

In Re  
CHANGE OF ROAD IN ADAMS TOWNSHIP.

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(  
)  
(

IN THE COURT OF QUARTER SESSIONS OF  
CAMBRIA COUNTY, PENNSYLVANIA.  
No. \_\_\_\_\_, September Sessions, 1911.

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

The petition of the undersigned inhabitants of Adams Township,  
Cambria County, Pennsylvania, respectfully represent:

That under date of March 17th, A. D., 1909, pursuant to a peti-  
tion presented and entered to No. 2, March Sessions, 1909, of the Court of  
Quarter Sessions, and pursuant to report of viewers filed in the said Court  
under date of June 14th, A. D., 1909, which report of viewers was confirmed  
by the said Court under date of November 4th, A. D., 1909, a public road was  
laid out by order of this Court on the 4th day of October, A. D., 1910, be-  
ginning at a point on the Frankstown Road, a public highway, near Lamb's  
Bridge and at a post, and ending at a point 122 feet from Lake Bridge, said  
point being near Lake Bridge on the Township road leading from South Fork to  
Lovett, *in Adams Township, Cambria Co., Pa.*

That the said road has become useless, inconvenient and burden-  
some in its present location and would better and more safely accommodate  
the travelling public by being changed so as to begin and end at the same  
points, but by following a different course between the point where it now  
intersects Lincoln Street in the town of St. Michaels, and the aforesaid  
point near Lake Bridge on the Township road leading from South Fork to  
Lovett:

The petitioners therefore pray the court to inquire of and change the said road, and for such purpose to appoint three (3) persons qualified according to law to view the said road and the ground proposed for the said change, as herein set forth, and to inquire of the premises and make report of their proceedings at the next term of this Court.

Joseph Wingard	_____
Amos G. Blase	_____
J. C. Hardin	_____
J. C. Costlow	_____
M. E. Trotter	_____
J. Watters	_____
Alfred Black	_____
A. D. Hoffmann	_____
Valentin Jawadnig	_____
John Sharp	_____
Geo. Beise	_____
Edd. Blesell	_____
Charles Hebel	_____
A. U. Weaver	_____
S. B. Miller	_____
H. B. Walter	_____
M. Lehman	_____
W. H. Strong	_____
C. P. Penfield	_____
Chas. Newell	_____
Rich Hunter	_____ Supervisor
E. A. Baumgardner	_____ Supervisor
G. W. Shank	_____ Supervisor
_____	_____

STATE OF PENNSYLVANIA, )  
( SS:  
COUNTY OF CAMBRIA, )

On the 31<sup>st</sup> day of July, A. D., 1911,  
*Justice of the Peace*  
before me the subscriber, a ~~Notary Public~~ in and for said County, personally came Archibald L. Block, one of the above named petitioners, 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.

Archibald L. Block

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

Joseph B. Ritchey  
~~Notary Public.~~  
*Justice of the Peace*

AND NOW, August 1st, A. D., 1911, the petition of diverse inhabitants of the Township of Adams, Cambria County, Pennsylvania, was presented, setting forth that they labor under great inconvenience on account of part of a certain public road, <sup>in Adams Township Cambria Co., Pa</sup> beginning at a point on the Frankstown Road, a public highway, near Lamb's Bridge and at a post, and ending at a point 122 feet from Lake Bridge, said point being near Lake Bridge on the Township road leading from South Fork to Lovett, being burdensome and dangerous in its present location; and praying the Court to appoint three (3) disinterested persons, qualified according to law, to view the said road and the ground proposed for a change therein, as set forth in the said petition, and to inquire into the premises and make report of their proceedings at the next term of this Court:

WHEREFORE, the Court, upon due consideration, do appoint

J. L. Elder, E. J. Baumer, Elmer Krise

and \_\_\_\_\_, three (3) persons qualified as aforesaid, who, after being respectively sworn or affirmed to perform their duties impartially and according to the best of their judgment, are to view the ground proposed for the said change, and if they or the majority of them agree that there is occasion for such change, they shall proceed to make the same, having respect to the shortest distance and the best ground for a road to supply the said part of the said road, and in such manner as shall do the least injury to private property; and if practicable, the viewers, if they determine to vacate and supply the said part of the said road, shall lay out the part supplied at an elevation not exceeding five (5) degrees, except at the crossing of ravines or streams where by modern bridging or filling the declination thereof may be preserved within this limit.

And before said view, public notice of the time and place of meeting of the viewers shall be given by advertisements put up in three or more public places of the vicinity, at least ten days before the said meeting, and written or printed notice of said time and place of meeting shall be given to the Supervisors of the townships through which the said original road may pass, at least five days, and to the County Commissioners, at least ten days, before said meeting.

The said viewers shall make report at the next term of Court, stating particularly who of them were present at the view, and whether they were severally sworn or affirmed, whether the desired vacation and supply be necessary, and shall annex to their report and return to the Court a plot or draft of said vacation and supply, stating the courses and distances and noting briefly the improvements through which the same may pass.

If the viewers shall decide in favor of the said vacation and supply, they shall also endeavor to procure from the owners of lands through which the same shall pass, releases in writing of all claims to damages that may arise therefrom, and if they fail to procure such releases they shall assess the damages, if any to be done thereby, taking into consideration the advantages to be derived from the road passing through said lands, and return the same, together with the releases obtained, to the Court.

  
By the Court

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

No. *5* *June* ~~September~~ Sessions, 1911

*R.S.*

In Re

CHANGE OF ROAD IN ADAMS TOWN-  
SHIP.

Petition and Order for  
Change of Road.

*Filed 1 August, 1911.*

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

PETER PAUL & SON, BUFFALO

STATE OF PENNSYLVANIA)  
(SS:

County of Cambria )

On this 31st day of July, A. D. 1911, before me, the subscriber, an Alderman in and for the city of Johnstown, County and State aforesaid, personally came R. M. Mullen, who being by me duly sworn according to law did depose and say that he served the attached notice upon B. M. Hunter, E. W. Baumgardner and L. W.

Shank, Supervisors of Adams Township, Cambria County, Pennsylvania, this 31st day of July, A. D. 1911, by handing them a true copy of said notice and by making the contents thereof known to them, and that the attached notice is a true copy of the one served upon the afore named Supervisors of Adams Township, Cambria County, Pennsylvania.

R. M. Mullen

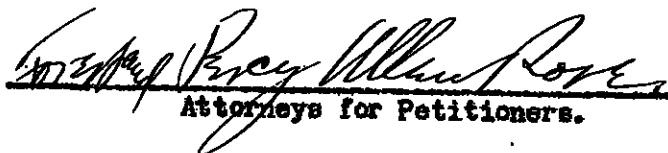
Sworn and subscribed to before me, the day and year aforesaid, as witness my hand and official seal.

M. P. Brennan  
Alderman.

Notary Public for Pennsylvania

TO THE SUPERVISORS OF ADAMS TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

You are hereby notified that a petition of diverse inhabitants of the Township of Adams, Cambria County, Pennsylvania, will be presented to the Court of Quarter Sessions of Cambria County, at Ebensburg, at 11:00 o'clock A. M., Tuesday, August 1st, A. D., 1911, for the vacation and supply of a road in Adams Township, Cambria County, Pennsylvania, beginning at a point on the Frankstown Road, a public highway, near Lamb's Bridge and at a post, and ending at a point 122 feet from Lake Bridge, said point being near Lake Bridge on the Township road leading from South Fork to Lovott.

  
Attorneys for Petitioners.

Johnstown, Pa., July 27th, 1911.

STATE OF PENNSYLVANIA)  
(SS:  
County of Cambria )

On this 31st day of July, A. D. 1911, before me, the subscriber, an Alderman in and for the City of Johnstown, Cambria County, Pennsylvania, personally came L. Verde Rhue, who being by me duly sworn according to law did depose and say that he served a copy of the attached notice on the County Commissioners on the 27th day of July, A. D. 1911, by forwarding the same to the said County Commissioners by registered mail from Johnstown, Cambria County, Pennsylvania, and that the attached is a true copy of the notice forwarded the said County Commissioners by registered mail as aforesaid.

L. Verde Rhue

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

M. P. Brimmer  
Alderman.

TO THE COMMISSIONERS OF CAMBRIA COUNTY:

You are hereby notified that a petition of diverse inhabitants of the Township of Adams, Cambria County, Pennsylvania, will be presented to the Court of Quarter Sessions of Cambria County, at Ebensburg, at 11:00 o'clock A. M., Tuesday, August 1st, A. D., 1911, for the vacation and supply of a road in Adams Township, Cambria County, Pennsylvania, beginning at a point on the Frankstown Road, a public highway, near Lamb's Bridge and at a post, and ending at a point 122 feet from Lake Bridge, said point being near Lake Bridge on the Township road leading from South Fork to Lovett.

  
Attorneys for Petitioners.

Johnstown, Pa., July 27th, 1911.

STATE OF PENNSYLVANIA, )  
                                  ( SS:  
COUNTY OF CAMBRIA, )

On the 24 day of Sept. ~~August~~, A. D., 1911, before me the subscriber, a Notary Public in and for said County, personally came Elmer Krise, one of the viewers of the within view, who being by me duly sworn according to law did depose and say that he served the within notice on Emmanuel Pongardner, Louis Shank, and Barney Hunter, Supervisors of Adams Township, Cambria County, Pennsylvania, on the 26th day of August, A. D., 1911, by leaving a copy thereof with each of the said Supervisors.

E A Krise

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

Sara Stroup  
Notary Public.

My Commission Expires end of  
Next Session of Senate.

No. 5 June Sessions 1911

In re vacation and  
supply road in  
Adams Township,  
Cambria County,  
Pennsylvania.

Filed Sept 1911

Forstner & Percylle & Rose.

RECEIVED



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."

1911  
 NO. 5 JUNE SESSION, 1907

Order to view vacate and supply

road in Adams Township

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Viewers.

J. L. Elder  
 E. J. Baumer  
 Elmer Krise

Clerk Kirkhead 90 cts.

F. & P. A. Rose

To the Honorable Francis J. Obermer President  
Judge of the Court of Quarter Sessions of Cambria  
County Pennsylvania

We the undersigned viewers appointed by the  
aforesaid order do report That in pursuance thereof  
after having been severally duly sworn or affirmed to  
perform our duties impartially and to the best  
of our judgment and having given due public notice  
as required by law and having served Copies of said  
notices upon the supervisors of the territory through  
which such new road is laid out and also upon the  
County Commissioners of said County properly attested  
Copies of said notice being hereto attached all the viewers  
appointed by said order viewed the ground proposed  
for the within mentioned road and do agree that  
there is occasion for vacating and supplying  
part of the Public road from a point on the Frankston  
Road a public highway near Lamb's Bridge and at a point  
and ending at a point 122 feet from Lake Bridge  
and 1316 feet from where this road intersects the  
road from South Fork to Lovett We have vacated  
the following road to wit beginning on the  
aforesaid mentioned road when it now intersects with  
Lincoln Street thence South forty one degrees and twenty  
minutes East four hundred and eighty nine feet thence South  
twenty four degrees and twenty seven minutes West two hundred  
and fifty four feet ~~thence~~ thence South twenty seven  
minutes West one hundred and forty two feet

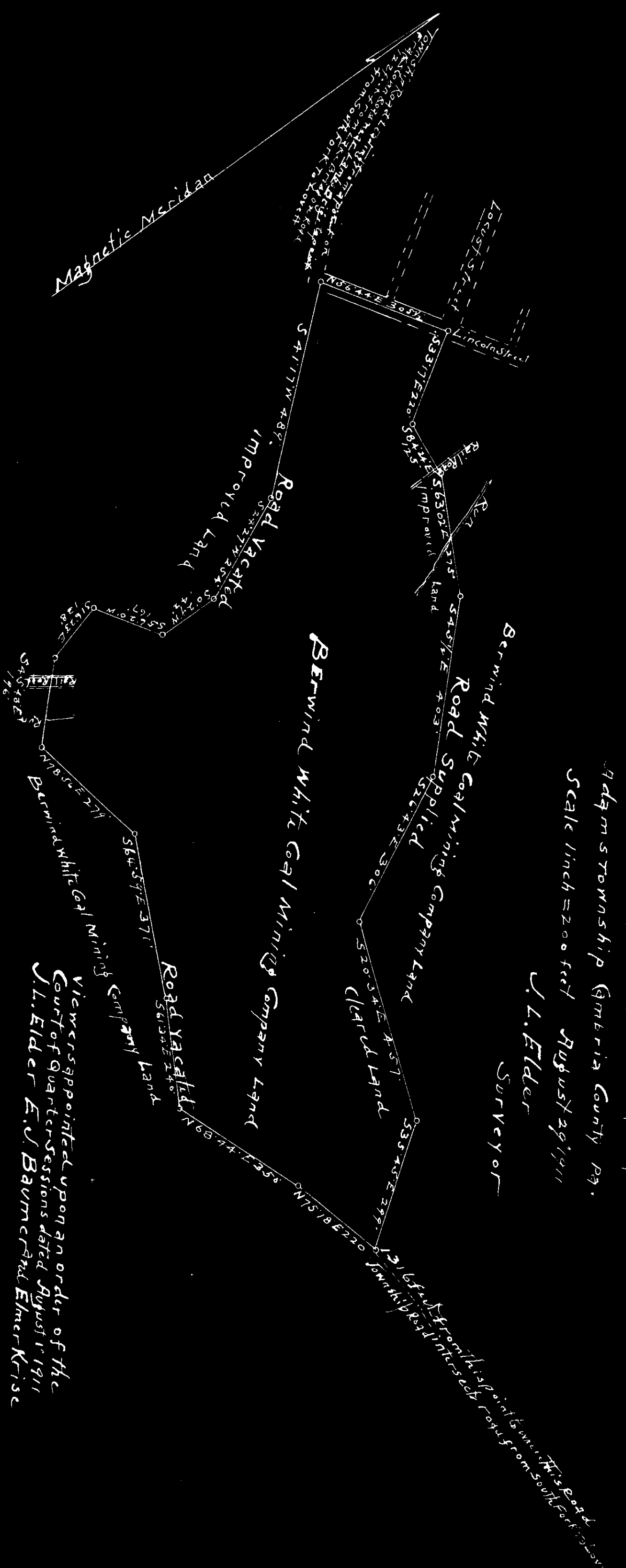
Then South fifty six degrees and twenty minutes  
West one hundred and sixty seven feet Then  
South sixteen degrees and twenty three minutes East  
one hundred and thirty eight feet Then South  
forty five degrees and forty three minutes East  
one hundred and ninety six feet Then South  
twenty eight degrees and fifty six minutes  
East two hundred and twenty nine feet Then  
South fifty four degrees and fifty nine minutes  
East three hundred and twenty one feet  
Then South sixty one degrees and thirty four  
minutes East two hundred and forty feet Then  
North sixty eight <sup>degrees</sup> and forty four minutes East  
three hundred and fifteen feet Then North  
twenty five degrees and eighteen minutes East  
two hundred and twenty feet to a point 1316  
feet from when this road intersect said road  
from South fork to Lovett. And we have  
sufficed viewed and laid out and do return for  
public use the following road to wit Beginning  
on the afor said road when it now intersects  
Lincoln Street Thence down Lincoln Street North  
fifty six degrees and forty four minutes East three  
hundred and five and one half feet Then South thirty  
three <sup>and twenty nine</sup> degrees East two hundred and twenty feet  
Then South eighty four degrees and twenty four  
minutes East one hundred and twenty five feet  
Then South sixty three degrees and two minutes East

two hundred and seventy five feet thence south  
 forty five and one half degrees East four  
 hundred and three feet thence south twenty  
 six degrees and forty three minutes East three  
 hundred and sixty feet thence south twenty degrees  
 and thirty four minutes East four hundred and  
 fifty seven feet thence South thirty five  
 degrees and forty five minutes East two hundred  
 and ninety nine feet to a point in said road  
 1316 feet to the intersection of where said road intersects  
 said road from South fork to Forest The road  
 passes through land of Berwind White Coal Mining Company

No damages claimed said road  
 as aforesaid laid out we are of the opinion  
 is necessary for a public road and  
 recovered the same a plot or draft  
 is herewith attached and made  
 part of this report witness our  
 hands & seal this 29th day of August  
 1911

J. L. Elder  
 E. A. Kiser  
 E. J. Baumer

J. L. Elder	2 days	\$10.00
"	"	2.90
E. A. Kiser	1 day	3.00
E. J. Baumer	1 day	3.00
"	"	.50
		<u>19.50</u>

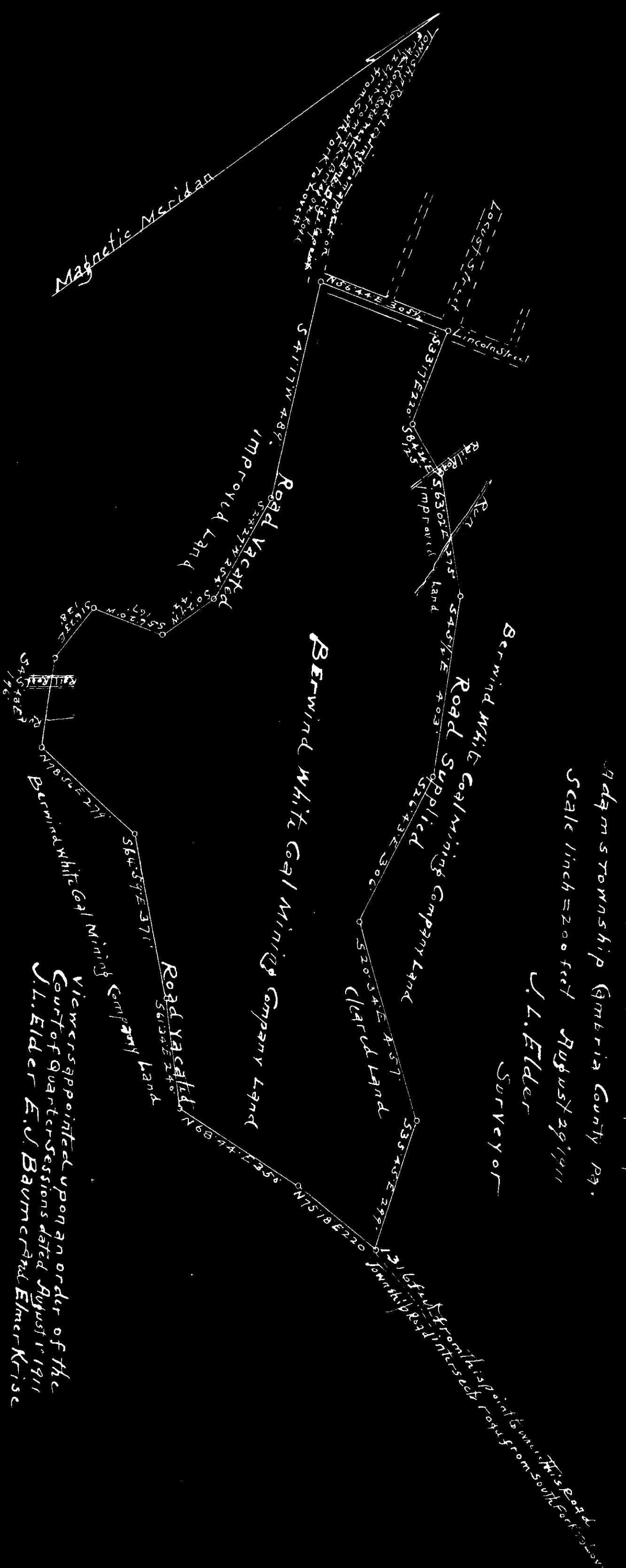


Plan of the proposed public road in  
 Adams Township Embury County Pa.  
 Scale 1 inch = 200 feet August 29 1911  
 J.L. Elder  
 Surveyor

Viewers appointed upon an order of the  
 Court of Quarter Sessions dated August 11 1911  
 J.L. Elder E.V. Baumgardner Elmer Krise

Berwind White Coal Mining Company Land  
 Road Supplied  
 Road Vacated  
 Clearld Land  
 Road Vacated  
 Road Supplied  
 Road Vacated  
 Road Supplied

Magnetic Meridian

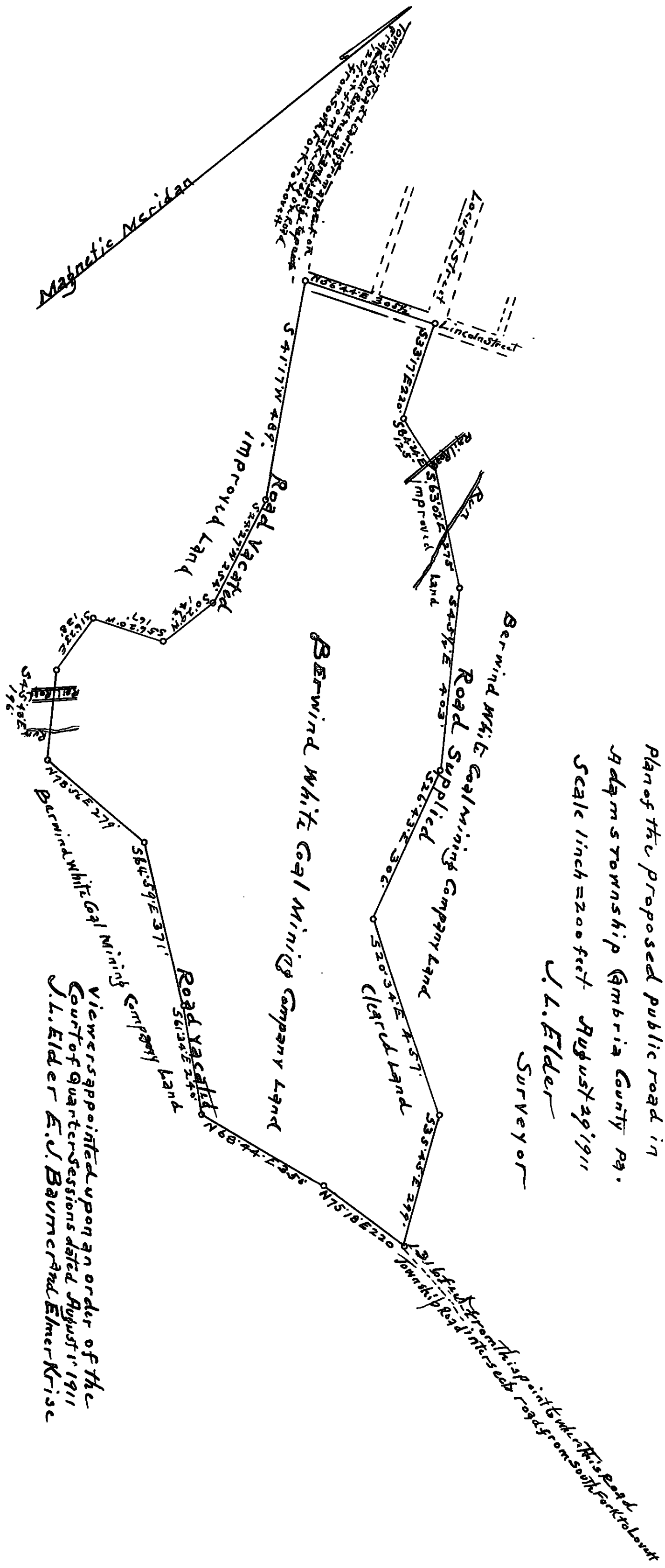




*Duplicate*

Plan of the proposed public road in  
 Adams Township (Gambria County Pa.)  
 Scale 1 inch = 200 feet August 29 1911

J. L. Elder  
 Surveyor



ORDER TO VIEW, VACATE AND SUPPLY )  
ROAD IN ADAMS TOWNSHIP, CAMBRIA ( )  
COUNTY, PENNSYLVANIA. )

IN THE COURT OF QUARTER SESSIONS OF  
CAMBRIA COUNTY, PENNSYLVANIA.  
No. 5, June Sessions, 1911.

TO THE COMMISSIONERS OF CAMBRIA COUNTY, PENNSYLVANIA:

Notice is hereby given that pursuant to our appointment by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view for the purpose of determining upon the vacation and supply of a part of a public road in Adams Township, Cambria County, Pennsylvania, beginning at a point on the Frankstown Road, a public highway, near Lamb's Bridge and at a post, and ending at a point 122 feet from Lake Bridge, said point being near Lake Bridge on the Township road leading from South Fork to Lovett, we will meet for the purpose of performing the duties of said appointment at \_\_\_\_\_

*St. Michael*

on the 29<sup>th</sup> day of August, A. D., 1911, at 10 o'clock, A. M.

*J. L. Elder*  
*E. J. Baumer*  
*E. A. Kiser*

VIEWERS.

*Service accepted for County Commissioners*  
*Aug 18-1911* *L. E. Troppel*  
*bluk*

ORDER TO VIEW, VACATE AND SUPPLY )  
ROAD IN ADAMS TOWNSHIP, CAMBRIA ( )  
COUNTY, PENNSYLVANIA. )

IN THE COURT OF QUARTER SESSIONS OF  
CAMBRIA COUNTY, PENNSYLVANIA.  
No. 5, June Sessions, 1911.

TO THE COMMISSIONERS OF CAMBRIA COUNTY, PENNSYLVANIA:

Notice is hereby given that pursuant to our appointment by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view for the purpose of determining upon the vacation and supply of a part of a public road in Adams Township, Cambria County, Pennsylvania, beginning at a point on the Frankstown Road, a public highway, near Lamb's Bridge and at a post, and ending at a point 122 feet from Lake Bridge, said point being near Lake Bridge on the Township road leading from South Fork to Lovett, we will meet for the purpose of performing the duties of said appointment at \_\_\_\_\_

St. Michael

on the 29<sup>th</sup> day of August, A. D., 1911, at 10 o'clock, A. M.

J. L. Elder  
E. J. Bennett  
E. A. Kist

VIEWERS.