

In the Court of Quarter Sessions of Cambria County, Pennsylvania.

Of the September Term, 1912. No. _____.

To the Honorable Marlin Bingham Stephens, President Judge of the
said Court:

The petition of the undersigned, inhabitants of the Township of Lower Yoder, in the said County, respectfully showeth: That your petitioners labor under great inconvenience for want of a public road or highway, in the Township of Lower Yoder, to begin at a point in the public road known as Decker Avenue eight feet distant in a Westerly direction from the intersecting of said Decker Avenue by the public road known as Strayer Street, and extending thence to a point in the public road known as Vine Street three hundred and thirty two feet distant in a Westerly direction from the intersecting of said Vine Street by the public road known as Sheridan Avenue.

Your petitioners therefore pray the court to appoint proper 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.

Frank Yocum
John Yocum
H. J. Timmeny
Charles H. Niglic
Thomas A. Nicodemus
F. A. Shorchtan
Gene A. James
J. W. Miller
Blair J. Nicodemus
Blair P. Hancock
E. M. Newbert
W. H. Ackerman

J. R. Bauman
Patrick Bauman
John P. Bauman
M. R. McKeith
John Bauman
John St. Clair
Clyde Davis
M. J. Lombard
Rail Lambert
Herman Kasoldig
H. B. Blair
H. W. Smith

L. Herzog
Robert Palm
W. B. Carrington
Lewis B. Colvin
D. H. Baumgardner
A. G. Barney
W. L. Hampton
R. C. H. H. H. H.
J. B. Baxter
Beynon Burley
William H. H. H.
Samuel Stiller
J. H. Elliot
Geo. L. Jordan
W. F. H. H. H.
H. H. H. H.
John Hancock
A. H. H. H.
M. A. Homer
Sam. C. Rager
Lo. J. Altman
D. A. Rager
J. P. Yager
J. H. H. H.
Albert H. H.

State of Pennsylvania, :
 :SS.
Cambria County. :

Before me, the subscriber, one of the justices of the peace in and for the said county, personally appeared Reese James who, having been duly sworn according to law, doth depose and say that the facts set forth in the foregoing petition are true to the best of his knowledge and belief.

Reese James

Sworn and subscribed before me this 3rd day of Sept., 1912.

Robt. Higdon
Justice of the Peace.

My Commission Expires Jan. 1916.

ORDER.

And now, to wit, September // , 1912, upon the petition of divers inhabitants of the Township of Lower Yoder, in the County of Cambria, setting forth that THEY labor under great inconveniences for want of a public road or highway in the Township of Lower Yoder, to begin at a point in the public road known as Decker Avenue eight feet distant in a westerly direction from the intersecting of said Decker Avenue by the public road known as Strayer Street, and extending thence to a point in the public road known as Vine Street three hundred and thirty two feet distant in a westerly direction from the intersecting of said Vine Street by the public road known as Sheridan Avenue, AND THEREFORE PRAYING the court to appoint proper persons to view and lay out the same, according to law; the court, on due consideration, do order and appoint A. M. Shorwaker, John L. Singer, and P. T. Campbell, who after being respectively sworn to perform the duties of their appointment impartially and to the best of their judgment, are to view the ground proposed for the said road; and if they agree that there is occasion for such a road, they shall proceed to lay out the same, as agreeable to the desires of the petitioners as may be, having respect to the best ground for a road and the shortest distance, and in such a manner as to do the least injury to private property: and shall make report of their proceedings to the next Court of Quarter Sessions to be held for the said County, stating particularly whether they judge the same necessary for a public road; and furnish with said report a plot or draft of said road, and the courses and distances, together with references to the improvements through which it may pass.

By the Court

Sept. Sessions 1912

In the Court of Quarter Sessions
of Cambria County.

No. 3, September Sessions 1912

In re Petition by Citizens of
Lower Yoder Township for the
appointment of Viewers for a

public road or highway in the
Township of Lower Yoder, to begin
at a point in Decker Avenue, etc
and ending at a point in Vine St,
etc.

Filed, September, 9, 1912

Filed 8 Oct 1912

Certified DEC 23 1912, G.G.

Geo. C. Keim, Attorney for
Petitioners.

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 and determine as to the necessity of a public road in Lower Yoder Township, Cambria County, Pa., as noted 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 Lower Yoder Township, two of whom were present at the view, and the public generally by printed handbills, posted in public and conspicuous places at and near the terminic of the proposed new road: All of us met in accordance with the notices so given and having been first duly qualified according to law to perform the duties of our appointment faithfully, impartially and according to the best of our ability; we viewed the premises and are of opinion that for the convenience of the public, a public road is necessary connecting the points noted in the attached order and accordingly, we proceeded to lay out the route which would do the least injury to private property and at the same time, be as far as practicable, agreeable to the desire of the Petitioners.

Said road as laid out; A plot or draft of which is hereto attached and made a part of this report; takes the following courses and distances, viz:- Beginning at a point on Decker Avenue where the same is intersected by Strayer Street and the Westmorland Pike and running thence N. 5 degrees E. 50 feet, thence N. 49 degrees 30 minutes E. 1500 feet along a private road already in use by a great many of the Citizens of the Township, thence

through a plot of ground owned by _____ which is laid out in lots and to whom the viewers assess no damages, N. 59 degrees 30 minutes E. 458 feet, thence S. 27 degrees E. 300 feet, thence N. 64 degrees E. 190 feet to Vine Street; which said route will do no injury to private property and at the same time meet the desire of the Petitioners.

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

P. F. Campbell

A. M. Shoemaker

J. L. Singer
Viewers.

Cost of View -

P. F. Campbell
2 Days \$10.00
Expenses ~~4.00~~

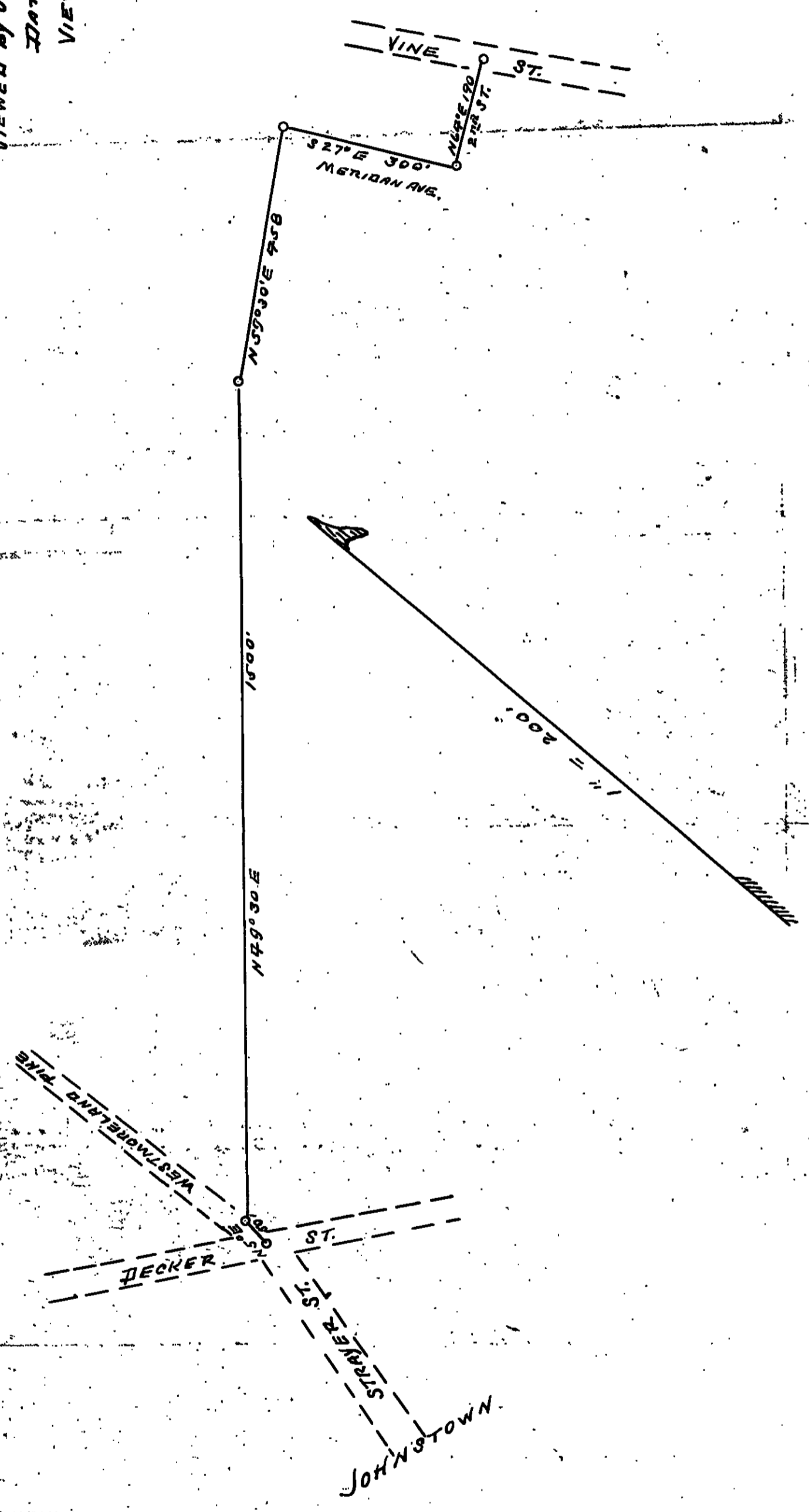
A. M. Shoemaker
2 1/2 Days 12.50
Care of removal ~~4.00~~
Lifting Order 90

J. L. Singer
1 Day — 5.00
Horse hire & dinner ~~5.00~~ 4.00

Benj. Smith
Chairman 1.50

Henry Schmidt
Chairman 1.50

MAP OF PROPOSED PUBLIC ROAD, SITUATE IN
 LOWER YODER TWP, CAMBRIA COUNTY PA.
 VIEWED BY ORDER OF COURT OF QUARTER SESSIONS,
 DATED THE 23RD OF OCTOBER 1912.
 VIEWERS, A.M. SHOEMAKER
 JOHN L. SINGER
 P.F. CAMPBELL



ROAD NOTICE

Notice is hereby given that the Viewers, appointed by the Court of Quarter Sessions to view the ground for a public road to begin at the intersection of a public road known as Decker Ave. with the public road, known as Strayer St. and to end at a point in the public road, known as Vine St. 33.2 ft westward from the intersection of Vine St. with the public road known as Sheridan St. Being wholly within the Twp of Lower Yoder, Cambria Co., Pa.

will meet at the place of beginning above noted, in the Township of Lower Yoder aforesaid, on the 25th day of October 1912, at 9:45 o'clock a.m. for the purpose of viewing said ground.

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

Oct. 11th 1912

Now, Oct. 12, 1912., Service of the
within notice accepted for the
County Commissioners of Cambria
County, Pa. -

L. E. Howell
com. clerk

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.... 8th day of..... October..... A. D. 1902 , before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of... Lower Yoder....., in the said County, setting forth that they labor under inconvenience for want of a..... Public..... road or highway, to lead from
begin at a point in the Public road known as Decker Avenue eight feet distant in a Westerly direction from the intersecting of said Decker Avenue by the Public road known as Strayer Street, and extending.... thence to a point in the public road known as Vine Street there hundred and thirty-two feet distant in a Westerly direction from the intersecting of said Vine Street by the public road known as Sheridan ~~Street~~ Avenue.....

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

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:

A. J. Kirkead, 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."

NO3 September Session, 1902

Order to view public road in
Lower Yoder Twp. to begin
at point in Decker Ave. and
ending at a point in Vine Street

Filed 4 December, 1912.
in open court

Viewers.
A. M. Shoemaker
P. E. Campbell
John L. Singer

Clerk paid by A. J. S. \$90 cts.
Keim.

BRUNNEN MOUNTAIN-HERALD ELECTRIC PRINT.

Certified MAY 19 1913 C. G.

4 Dec. 1912. Approved and breach fixed at thirty feet.
By the Court

In the Court of Traders Sessions
of Cambria County.

No 3 Septembe Term 1912

In re Petition for the
Appointment of Veins
for a public road
in Union Twp Township
to begin at a point on
Decker Ave, etc and
ending at a point on
Vine St, etc

Sworn certificate of
service of Notice of
Presentation of Petition
upon Township
Supervisors, with
copy of notice

~~Filed & D 1912~~

Filed & D 1912

CLERK OF COURT

FILED IN CASE NO. 3
SEPTEMBER 11 1912
CLERK OF COURT

Sept 11 1912

FILED

In the Court of Quarter Sessions of Cambria County.

In re Guard Rails No. 1 Sept Sessions, 1902
in

ROAD DOCKET.

Rochland Township.

Costs of view.

P. F. Campbell 4 days and miles, \$ 22.50

A. M. Shoemaker 3 1/2 days and miles, \$ 23.25

J. L. Swiger 2 days and miles, \$

..... days Chainman \$ 15.80

..... days and miles, \$

61.55

From the Record,

Certified Dec. 5 , 1902

D. D. Kinkead

Clerk Q. S.

In the Court of Quarter Sessions of Cambria County.

In re road in Lower Yoder Township. No. 3, Sept. Sessions, 1902.

ROAD DOCKET.

Costs of view.

<u>C. F. Campbell</u>	<u>2</u> days and <u> </u> miles,	\$ <u>11.40</u>
<u>A. M. Shoemaker</u>	<u>2 1/2</u> days and <u> </u> miles,	\$ <u>14.88</u>
<u>J. L. Singer</u>	<u>1</u> days and <u> </u> miles,	\$ <u>10.70</u>
<u>Benz Smith</u>	days Chainman	\$ <u>1.50</u>
<u>Henry Schmidt</u>	days and <u> </u> miles,	\$ <u>1.50</u>
		<u>39.98</u>

From the Record,

Certified 9 Dec., 1902

A. A. Kirkhead

Clerk Q. S.

To the Honorable Marlin B. Stephens, President Judge of the court of
Quarter Sessions of Cambria County.

The undersigned supervisors of Adams Township, in said county, respectfully represents: That a public road in said township leading from St. Michaels to Richland Township line runs along the edge of a precipice or embankment at the following points in said road: Beginning at H.E. Burnheimer's store and thence 250 feet to a point at or near South Fork Water Company's land; beginning at the Richland Township line and thence running East along M.M. Roudabush and Maryland Coal Company lands to Sandy Run Creek a distance of 3250 feet; thence beginning at farm of Joseph Wingard and running West 1000 feet and ending at land of Maryland Coal Company's land; thence beginning Northwest of the town of St. Michaels about 125 feet from Maryland Coal Company farm 1700 feet ending at a point Southeast of the breast of the dam; thence 90 feet Southeast of the breast of said dam; thence beginning at breast of dam and running Northwest 650 feet and ending on land of Maryland Coal Company and thence beginning at bridge near blacksmith's shop Northwest of St. Michaels 72 feet along said road.

That for the proper protection of travellers guard rails are necessary, and the erection of the same requires more expense than it is reasonable the township should bear, and your petitioners therefore pray the court to order a view of said road, and to do such other things in the premises as provided by law.

James W. Rhoads
Barney Hunter

David W. Rhoads
Barney Hunter
E. W. Baugardus
Supervisors.

Cambria County, SS:

Before me the subscriber a Justice of the Peace in
and for said county personally came David W. Rhoads one of the

abovenamed supervisors who being duly sworn according to law deposes and
said that the facts set forth in the foregoing petition are true and cor-
rect to the best of his knowledge and belief.

David H. Rhoads

Sworn to and subscribed before me this 27 day of August, A.D. 1912.

P. D. Miller

Justice of the Peace.

My Commission expires 1st Sunday
January 1916

[Vertical handwritten notes on the left margin]

[Faint handwritten notes and signatures in the center]

1, Sept Term 1912,
In the Court of Quarter Sessions

In re public road
in Adams Township.

Petition for View for
Grand Road.

Filed 2 September, 1912.

Now Sept 2nd 1912
A. W. Shoemaker &
John L. Surger

and
Pat Campbell
are appointed
viewers as provided
for in the act in
public use
By the Court

Done

RECORDED IN THE OFFICE OF THE CLERK OF THE COURT OF QUARTER SESSIONS FOR THE COUNTY OF ADAMS, PENNSYLVANIA, ON SEPTEMBER 11, 1912.

WILLIAM V. D. JONES

No 3 Sept 1912

P. F. Campbell

2 Days

36 miles — 1.80

A. M. Shoemaker

Order

2 1/2 Days

40 miles — 2.00