

R E P O R T   O F   V I E W E R S .

TO, THE HONORABLE M. B. STEPHENS, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PA. :-

We, the undersigned, Members of the Board of Viewers of Cambria County, appointed by your Honorable Court to view a certain piece of road in Adams Township, Cambria County, Pa. for the purpose of determining as to the propriety of vacating the same, which said piece of road is more fully described in the order of Court hereto attached, respectfully report:-

That in pursuance of said order, after having given due public notice of the view and of the time and place of meeting of the Viewers, to the County Commissioners of Cambria County and the Supervisors of Adams Township by having them accept service of notices and to the traveling public by printed handbills posted in public and conspicuous places at and near the termini of the said road; All of us met in accordance therewith and having been first duly qualified according to law to faithfully, impartially and to the best of our ability perform the duties of our appointment we viewed the premises and are of opinion that the said road; a draft or plot of which is hereto attached and made a part of this report; is no longer necessary for a public road.

Said piece of road above referred to begins at a point on the road leading from Salix to Lovett, near land of one Varner and extends thence S. 50 degrees 30 minutes E. 170 feet, thence N. 74 degrees 15 minutes E. passing the residence of R. Smay, thence continuing through woodland S. 61 degrees 15 minutes E. 262 feet, thence S. 47 degrees E. 274 feet, thence South 255 feet, thence S. 28 degrees 30 minutes W. 230 feet, thence crossing the P. R..R. tracks S. 6 degrees W. 70 feet, thence S. 23

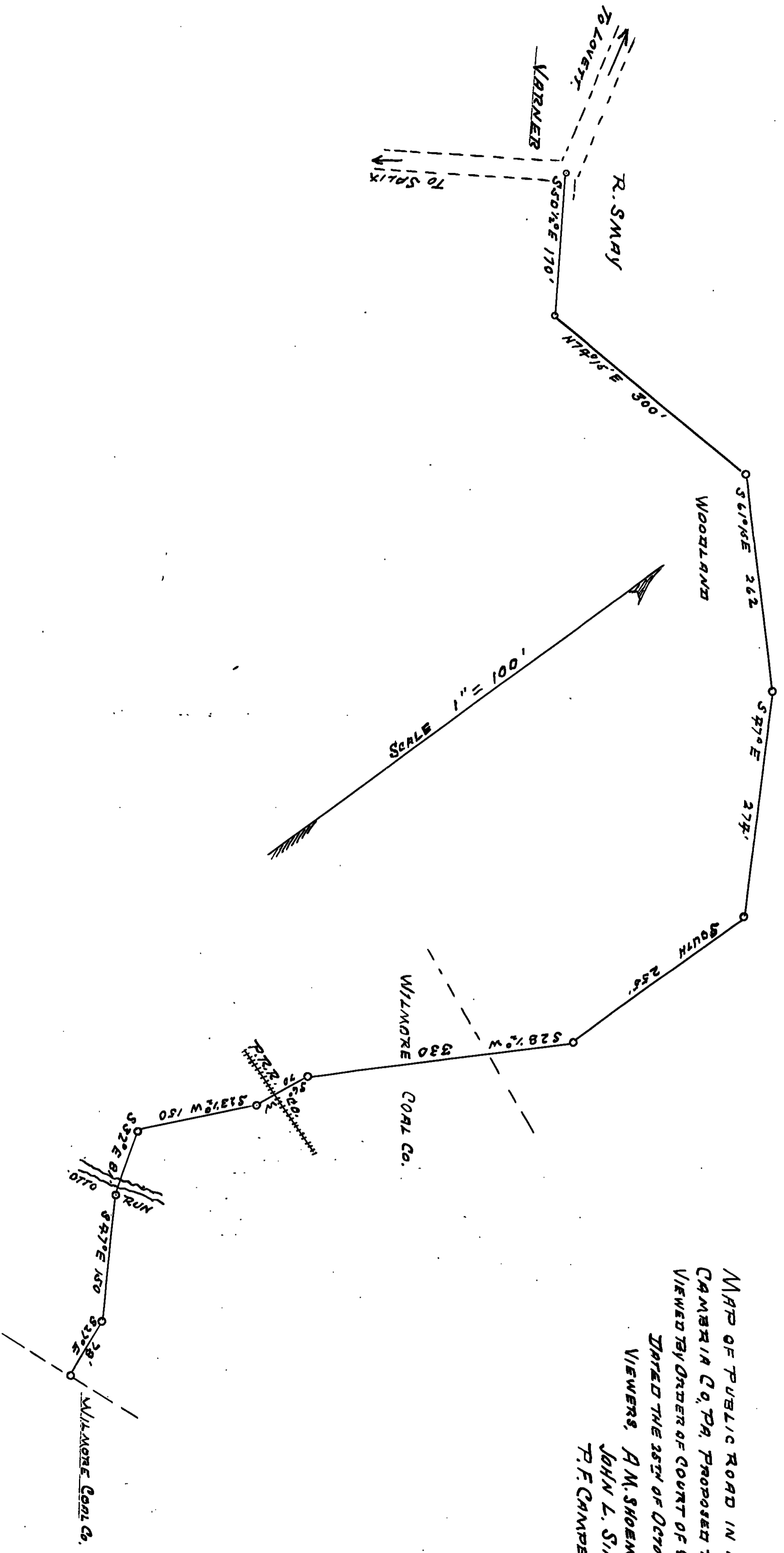
degrees 30 minutes W. 150 feet, thence crossing Otto Run S. 32 degrees E. 81 feet, thence S. 47 degrees E. 150 feet, thence S. 27 degrees E. 78 feet, ending on property of the Wilmore Coal Company; which said road has long since fallen into disuse as a public highway and owing to the heavy grade, the rough ground through and over which the same is laid out and the necessity of keeping up a bridge over Otto Run, necessitates the expenditure of more money than is reasonable that the taxpayers should be required to bear, since the said road is of no particular benefit to the public and of special benefit to but the Wilmore Coal Company.

Witness our hands this thirtieth day of November, A. D., 1912.

*Cost of View*

P. F. Campbell  
A. M. Shoemaker  
J. L. Singer  
 Viewers.

P. F. Campbell  
 2 days 10.00  
 Expenses ~~2.20~~  
 -----  
 A. M. Shoemaker  
 Lifting Order .90  
 2 1/2 Days 12.50  
 Transportation &  
 board ~~2.30~~  
 -----  
 J. L. Singer  
 1 day 5.00  
 Expenses ~~2.95~~



MAP OF PUBLIC ROAD IN ADAMS TWP.  
 CAMBRIA CO., PA. PROPOSED TO BE VACATED  
 VIEWED BY ORDER OF COURT OF QUARTER SESSIONS  
 HELD THE 25<sup>TH</sup> OF OCTOBER 1912  
 VIEWERS, A.M. SHOEMAKER  
 JOHN L. SINGER  
 T.F. CAMPBELL

# ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground *& determine as to the propriety of vacating a certain public road in Adams Twp., Cambria Co., Pa.* Which said road begins at the intersection of a public road leading from *Palix to Lovett,* crossing the P. R. R. right-of-way at grade and ending at the residence formerly of *David Hubert, now the Wilmore Coal Co.* 12130 ft from its place of beginning and is said to have become unnecessary as a public highway

will meet at the *place of beginning above noted* in the Township of *Adams* aforesaid, on the *21st* day of *November* 1912, at *9:30* o'clock *A.M.* for the purpose of viewing said ground.

*A. M. Shoemaker*  
*P. F. Campbell*  
*John L. Singer*  
Viewers.

*Nov, 8th* 1912

Now, Nov 8 1912, Service of the within  
notice accepted for the Commissioner  
of Cambria Co., Pa. —

H. E. Trofoll  
Comm. Clerk

# ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground & determine as to the propriety of vacating a certain public road in Adams Twp, Cambria Co., Pa. which said road begins at the intersection of a public road leading from Solix to Lovett, crossing the P. N. W. right-of-way at grade, and ending at the residence formerly of David Hubert, about the Wilmore Coal Co. 2130 ft. from its place of beginning, and is said to have become unnecessary as a public highway.

will meet at the place of beginning, above noted, in the Township of Adams aforesaid, on the 2<sup>nd</sup> day of November 1912, at 9:30 o'clock A.M. for the purpose of viewing said ground.

G. M. Shoemaker  
P. F. Campbell  
John L. Singer  
Viewers.

Nov, 8<sup>th</sup> 1912.

Now, Nov, 1912, Service of the within  
notice accepted by the undersigned  
Supervisors of Adams Township,  
Cambria Co., Pa

Barney Hunter  
E W Baumgardner  
D W Broad  
Supervisors

# ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground

*determine as to the propriety of vacating a certain public road in Adams Twp, Cambria Co, Pa. — Which said road begins at the intersection of a public road leading from Salix to Lovett, crossing the P. N. V. right of way at grade; and ending at the residence formerly of David Hubert, now the Wilmore Coal Co. 2130 ft from its place of beginning — and is said to have become unnecessary as a public highway*

will meet at the *place of beginning above noted*, in the Township of *Adams* aforesaid, on the *21<sup>st</sup>* day of *November* 1912, at *9:30* o'clock *a.m.* for the purpose of viewing said ground.

*A. M. Shoemaker*  
*P. F. Campbell*  
*John L. Ginger*  
Viewers.

*Nov, 8<sup>th</sup>* 1912

*A*

21

*C*

Commonwealth of Pennsylvania, }  
County of Cambria. } ss

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the... 25 ..... day of October ..... A. D. 1902 , before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Adams .....

....., in the said County, setting forth that they labor under inconvenience for want of a Public..... road or highway, to lead from the intersection of a public road leading from Salix to Lovett, crossing the Pennsylvania Railroad Company's right-of-way at grade, and ending at the residence formerly of David Hubert, now Wilmore Coal Company, at a distance of two thousand one hundred thirty feet, from its place of beginning.....

and therefore praying the Court to appoint proper persons to view and <sup>vacate</sup> ~~lay out~~ the same according to law. The Court, upon due consideration had of the premises, do order and appoint

..... A. M. Shoemaker Esq. surveyor, and..... John L. Singer P. F. Campbell.....

viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is <sup>vacating</sup> ~~is~~ occasion for such road, they shall proceed to <sup>vacate</sup> ~~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:

..... D. D. Kinkead, 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."

RECORDED & INDEXED  
MAY 19 1913  
CLERK OF SUPERIOR COURT

NO. 8, September, SESSION, 1902

Order to view to vacate road.

in Adams Township

~~Filed~~

Filed 4 December, 1912.

in open court.

Viewers.

A. W. L. [unclear]

John L. [unclear]

C. F. [unclear]

Clerk 90 cts.

C. Charles C. Green.

GREEN-DEBO VOUCHER-REFOLD ELECTRO PRINT.

Certified MAY 19 1913 C.C.G.

4 Dec. 1912. Approved.

By the Court

Wed 8 Sept 1912

P. F. Campbell

2 Days

30 miles Postage to Dunde & return 1.50

Sivery hire from Dunde  
to place of view ✓ 1.00

A. M. Shoemaker 2.50

Lifting order

2 1/2 Days

48 Ebensburg to Salix & return 2.40

Sivery hire to view 1.00

✓

In the Court of Quarter Sessions of Cambria County.

In re *Petition to vacate road* } No. *8*, *Sept* Sessions, 19*02*  
in

ROAD DOCKET.

*Adams* Township.

Costs of view.

*P. F. Campbell* ..... *2* days and ..... miles, \$ *12.00*

*A. M. Shoumaker* ..... *2 1/2* days and ..... miles, \$ *15.70*

*J. L. Singer* ..... *1* days and ..... miles, \$ *7.95*

..... days Chainman ..... \$

*35.85*

..... days and ..... miles, \$

From the Record,

Certified *9 Dec* ....., 19*02*.

*D. A. Rinkhead*

Clerk Q. S.

TO THE HONORABLE MARLIN B. STEPHENS,  
PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY:

The petition of the undersigned inhabitants of the Township of Adams, in the County aforesaid, respectfully represents:

That by proceedings in the said Court of Quarter Sessions, to No..... Term, 18 , a certain public road was retained and laid out, beginning at the intersection of a public road leading from Salix to Lovett, crossing the Pennsylvania Railroad Company's right-of-way at grade, and ending at the residence, formerly of David Hubert, now Wilmore Coal Company, a distance of two thousand one hundred thirty (2130) feet, from its place of beginning.

Your petitioners, therefore, pray the Court to appoint three persons, qualified according to law, to inquire of and vacate the aforesaid public road between the termini herein mentioned; and make report of their proceedings according to law.

A. R. Houghton  
G. H. Baker  
H. J. ...  
Harvey J. ...  
D. J. ...  
Edna ...

J. H. Livingston  
W. O. ...  
Thos. ...  
H. E. ...  
W. H. ...  
Leah ...  
Barney Hunter

Cambria County, ss:

Personally appeared before me, the undersigned authority, Barney Hunter, one of the petitioners above named, who being duly affirmed according to law, deposes and says that the statements made in the foregoing petition are true and correct.

Barney Hunter

Affirmed and subscribed before me this seventeenth day of 17 October, A. D. 1913.

J. H. Fouch, J. P.  
Notary Public.  
My commission expires

MY COMMISSION EXPIRES  
FIRST MONDAY MAY 1913.

We, the undersigned Board of Supervisors of Adams Township hereby accept service of notice of intention to present a petition on the Twenty-second day of October, 1913, for the vacation of the hereinbefore mentioned road, to No....., December Sessions, 1913.

Barny Hunter  
E. W. Bumpgar  
D. W. Kado  
Board of Road Supervisors of  
Adams Township.

The County Commissioners hereby accept service of notice of presentation of the foregoing petition.

L. C. Howell  
Clerk of County Commissioners

We, the undersigned Board of Supervisors of the Township of Adams, hereby accept service of notice of view to vacate the hereinbefore mentioned road, to No....., December Sessions, 1912.

Barnes J. Hunter

E. W. Baumgardner

D. W. Rhoads

Board of Road Supervisors  
of Adams Township.

In the Court of Quarter Sessions  
of Cambria County, Pa.  
No. 8.....Dec. Term, 1912.

PETITION to Vacate Public  
Road, in Adams Township,  
Cambria County, Pa.



*Filed 25 October 1912*

And Now, the 23rd day of  
October, the within petition  
read and the Court appoint

*A. M. Shoemaker & John L.  
Surgeon Genl. P. H. Campbell*

viewers, to view and make  
report on the within petition  
according to law.

*By the Court*

Witness my hand this 25th day of October, 1912.

CHARLES C. GREER  
LAWYER  
JOHNSTOWN, PA.