

To the Honorable A V Barker President
Judge of the Court of Quarter Sessions
of Cambria County:

We the undersigned viewers appointed
by the annexed order do report: That in
pursuance thereof after having been severally
duly affirmed all of the viewers appointed
by said order viewed the ground proposed
for the within mentioned road. and the
undersigned all of the said viewers do agree
that there is occasion for a road as
desired by the petitioners, and that the same
is necessary for a public road:

And having had respect to the shortest distan-
ce. and the best ground for such road,
we have laid out in such a manner as
shall do the least injury to private property
and as far as practicable agreeably to the
desire of the petitioners and do return for
public use the following described road to wit:

Beginning ~~at a point~~ on a public road
leading from Lovitt to Salix at a point 40
rods south of the Shelo Church in Adams
Township. Thence through improved land of
Geo. Debert. S. 37° 30' W. one hundred feet to
a post. Thence through improved land of

same. N. $69^{\circ}30'$ W. one hundred and twenty five feet to a post. Thence through improved land of same. S 72° W two hundred feet to a post. Thence through improved land of same and improved land of Josiah Livingston N 78° W one thousand four hundred and sixty five feet to a post. Thence through improved land Josiah Livingston S 4° W three hundred feet to a post. Thence through improved land of same S $22^{\circ}15'$ W four hundred and thirty five feet to a post. Thence through improved land of same S 44° W ninety feet to a post. Thence through improved land of same S 80° W three hundred and forty feet to a post. Thence through improved land of same S $4^{\circ}45'$ W three hundred feet to a post. Thence through improved land of same S $4^{\circ}30'$ E two hundred feet to a post. Thence through improved land of same and improved land of Geo Lamb S 7° W seven hundred and fifty feet to a point on a public road leading from the road leading from Lovett to Salix to Johnstown at a point five hundred feet west from the Messenger school house (and where another road begins on said road and leads to Salix) in Adams Township.

Said road being at an elevation not exceeding 5 degrees. The undersigned further report that they endeavored to procure from all the owners of the land over which said road passes, releases in writing of all claims to damages that may arise from opening the same, and that they failed to procure any such releases, and therefore having assessed the damages do award Geo. Deibert forty dollars for and on account of said road passing through his land. And having taken into consideration the advantage to be derived to Josiah Livingston and Geo Lamb we believe that the same would be greater than the injury done to their properties, ^{and therefore award them no damages} for and on account of said road passing through their land. We further report that before the said view, public notice of the time and place of meeting of the view was given by advertisements put up at the most public places in the vicinity, as required by law, ten days before said meeting, and we annex a plot or draft of said road laid out stating the courses and distances and noticing briefly the improvements through which the same passes.

1642
20
326
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Witness our hands the 30th day of Aug. 1899

J. J. Wisinger
Rhoad ^{his} x Rhoades

J. G. ^{myself} Herbert

Commissioner of Cambria County

To Road Viewers No

order No 1 June Session 1899

Adams Township Aug 30, 1899.

I. J. Wissinger one day surveying road 4.00
" " " office work 4.00

Richard Rhoades one day viewing 2.00

David Hubert one day viewing 2.00
\$ 12.00

NOTICE of VIEW

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for a public road beginning on a township road leading from Lovett to Salix at a point 40 rods South of Shiloh Church in Adams Township and ending on a public road leading from the public road leading from Lovett to Salix to Johnstown at a point 20 rods West of the Wissinger School House in said Township of Adams will meet at Lovett Post office, in said township of Adams on the 30 day of August, 1899, at 9 o'clock A.M. for the purpose of viewing said ground.

August 1899

I. J. Wissinger
Rhinar Rhodes
David G. Robert
Viewers

Carroll County, Ga.

Before me, ~~John~~ ^{John} ~~Leach~~ ^{Leach} in and for said County, personally came J. W. Leach who being by me duly sworn according to law says that he served the within notice on Benjamin Jones, Clerk of the County Commissioners by handing him a copy of same on the 19 day of August 1899

J. W. Leach

Sworn and subscribed before me this 19 day of August 1899

B. B. Jones
Clerk

Service of the within notice accepted Aug 19, 1899.

Benj Jones
Commissioner

NOTICE of VIEW

Notice is hereby given that the viewers appointed by the Court, of Quarter Sessions to view the ground for a public road beginning on a township road leading from Lovett to Salix at a point 40 rods South of Shiloh Church in Adams Township and ending on a public road, leading from the public road leading from Lovett to Salix to Johnstown at a point 20 rods West of the Wissinger School House, in said township of Adams will meet at Lovett Post Office in said township of Adams on the 30 day of August, 1899, at 9 o'clock A.M. for the purpose of viewing said ground.

August 1899

I. J. Wissinger
Richard Rhodes Viewers
David G. Hubert

Came via County Id.

Before me a Justice of the Peace in and for said County personally came W. J. Wissinger who being by me duly sworn according to law says that he served the within notice on Samuel Frank and on Lemuel Jones Supervisors of Adams township in said County on the 17 day of August 1899, by giving to each a copy thereof

Sworn and subscribed
before me this 19 day
of August 1899
J. H. Rouch
J.P.

W. J. Wissinger

COMMONWEALTH OF PENNSYLVANIA. }
COUNTY OF GAMBRIA, } SS:

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg in the said County, on the fifth day of June A. D. 1897, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Adams and Croyle, in the said County, setting forth that they labor under ^{great} inconvenience for want of a public road or highway, ~~to lead from~~

beginning on a township road leading from South to Salix
at a point 40 rods south of Shiloh Church in Adams
Township and ending at a public road, leading from
the public road leading from North to Salix, to
Johnstown at a point 20 rods west of the Messinger
School House in said Township of Adams

The petitioners

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. J. Messinger SURVEYOR, and Richard Rhodes, David S. Hubert

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:

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 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."

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No. 1. — June Session, 1899.

ORDER TO VIEW Road in

Adams and Doyle Townships, beginning on Township Road leading from South Sabino point 4 rods South of Shiloh Church in Adams Township and ending near Murriger School House

Decd 4th Sep 1899

J. J. Whiting
Viewers
Richard Charles
David S. Hubert

CLERK: DAVIS *Ally* 90 CTS.

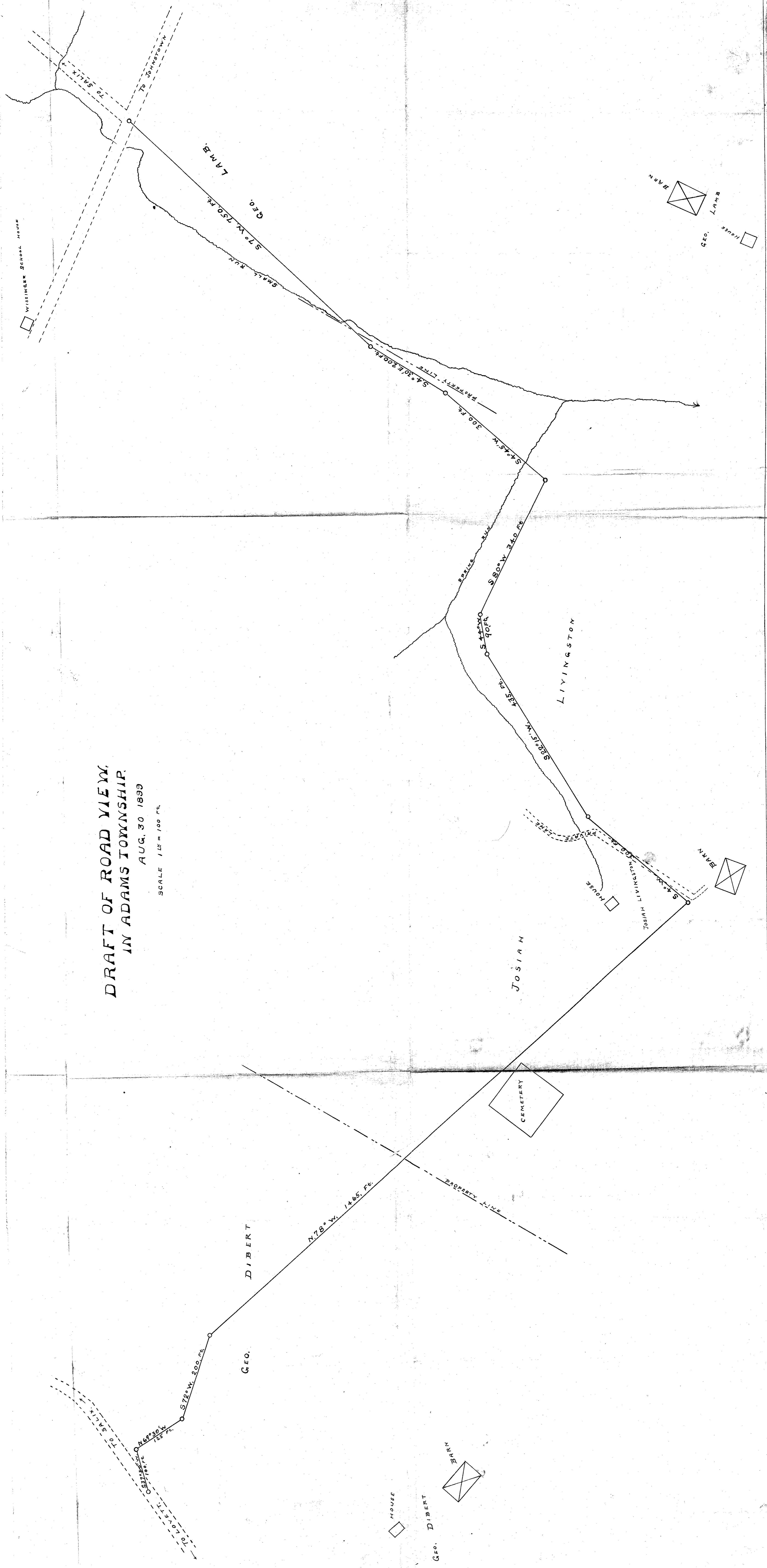
E. H. L.

Oct. 25th 1899 Approved and breadth fixed at 30 feet by the Court.

DRAFT OF ROAD VIEW,
IN ADAMS TOWNSHIP.

AUG. 30 1899

SCALE 1 IN = 100 FT.



TO SALT

TO LOVERTS

WISSINGER SCHOOL HOUSE

SMALL RUN

57° W. 250. FT.

GEO. LAMB

54.30° E. 200. FT.

PROPERTY LINE

300. FT.

S. 45° W.

BRILLS RUN

S. 80° W. 340. FT.

S. 44° 30' W. 90. FT.

435. FT.

S. 82° 15' W.

LIVINGSTON

PRIVATE EDDY

300. FT.

JOSIAH LIVINGSTON

S. 44° W.

HOUSE

BARN

GEO. LAMB

HOUSE

BARN

GEO. DIBERT

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