

IN THE COURT OF COMMON PLEAS OF
CAMBRIA COUNTY, PENNSYLVANIA

NO. R.D.# Sept. TERM 1963.

RUTH M. POWERS

vs.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HIGHWAYS

APPEAL FROM REPORT OF VIEWERS

Filed: Dec. 20, 1963

RUTH M. POWERS : In the Court of Common Pleas
vs. : of Cambria County, Pennsylvania
COMMONWEALTH OF PENNSYLVANIA, : No. *R.D.# Sept. Term, 1963*
DEPARTMENT OF HIGHWAYS

APPEAL FROM REPORT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

And Now, to wit, this *20th* day of December 1963, the Commonwealth of Pennsylvania, Department of Highways, does hereby appeal from the report of the Board of View in the above entitled case, filed November 27, 1963, No. *4* September Sessions, 1963, in the Court of Quarter Sessions of Cambria County, Pennsylvania, and does demand that the lawful damages caused by the taking, injury or destruction of the subject property shall be determined by your Honorable Court, according to the provisions of the Act of June 1, 1945, P. L. 1242, Article III, Sections 303, 304 (36 Purdon's Statutes Sections 670-303, - 304).

Robert P. Blough

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF DAUPHIN :

Before me, the undersigned officer, personally appeared
William R. Mosolino, Assistant Attorney General,

who, being duly sworn according to law, declares that he is authorized to make this affidavit on behalf of the Commonwealth of Pennsylvania, and, in accordance with his authority, avers that this appeal is not taken for the purpose of delay but because he firmly believes that the Commonwealth of Pennsylvania is suffering an injustice from the assessment from which it desires to appeal.

/s/ William R. Mosolino
Assistant Attorney General

Sworn to and subscribed
before me on this 17th
day of December ,
1963.

/s/ Margaret I. Albright
Notary Public
My Commission Expires 2/5/64

ORDER

AND NOW, this 20 day of *December*, 19*63*
it appearing to the Court that the foregoing Appeal is in proper form
and within the time limit, the proceedings are hereby directed to be
certified from the Court of Quarter Sessions to the Court of Common
Pleas for trial of the issues therein, in accordance with the provisions
of the Act of June 1, 1945, P. L. 1242, Article III, Sections 303, 304.

BY THE COURT:

s/ Mrs. D. D. D. J.