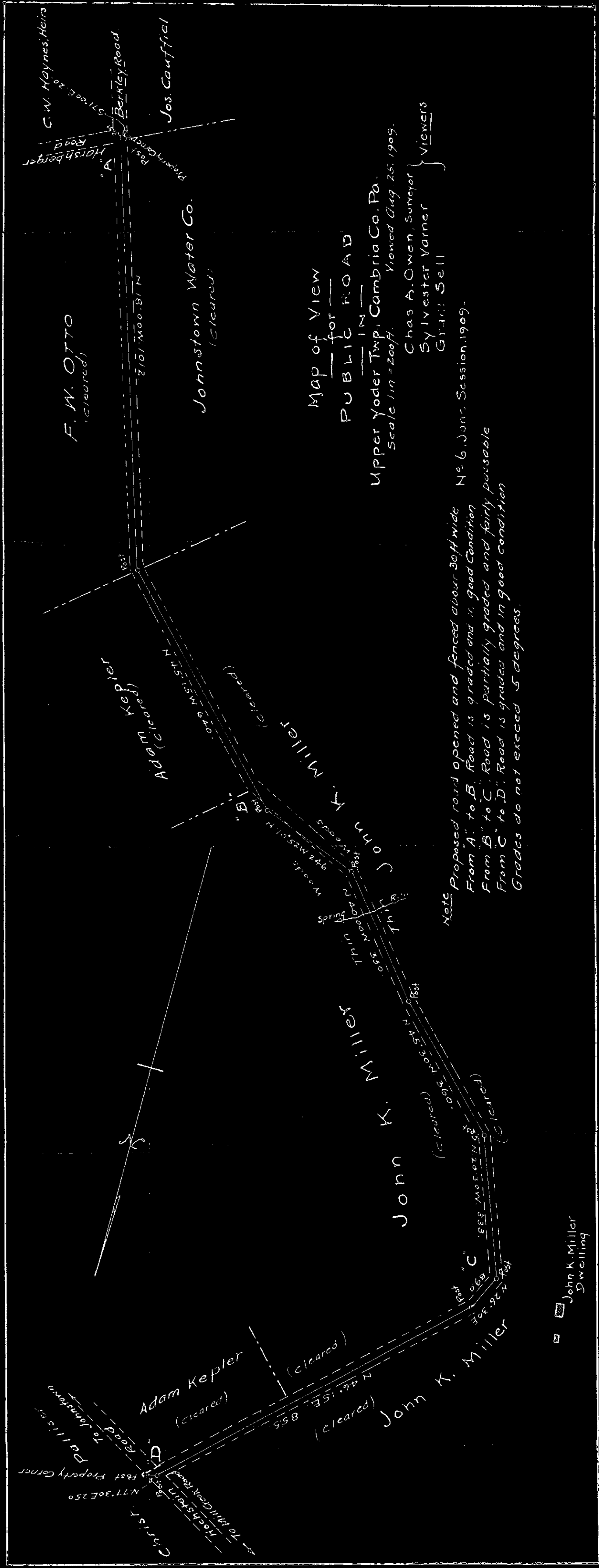


R. D. #6 June 1909.

Not Rechecked



F. W. OTTO  
(Cleared)

Jonnstown Water Co.  
(Cleared)

Map of View  
for  
PUBLIC ROAD

Upper Yoder Twp, Cambria Co. Pa.  
Scale 1 in = 200 ft.

Viewed Aug. 25, 1909.  
Chas. A. Owen, Surveyor  
Sylvester Varner } Viewers  
Grant Sell

No. 6, June Session, 1909.

Note: Proposed road opened and fenced about 30 ft wide  
From A to B, Road is graded and in good condition  
From B to C, Road is partially graded and fairly passable  
From C to D, Road is graded and in good condition  
Grades do not exceed 5 degrees.

John K. Miller  
Dwelling

C. W. Haynes, Heirs  
A. Horshberger  
Berkley Road  
Jos Cauffiel

Christ  
Hochstein  
East Property Corner  
Road to Jonnstown  
Dallies

Adam Kepler  
(Cleared)

John K. Miller  
(Cleared)

John K. Miller  
(Cleared)

John K. Miller  
(Cleared)

Adam Kepler  
(Cleared)

John K. Miller  
(Cleared)

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IN RE OPENING OF TOWNSHIP : IN THE COURT OF QUARTER  
ROAD IN THE TOWNSHIP OF : SESSIONS OF CAMBRIA COUNTY,  
UPPERYODER, COUNTY OF CAMBRIA : PENNSYLVANIA.  
AND STATE OF PENNSYLVANIA : NO. SEPT. SESSIONS, 1909.

REPORT OF VIEWERS.

TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF  
THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA:

The undersigned road viewers named in the within order,  
respectfully report:

First. That we met at the time and place specified in  
the notices, to wit: on the 25th day of August, 1909, at nine  
o'clock a. m. at the point of beginning, to wit; at the junction  
of the Berkley Road and the Harshberger Road, both public roads  
in the Township of Upper Yoder, and completed our labors on said  
date.

Second. That notices required by the law were duly given,  
that is to say, written notices of the application to the Court  
of Quarter Sessions of said Cambria County, for the laying out,  
opening and constructing of said road for public use, to the  
Supervisors of the said Township of Upper Yoder, and also notice  
of the time and place of the meeting of viewers to the Supervis-  
ors of the said Township of Upper Yoder, copies of which notices  
are hereto annexed and made part of this return; that public no-  
tice by written or printed advertisements of the time and place  
where we were to meet for the purpose of locating the road was  
given at least ten (10) days before such meeting, as required by  
the Act of Assembly of the 6th day of April, 1843, P. L. 177 and  
the Act of Assembly of the 12th day of March, 1873, P. L. 256,  
copies of which notices are hereto annexed and made part of this

return; that at least six day's notice in writing of the time and place of holding said view was given to the County Commissioners of the said County of Cambria, as required by the Act of Assembly of the 3d day of April, 1899, P. L. 26, a copy of which notice is hereto annexed and made part of this return; and that written notice was given to the Supervisors of said township in accordance with the Act of 29th of March, 1905, P. L. 70, as shown by notice-  
Third. That we were severally sworn or affirmed, according to law and before proceeding to discharge our duties, which original oath or affirmation is heretoannexed and made part of this return.

Fourth. That we viewed the site and locality of the road proposed to be laid out, making a personal inspection of the ground between the points designated in the petition and order, on the 25th day of August, 1909.

Fifth. That we are of the opinion and agreed that a public road between the points mentioned, is necessary, and that we authorize the laying out of a public road according to the accompanying draft.

We, therefore lay out and return for public use a road as follows:

Beginning at a point at the Western end of a public road, to wit; the Berkley Road, said point being at the junction of the said Berkley Road and the Harshberger Road, also a public road, both in said township; thence North Eighteen (18) degrees no minutes West ten hundred and twelve (1012) feet to a post; thence North forty-five (45) degrees and fifteen (15) minutes West six hundred forty (640) feet to a post; thence North seventy (70) degrees fifty-two (52) minutes West two hundred forty-six (246) feet to a post; thence North forty (40) degrees no minutes West three hundred thirty (330) feet to a post; thence North forty-five (45) degrees thirty (30) minutes West three

hundred sixty (360) feet to a post; thence North twenty (20) degrees and thirty-~~two~~ (30) minutes West Three-Hundred & Thirty-three<sup>feet</sup> thence North Twenty-six (26)degrees Thirty Minutes East Eighty Nine<sup>feet</sup> to a post; thence North forty-six (46) degrees and fifteen (15) minutes East Eight hundred fifty-five (855) feet to a post on the Hochstein Road, a public road in said township, which post is the junction of the proposed road and the said Hochstein Road, all of which proposed road is within the said township of Upper Yoder, as will appear on draft hereto attached and made part of this return.

Sixth. We further report that we endeavored to obtain from all the owners of land upon which the said road is located, releases of damages to arise by reason of said location; and that we procured such releases from the following owners; to wit; the Johnstown Water Company, Adam Kepler and John K. Miller; that we were unable to secure a release from F. W. Otto, but that we assess his damages at nothing.

Seventh. That in our opinion the said road laid out by us is of such public necessity and utility that the costs of this proceeding ought to be paid by the county.

Eighth. That we annex hereto all releases of damages obtained by us, as above mentioned, and also plot or draft, above referred to, showing the location of the said road laid out, stating the courses and distances and noting briefly the improvements.

Witness our hands the fourth day of September A. D. 1909.

Chas. A. Owen

Sylvester Turner

Grant Sell  
Viewers

---BILL OF COSTS---

View for Public Road, No. 6, June Session, 1909.

CHARLES A. OWEN, Surveyor:

1 day securing releases.....\$5.00  
1 day in Field..... 55.00  
1 " " Office..... 5.00  
Mileage: 2 miles at 5 Cts..... .10  
Paid for Help..... 2.00 \$17.10

SYLVESTER VARNER:

To 1 day as Viewer.....\$3.00  
To mileage: 4 miles at 5 cts..... .20  
" " 8 " " 5 " ..... .40  
To car fare..... .20  
To 3 hours..... .90 \$4.70

GRANT SELL:

To 1 day as Viewer.....\$3.00  
To mileage: 1 mile at 5 cts... .05 \$3.05

A

Johnstown, Pa., July 20, 1909.

TO ISAAC D. BARNHART, JOHN PALLISER AND HENRY HOFMECKER,  
Road Supervisors of Upper Yoder Township, Cambria County,  
Pennsylvania.

Please take notice that there will be presented to  
the Court of Quarter Sessions of Cambria County, Pennsylvania,  
on Tuesday, August 3, 1909, at 10:30 o'clock A. M. at Ebensburg,  
Pa. a petition asking for the opening of a public road from the  
western end of the Berkley Road to a point on the Hochstine Road,  
all in the said township of Upper Yoder.

*Frank P. Barnhart*  
Attorney for Petitioners.

Now, July 20th, 1909 service of the above notice  
is hereby accepted for the Supervisors of Upper Yoder Township,  
Cambria County, Pennsylvania.

*Isaac D. Barnhart*  
*Henry Hofecker*

Supervisors of Upper Yoder  
Township.

IN RE. OPENING OF TOWNSHIP  
ROAD IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

: IN THE COURT OF QUARTER  
: SESSIONS OF CAMBRIA COUNTY,  
: PENNSYLVANIA.  
: NO. SEPT. SESSIONS, 1909.

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 "at the Western end of a public road, to wit: the Berkley Road, at a point being at the junction of the Berkley Road and the Harshberger Road, also a public road, both in said township; said point at the junction of the said roads being about Two thousand (2,000) feet from the residence of John K. Miller in the township of Upper Yoder, aforesaid, to a point on a public road in said township, to wit; the Hochstein Road, said point being about Four hundred (400) feet from the residence of Adam Kepler in the township aforesaid, and also being Two thousand and twenty-four (2,024) feet from where the Millcreek Road, a public road in said township, intersects the said Hochstein Road", will meet at said Western end of the Berkely Road in the said Township of Upper Yoder on the 25<sup>th</sup> day of August, 1909 at nine (9) o'clock A. M., for the purpose of viewing said ground.

August 10, 1909.

Chas. A. Owen  
Sylvester Kerner  
Grant Self  
Viewers.

Now, August 10, 1909 service of the within notice is hereby  
accepted for the Supervisors of said Upper Yoder Township, by the  
undersigned.

Isaac D. Bamhart

Henry Hafecker

Supervisors of Upper Yoder  
Township.

IN RE OPENING OF TOWNSHIP  
ROAD IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAMBRIA  
AND STATE OF PENNSYLVANIA

: IN THE COURT OF QUARTER  
: SESSIONS OF CAMBRIA COUNTY,  
: PENNSYLVANIA.  
: NO. SEPT. SESSIONS, 1909.

PUBLIC 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 "at the Western end of a public road, to wit; the Berkley Road, at a point being at the junction of the Berkley Road and the Harshberger Road, also a public road, both in said Township; said point at the junction of the said roads being about two thousand (2,000) feet from where the residence of John K. Miller in the Township of Upper Yoder, aforesaid, to a point on a public road in said Township, to wit; the Hochstein Road, said point being about four hundred (400) feet from the residence of Adam Kepler in the township aforesaid, and also being two thousand twenty-four (2024) feet from where the Millcreek Road, a public Road in said township, intersects the said Hochstein Road", will meet at said Western end of the Berkley Road in the said Twonship of Upper Yoder on the 25th day of August, 1909 at nine (9) o'clock A. M. for the purpose of viewing said ground.

August 10, 1909.

Chas. A. Owen

Silvester Varner

Grant Sell  
Viewers.

~~Nov, August 10, 1909 service of the within notice is hereby  
accepted for the Supervisors of said Upper Yoder Township, by  
the undersigned.~~

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Supervisors of Upper Yoder  
Township.

IN RE. OPENING OF TOWNSHIP	:	IN THE COURT OF QUARTER
ROAD IN THE TOWNSHIP OF	:	SESSIONS OF CAMBRIA COUNTY,
UPPER YODER, COUNTY OF CAMBRIA	:	PENNSYLVANIA.
AND STATE OF PENNSYLVANIA	:	NO. M SEPT. SESSIONS, 1909.

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 "at the Western end of a public road, to wit; the Berkley Road, at a point being at the junction of the Berkley Road and the Harshberger Road, also a public road, both in said township; said point at the junction of the said roads being about Two thousand (2,000) feet from the residence of John K. Miller in the Township of Upper Yoder, aforesaid, to a point on a public road in said township, to wit; the Hochstein Road, said point being about Four Hundred (400) feet from the residence of Adam Kepler in the township aforesaid, and also being Two thousand and twenty-four (2024) feet from where the Millcreek Road, a public road in said township, intersects the said Hochstein Road", will meet at said Western end of the Berkley Road in the said Township of Upper Yoder on the 25<sup>th</sup> day of August, 1909 at *nine* (9) o'clock, <sup>A.M.</sup> for the purpose of viewing said ground.

August 10, 1909.

Chas. A. Owen  
Sylvester Kinner  
Gust Sell  
 Viewers.

Now August, 10, 1909 service of the within notice is hereby accepted for the Commissioners of Cambria County.

B. E. Towell, Clerk,  
Per Lehman

(SEAL)

IN RE OPENING OF TOWNSHIP : IN THE COURT OF QUARTER  
ROAD IN THE TOWNSHIP OF : SESSIONS OF CAMBRIA COUNTY,  
UPPER YODER, COUNTY OF CAMBRIA : PENNSYLVANIA.  
AND STATE OF PENNSYLVANIA. : NO. SEPT. TERM, 1909.

OATH OF VIEWERS

Commonwealth of Pennsylvania :  
County of Cambria : SS.

Personally appeared before me, one of the viewers in the above stated proceedings, Sylvester Varner and Grant Sell, the other two viewers in the proceedings aforesaid, who being duly sworn according to law make oath that they will perform the duties of their appointment impartially and according to the best of their judgment.

Sylvester Varner  
Grant Sell

Sworn to and subscribed before me this 7<sup>th</sup> day of August,  
1909.

Chas. A. Owen  
Viewer

IN RE OPENING OF TOWNSHIP : IN THE COURT OF QUARTER  
ROAD IN THE TOWNSHIP OF : SESSIONS OF CAMBRIA COUNTY,  
UPPER YODER, COUNTY OF CAMBRIA : PENNSYLVANIA.  
AND STATE OF PENNSYLVANIA : NO. 6, SEPT. SESSIONS, 1909.

RELEASE OF DAMAGES.

WHEREAS, By an order of the Court of Quarter Sessions of Cambria County, dated the 3d day of August, 1909, directed to Charles A. Owen, Sylvester Varner and Grant Sell, Viewers, of a certain public road running from a point at the Western end of a public road, to wit; the Berkley Road, said point being at the junction of the Berkley Road and the Harshberger Road, also a public road, both in said Township; said point at the junction of the said roads being about two thousand (2,000) feet from the residence of John K. Miller in the township of Upper Yoder, aforesaid, to a point on a public road in said township, to wit; the Hochstine Road, said point being about four hundred (400) feet from the residence of Adam Kepler in the township aforesaid, and also being two thousand twenty-four (2024) feet from where the Millcreek Road, a public road, in said township, intersects the said Hochstine Road, was laid out and located; which said road so laid out and located, in part, runs through and over lands of John K. Miller in the township of Upper Yoder, aforesaid;

THEREFORE, Know all men by these presents:

That I, the undersigned, through whose lands said road is located as aforesaid, in consideration of the advantages I expect to derive from the same if confirmed, do hereby release the County of Cambria, the Township of Upper Yoder and also all and any

persons whatsoever, from all damages for or on account or by reason of the locating, opening or using of said road, or that accrue to me from said road for any reason whatsoever.

Witness my hand and seal this 26th day of August, 1909.

*John R. Mills* (SEAL)

IN RE OPENING OF TOWNSHIP	:	IN THE COURT OF QUARTER
ROAD IN THE TOWNSHIP OF	:	SESSIONS OF CAMBRIA COUNTY,
UPPER YODER, COUNTY OF CAMBRIA	:	PENNSYLVANIA.
AND STATE OF PENNSYLVANIA	:	NO. 6, SEPT. SESSIONS, 1909.

RELEASES OF DAMAGES.

WHEREAS, By an order of the Court of Quarter Sessions of Cambria County, dated the 3d day of August, 1909, directed to Charles A. Owen, Sylvester Verner and Grant Sell, Viewers, of a certain public road running from a point at the Western end of a public road, to wit; the Berkley Road, said point being at the junction of the Berkley Road and the Harshberger Road, also a public road, both in said township; said point at the junction of the said roads being about two thousand (2,000) feet from the residence of John K. Miller in the township of Upper Yoder, aforesaid, to a point on a public road in said township, to wit; the Hochstein Road, said point being about four hundred (400) feet from the residence of Adam Kepler in the township aforesaid, and also being two thousand twenty-four (2024) feet from where the Millcreek Road, a public road, in said township, intersects the said Hochstein Road, was laid out and located; which said road so laid out and located runs through and over lands of Adam Kepler, ~~The Cambria Land & Improvement Company, a joint stock company duly organized and existing under the laws of the Commonwealth of Pennsylvania,~~ and The Johnstown Water Company, a corporation incorporated under the laws of the Commonwealth of Pennsylvania, in the Township of Upper Yoder, aforesaid;

THEREFORE, Know all men by these presents:

That we, the undersigned, through whose lands said road is located as aforesaid, in consideration of the advantages we expect to derive from the same if confirmed, do hereby release the county of Cambria, the Township of Upper Yoder and also all and

any persons whatsoever, from all damages for or on account or by reason of the locating, opening or using of said road, or that may accrue to us from said road for any reason whatsoever.

In witness whereof the said Adam Kepler has hereunto set his hand and seal, The Cambria Land and Improvement Company has caused this release to be signed by its president and attested by its secretary, and the Johnstown Water Company has caused this release to be signed by its president and attested by its secretary; all this 27th day of August, 1909.

*to Adam Kepler*

~~The Cambria Land & Improvement Company~~

~~by~~

~~Attest:~~

~~Secretary~~

~~President~~

Johnstown Water Company by

Attest:

*Frank Howard*  
Secretary

*C. J. Price*  
President

Commonwealth of Pennsylvania, }  
County of Cambria. } as

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the... *Third* ..... day of... *August* ..... A. D. 190 *9*, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of... *Upper Yoder* ....., in the said County, setting forth that they labor under inconvenience for want of a... *public road* ..... road or highway, to lead from a point at the western end of a public road, to wit: the Berkeley Road, said point being at the junction of the Berkeley Road and the Heahberger Road, also a public road, both in said Township; said point at the junction of said roads being about Two thousand (2000) feet from the residence of John H. Miller in the Township of Upper Yoder aforesaid, to a point on a public road in said Township, to wit: the Hochstetner Road, said point being about Two hundred (200) feet from the residence of Adam Kehler in the Township aforesaid, and also being 2024 feet from where the Millcreek Road, a public road in said Township, intersects the said Hochstetner Road; Your petitioners further represent that they served a notice of the presentation of this petition to the Court of Quarter Sessions of said County, upon the Supervisors of said Upper Yoder Township, a copy of which notice is hereto attached and made part hereof.....

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

*John A. Owens* ..... surveyor, and  
*Sylvester Warner and Grant Bell* .....

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:

*J. S. Kirkhead* ....., 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."

7. 10. 11  
 NO. 6, James SESSION, 1909.

Order to view and lay out  
 public roads in Upper Garden  
 Township

Viewers.

Chas. A. Durns  
 Sylvester Warner  
 Grant Bell

Clerk Kinbead 90 cts.  
 Bamhart

IN RE OPENING OF TOWNSHIP  
ROAD IN THE TOWNSHIP OF  
UPPER YONER, COUNTY OF CAL-  
BRIA AND STATE OF PENNSYL-  
VANIA.

IN THE COURT OF QUARTER  
SESSIONS OF CALBRIA COUNTY,  
PENNSYLVANIA.  
NO. 6 ~~SEPT~~ <sup>June</sup> SESSIONS, 1909

And now, this 5th day of  
September, 1909, ~~the~~ <sup>within</sup>  
report is ~~confirmed nisi~~ and  
the width of the said road  
is fixed at 33 feet.

*By the Court*

*Filed 6 September, 1909,  
in open court,  
16 March 1910 confirmed  
S. S. Kirkhead, C. J.*

LOCAL PHONE 2150

BELL PHONE 307

**FRANK P. BARNHART**  
ATTORNEY AND COUNSELOR-AT-LAW  
SUITE 308-311 SWANK BUILDING  
JOHNSTOWN, PENNA.

BALTIMORE OFFICE SUPPLY CO., BALTIMORE, MD.

IN RE OPENING OF TOWNSHIP : IN THE COURT OF QUARTER  
ROAD IN THE TOWNSHIP OF : SESSIONS OF CAMBRIA COUNTY,  
UPPER YODER, COUNTY OF CAMBRIA : PENNSYLVANIA.  
AND STATE OF PENNSYLVANIA : NO. SEPT. TERM, 1909.

BOND.

Know all men by these presents, that we, Daniel H. Weimer and John K. Miller both of Upper Yoder Township, County of Cambria and State of Pennsylvania, are held and firmly bound unto the County of Cambria, aforesaid in the sum of Fifty (50) dollars, lawful money of the United States, to be paid to the said County of Cambria, to which payment well and truly to be made we bind ourselves, our heirs, executors, and administrators and every of them firmly by these presents. Sealed and dated the 3d day of August, one thousand nine hundred and nine.

The condition of this obligation is such that if the above bounden Daniel H. Weimer and John K. Miller, their heirs, executors, or administrators or any of them shall and do well and truly pay or cause to be paid unto the said Cambria County a sufficient sum to pay for the purpose of viewing of the above mentioned road, when the same is concluded, then this obligation to be void, or else to be a payment in full force and virtue.

D. H. Weimer (Seal)

John K. Miller (Seal)

Signed, sealed and delivered in the presence of

John Vickers  
John J. Miller

# June,  
6 Sept. Sessions 1909

In re Opening  
Public Road in  
Upper Yoder Town-  
ship.

Bond.

Filed 6 September, 1909.

LOCAL PHONE 2150

BELL PHONE 307

**FRANK P. BARNHART**  
ATTORNEY AND COUNSELOR-AT-LAW  
SUITE 308-311 SWANK BUILDING  
JOHNSTOWN, PENNA.

BALTIMORE OFFICE SUPPLY CO., BALTIMORE, MD.

IN RE OPENING OF TOWNSHIP : IN THE COURT OF QUARTER SESSIONS  
ROAD IN TOWNSHIP OF UPPER : OF CAMBRIA COUNTY, PENNSYLVANIA.  
YODER, COUNTY OF CAMBRIA, :  
AND STATE OF PENNSYLVANIA. : NO. SEPTEMBER TERM, 1909.

To the Honorable Francis J. O'Connor, President Judge of  
the Court of Quarter Sessions of Cambria County.

The petition of the undersigned inhabitants of the Town-  
ship of Upper Yoder in the said County respectfully showeth that  
your petitioners labor under great inconvenience for the want of a  
public road or high way to lead from a point at the western end of  
a public road, to wit; the Berkley Road, said point being at the  
junction of the Berkley Road and the Hershberger Road, also a public  
road, both in said Township; said point at the junction of said roads  
being about Two thousand (2000) feet from the residence of John K.  
Miller in the Township of Upper Yoder, aforesaid, to a point on a  
public road in said Township, to wit; the Hochstine Road, said point  
being about Four hundred (400) feet from the residence of Adam  
Kepler in the Township aforesaid, and also being 2024  
feet from where the Millcreek Road, a public road in said Township,  
intersects the said Hochstine Road.

Your petitioners further represent that they served a  
notice of the presentation of this petition to the Court of Quarter  
Sessions of said County, upon the Supervisors of said Upper Yoder  
Township, a copy of which notice is hereto attached and made part  
hereof.

Your petitioners therefore pray the Court to appoint  
proper persons to view and lay out the same according to law.

John B. Milice

Frank Nite's

Harry E. Baskley

Albert D. ...

J. D. Barnhart

Ralph Barnhart

Am. Hershberger

J. R. Miller

D. H. ...

Nelson ...

Charles ...

Bellevue ...

Frank ...

John D. ...

Frank J. ...

S. E. Haynes

Frank ...

W. H. ...

S. H. ...

Chas. ...

John ...

And ...

Wm Keller

George Spaulding

Henry Hapner

Adam Keppeler

J. M. Chandler

E. W. Roberts

G. A. Bradley

Wm. Miskler

Thomas Olive

John C. Ober

John A. Livingston

P. L. Isaac

State of Pennsylvania :  
County of Cambria : SS.

Personally appeared before me, a notary public in and for  
said county, *D.A. Weimer*, who being duly sworn  
according to law, deposes and says that the statements above  
set forth are true and correct.

*D.A. Weimer*

Sworn to and subscribed before me this *2nd* day of *Aug* 1909.

*John A. [unclear]*  
Notary Public.

*Commission expires 2/8/11*

1909

ATTORNEY'S CERTIFICATE.

I certify that the foregoing petition for the appointment of road viewers is lawful and conforms to the purpose of the petitioners, and that the same is regular and in due form.

Frank P. Baruhart  
Attorney for petitioners.

August 3, 1909.

Johnstown, Pa., July 20, 1909.

TO ISAAC D. BARNHART, JOHN PALLISER AND HENRY HOFECKER,  
Road Supervisors of Upper Yoder Township, Cambria County, Pa.

Please take notice that there will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Tuesday, August 3, 1909, at 10:30 o'clock A.M. at Ebensburg Pa., a petition asking for the opening of a public road from the western end of the Berkley Road to a point on the Hochstine Road, all in the said township of Upper Yoder.

Frank P. Barnhart.  
Attorney for Petitioners.

No. 6 June Sessions 1909.

IN RE OPENING OF TOWNSHIP  
ROAD IN THE TOWNSHIP OF  
UPPER YODER, COUNTY OF CAM-  
BRIA, AND STATE OF PENNSYLVANIA

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

NO. SEPT. TERM 1909.

PETITION.

Filed 3 August 1909.

And now August 3,  
1909, Chas. A. Dumas  
Sylvester Varner and Grant  
Bell  
are appointed Viewers  
as within prayed for  
and for the purposes  
therein set forth.

*By the Court*

LOCAL PHONE 2150

BELL PHONE 307

**FRANK P. BARNHART.**  
ATTORNEY AND COUNSELOR-AT-LAW  
SUITE 308-311 SWANK BUILDING  
JOHNSTOWN, PENNA.

BALTIMORE OFFICE SUPPLY CO., BALTIMORE, MD.