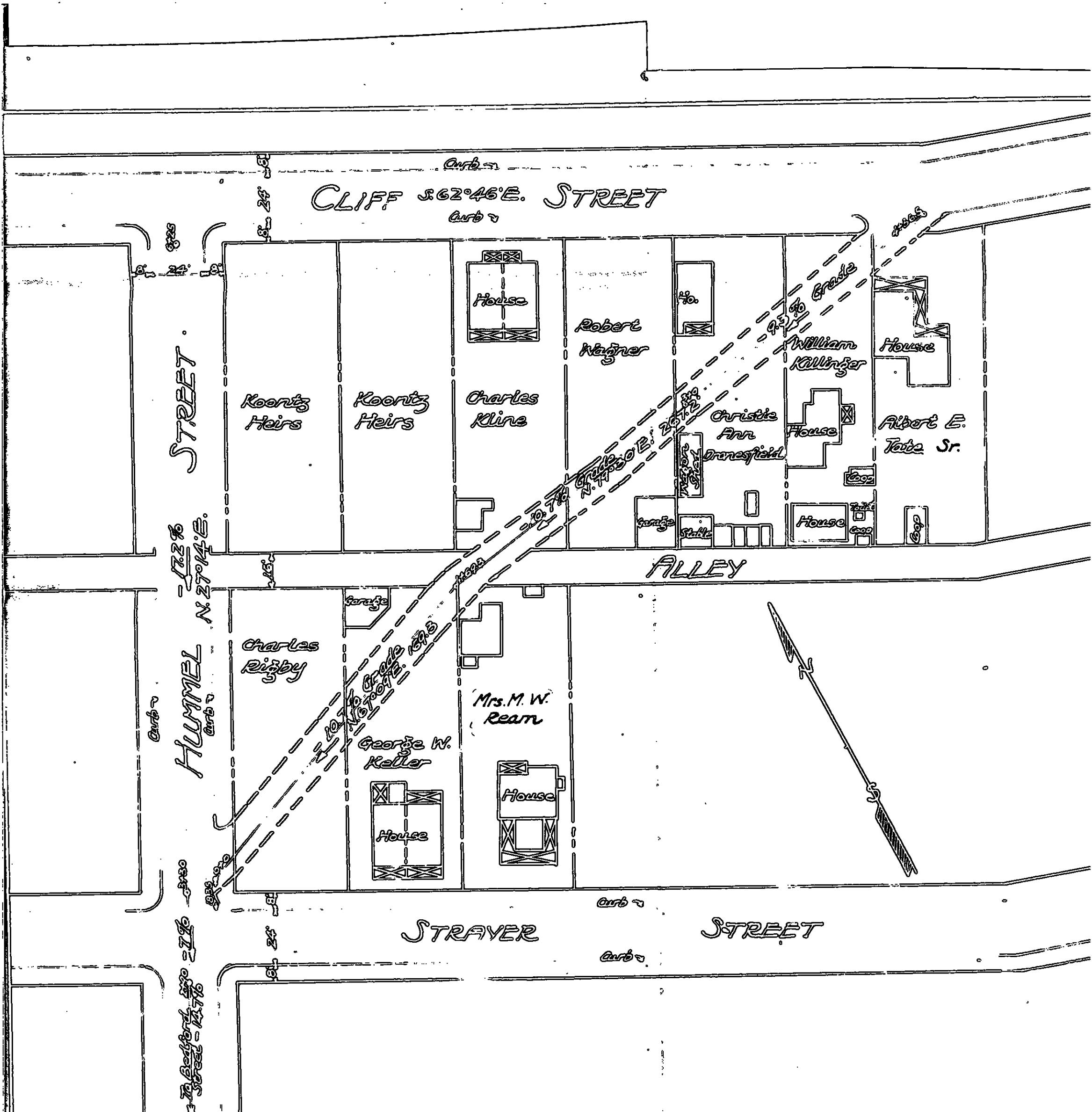


Not Microfilmed

RD#6

June 1916



No. 6 - June Sessions 1916.
 J.E. Dickey
 Geo. K. Shryock
 Phil. Caudfield
 Viewers.

Road View
 showing
 Road to be vacated
 situate in
 Dale Borough, Cambria Co., Pa.
 Scale 1"=40' Aug. 29, 1916
 J.E. Dickey & Co.
 Civil and Mining Engrs.
 Johnstown, Pa.

1-B-15

In Re: vacation of part of
Road intersecting with Hummel
Street and Strayer Street to
Cliff Street a distance of
465 feet in the Borough of
Dale.

In the Court of Quarete Session
of Cambria County,
Pennsylvania,
No.6 June Session, 1916.

REPORT OF VIEWERS

To the Honorable, the Judges of the court of Quarter
Session of Cambria County, Pennsylvania.

We the undersigned Viewers appointed by the annexed order
of court to view the above mentioned road respectfully report.

That we have been duly sworn or affirmed as members of the
permanent board of Viewers as shown by the records of the court,
that having given due public notice of the said view and of the
time and place of meeting by posting notices as required by the
law along the route and termini of said road proposed to be va-
cated and by service of such notice on the Commissioners of
Cambria County, and the solicitor of the Borough of Dale, accept-
ance of said notice by the Commissioners and Borough of Dale
being hereto attached. That we met in accordance with the notice
given on the 21st day of August A. D. 1916 at 10 o'clock A. M.
and proceeded with the duties of our appointment and viewed the
premises and route proposed to be vacated. That a large number
of residence of the Borough of Dale and others were present and
desire to be heard, therefore the view was continued until 31st
day of August A. D. 1916 at which time we met at the Judges
Chambers, 1004 Johnstown Trust Building, Johnstown, Pa. and
took testimony from all parties interested who desire to be
heard.

A considerable number of witnesses were heard for the petitioners and there was also a considerable number of persons heard in remonstrance against the vacation of said road. That after due consideration all the matter before us, we are of the opinion that the said road is a main thoroughfare, is used very extensively, is useful and necessary and convenient to the traveling public. Therefore, we are of the opinion that same should not be vacated until such time that as good or better and as satisfactory means of access is supplied and maintained.

A plot or draft attached hereto and made a part of this report shows the improvements along the route and the property, abutting on the portion of said road proposed to be vacated.

Witness our hand this 7 day of Sept - month 1916.

J. E. Dickey
Chas. N. Thompson
Philip E. Linnick
Viewers

IN THE COURT OF QUARTER SESSIONS OF CALBRIA COUNTY.

In re: vacation of part
of road intersecting with Hummel Street and Strayer Street No. 6, June Sessions, 1916.
to Cliff Street a distance of
465 feet in the Borough of
Dale.

NOTICE OF VIEW.

Notice is hereby given that the undersigned Viewers appointed by the above Court to view the premises and report to the Court, upon necessity of vacating a portion of a public road situate the Borough of Dale, beginning at the intersection of Hummel Street and Strayer Street and extending thence in said Borough of Dale four hundred and sixty-five (465) feet diagonally across lots owned by some of the petitioners to a point on Cliff Street and Cummings Street in said Borough of Dale, will meet on the premises above described on Monday the 21st day of August 1916, at 10:00 o'clock A. M. for the purpose of attending to the duties of their appointment.

S. E. DICKEY


August 11, 1916.

GEO. K. SHYOCK.

PHIL. CAUFIELD.

Viewers.

Now this 14th day of August 1916. Service of the
above notice is hereby accepted by the Borough of Dale.



Solicitor.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

In Re: vacation of part of
road intersecting with Hummel
Street and Strayer Street to
Cliff Street a distance of
465 feet in the Borough of
Dale. No. 6, June Sessions, 1916.

NOTICE OF VIEW.

Notice is hereby given that the undersigned Viewers appointed by the above Court to view the premises and report to the Court, upon necessity of vacating a portion of a public road situate the Borough of Dale, beginning at the intersection of Hummel Street and Strayer Street and extending thence in said Borough of Dale four hundred and sixty-five (465) feet diagonally across lots owned by some of the petitioners to a point on Cliff Street and Cummings Street in said Borough of Dale, will meet on the premises above described on Monday the 21st day of August 1916, at 10:00 o'clock A. M. for the purpose of attending to the duties of their appointment.

August 11, 1916.

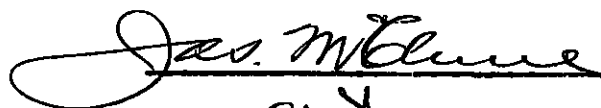
S. E. DICKEY

GEO. K. SHYOCK

PHIL. CAUFIELD

Viewers.

Now this 12th day of August 1916. Service of the
above notice is hereby accepted by the Commissioners of Cambria
County, Pennsylvania.


asst. Clerk.

IN THE COURT OF QUARTER SESSION OF CALIFORNIA COUNTY.

In re: vacation of part of
road intersecting with Hummel
Street and Strayer Street to
Cliff Street a distance of
465 feet in the Borough of
Dale

No. 6, June Sessions, 1916.

NOTICE OF VIEW.

Notice is hereby given that the undersigned Viewers appointed by the above Court to view the premises and report to the Court, upon the necessity of vacating a portion of a public road situate the Borough of Dale, beginning at the intersection of Hummel Street and Strayer Street and extending thence in said Borough of Dale four hundred and sixty-five (465) feet diagonally across lots owned by some of the petitioners to a point on Cliff Street and Cummings Street in said Borough of Dale, will meet on the premises above described on Monday the 21st day of August 1916, at 10:00 o'clock A. M. for the purpose of attending to the duties of their appointment.

August 11, 1916.

S. M. TICKEY

G. O. X. SHYOCK

PHIL. CAUFFIELD.

Viewers.

In Re: vacation of part of
road intersecting with Hummel
Street and Strayer Street to
Cliff Street and distance of
465 feet in the Borough of
Dale.

In the Court of Quarter Session
of Cambria County,
Pennsylvania.
No. 6, June Session, 1916.

To S. E. DICKEY, GEO. K. SHRYOCK & PHILIP CAUFFIEL. Dr.

To S. E. DICKEY Dr.

Preparing and posting notices	\$	5.00	
Mileage		.10	
Data & Making View		5.00	
Stenographer & Stationery		1.50	
Mileage		.10	
Making View		5.00	
Mileage		.20	
Making Survey			
Engineer Bass	\$	5.00	
Chainman Wolfe		2.50	
Chainman Griffith		2.50	
Mileage		.30	
		10.30	
Preparing draft		5.00	
Tracing Cloth		.25	
Blue Prints		.30	
Notice of Hearing		1.50	
Taking Testimony		5.00	
Preparing report		5.00	
Stenographer & Stationery		1.00	\$ 40.25

To GEO. K. SHRYOCK Dr.

Making View	5.00	
Mileage	.20	
Taking Testimony	5.00	10.20

To PHILIP CAUFFIEL Dr.

Making View	5.00	
Mileage	.20	
Taking Testimony	5.00	<u>10.20</u>

Total Cost of View	\$ 60.65
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IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

Commonwealth of Pennsylvania , :
County of Cambria. :

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the First day of August A. D. 1916, before the Honorable Judges of the said Court : Upon the petition of divers inhabitants of the Township of Stonycreek, the Borough of Dale and the City of Johnstown, in the said County setting forth that they labor under inconvenience because of a certain road or highway beginning at a post on the margin of the Johnstown and Scalp Level Turnpike, in the then Township of Stonycreek, Cambria County, Pennsylvania, now the Borough of Dale, County aforesaid, and extending thence through what was then Stonycreek Township and Conemaugh Township to a point on the Frankstown Road in said Township of Conemaugh, including in its said course that a part of said road hereby sought to be vacated and hereinafter more fully described and set forth. That the proceedings pertaining to said road, laid out as aforesaid is found of record in the Road Docket of the Quarter Sessions records on file in the said office of the Clerk of Courts of said County and is hereby made a part of this petition as though here set out in full.

That a part of said road beginning at the intersection of Hummel Street and Strayer Street in the said Borough of Dale, formerly Township of Stonycreek, and extending thence in said Borough of Dale four hundred and sixty-five (465) feet diagonally across lots owned by some of the petitioners herein, to a point on Cliff Street one hundred and thirty-two (132) feet North of the intersection of said Cliff Street and Cummings Street in said Borough of Dale, has become useless, inconvenient and burdensome to the inhabitants of the said Borough of Dale and also to the inhabitants of the City of Johnstown, the Township of Stonycreek and Township of Conemaugh, through which the entire road as laid out in 1882, as aforesaid, extends, the said Borough of Dale and that part of the City of

Johnstown through which the said road passes having been formed from the said Township of Stonycreek.

That the said part of the road hereby sought to be vacated, to wit, four hundred and sixty-five (465) feet extending from Strayer Street to Cliff Street lying within the said Borough of Dale is practically useless. During the wet seasons of the year it is altogether impassible. It cuts diagonally across eight (8) intervening lots between said Strayer Street and Cliff Street, leaving parts of each of said lots on one side of said road and parts on the other side, greatly depreciating the value of all of said lots and in some cases almost destroying their value and the owners of all of these lots have joined in this petition and hereby give a release of damages.

Your petitioners further aver that many, if not all, of the owners of said lots, as aforesaid, have deeds which do not except or reserve or in any way refer to the said road which passes over their lots so that they purchased without any knowledge or notice of any easement such as is imposed by the presence of the aforesaid road.

The presence of Cliff Street and Strayer Street and an alley lying between them, Hummel Street, Cummings Street and other streets in this section of Dale Borough make it entirely unnecessary that the said four hundred and sixty-five (465) feet of road be longer maintained.

Your petitioners, therefore, pray the Court that the part of said road, to wit, from the intersection of Strayer Street and Hummel Street to Cliff Street, as aforesaid, four hundred and sixty-five (465) feet in length be vacated, agreeable to the Acts of Assembly in such case made and provided, and therefore praying the Court to appoint proper persons to view and vacate the same according to law. The Court, upon due consideration had of the premises, do order and appoint S. E. Dickey, C. E. surveyor, George K. Shryock and Philip Cauffiel viewers, to view the ground for proposed vacation of said road, and if they view the same, and shall agree that there is occasion for the vacation of such road, they shall proceed to lay out the same, having respect to the shortest distance and the best

ground for vacation of such road, and in such maner 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 vacation necessary of said public road, together with a plot or draft thereof, and the courses and distan^{ces}; and references to the improvements through which it may not pass.

BY THE COURT

Attest : Frank C Robb
Clerk, QS

4 Sept 1916 - approved.

By the Court

No 6, June Sessions, 1916

ORDER TO VIEW AND VACATE

Part of Road intersecting
with Hummel Street and
Stayer Street to Cliff
Street, a distance of 465
feet in the BOROUGH OF
DALE

V I E W E R S

S. E. Dickey, C.E.
George K. Shryock
Phil Cauffiel

SEP 18 1916 CERTIFIED

Clerk 90 ¢

.....Bernhart,..Atty

4 Sept 1916 - 2418

TO THE HONORABLE JUDGES OF THE COURT OF QUARTER SESSIONS OF THE
PEACE IN AND FOR THE COUNTY OF CAMBRIA:

The petition of the undersigned respectfully represents:

That they are inhabitants of said Cambria County residing within the municipality set opposite their respective names. That on the 12th day of June, 1883, a road was laid out by the Court of Quarter Sessions of said Cambria County beginning "at a post on margin of the Johnstown and Scalp Level Turnpike", in the then Township of Stonycreek, Cambria County, Pennsylvania, now the Borough of Dale, County aforesaid, and extending thence through what was then Stonycreek Township and Conemaugh Township to a point on the Frankstown Road in said Township of Conemaugh, including in its said course that part of said road hereby sought to be vacated and hereinafter more fully described and set forth. That the proceedings pertaining to said road, laid out as aforesaid is found of record in the Road Docket of the Quarter Sessions records on file in the office of the Clerk of Courts of said County and is hereby made a part of this petition as though here set out in full.

That a part of said road beginning at the intersection of Hummel Street and Strayer Street in the said Borough of Dale, formerly Township of Stonycreek, and extending thence in the said Borough of Dale four hundred and sixty-five (465) feet diagonally across lots owned by some of the petitioners herein, to a point on Cliff Street one hundred and thirty-two (132) feet North of the intersection of said Cliff Street and Cummings Street in said Borough of Dale, has become useless, inconvenient and burdensome to the inhabitants of the said Borough of Dale and also to the inhabitants of the City of Johnstown, the Township of Stonycreek and Township of Conemaugh, through which the entire road as laid out in 1883, as aforesaid, extends, the said Borough

of Dale and that part of the City of Johnstown through which the said road passes having been formed from the said Township of Stonycreek.

That the said part of the road hereby sought to be vacated, to wit, the four hundred and sixty-five (465) feet extending from Strayer Street to Cliff Street lying within the said Borough of Dale is practically useless. During the wet seasons of the year it is all together impassible. It cuts diagonally across eight (8) intervening lots between said Strayer Street and Cliff Street, leaving parts of each of said lots on one side of said road and parts on the other side, greatly depreciating the value of all of said lots and in some cases almost destroying their value and the owners of all of these lots have joined in this petition and hereby give a release of damages.

Your petitioners further aver that many, if not all, of the owners of said lots, as aforesaid, have deeds which do not except or reserve or in any way refer to the said road which passes over their lots so that they purchased without any knowledge or notice of any easement such as is imposed by the presence of the aforesaid road.

The presence of Cliff Street and Strayer Street and an alley lying between them, Hummel Street, Cummings Street and other streets in this section of Dale Borough make it entirely unnecessary that the said four hundred and sixty-five (465) feet of road be longer maintained.

Your petitioners, therefore, pray the Court that the part of said road, to wit, from the intersection of Strayer Street and Hummel Street to Cliff Street, as aforesaid, four hundred and sixty-five (465) feet in length be vacated, agreeable to the Acts of Assembly in such case made and provided.

Name

Residence.

Charles Klise	Dale Borough
George Keller	Dale Borough
Robert Wagner	Dale Borough
Christanna Drongfield	Dale Borough
W. J. Millinger	Dale Borough
A. E. Tate	Dale Borough
J. H. Kuiper M.D.	Dale Boro
L. E. Seaman M.D.	City
W. H. Work	City
Louis F. Froester	City
Ernest Brehm	City
E. Brown	Dale Borough
E. J. Katterdough	Dale Borough
J. L. Stull	City
Walter "Kiss"	City
W. L. Shaffer	Dale Borough
Upton Shryars	City
Joe R. Hummel	Dale Borough
B. F. Stull	Dale Borough
Roy Goudert	Dale Borough
James J. Stray	Dale Borough
Henry Block	Dale Borough
W. R. Lohr	Dale Borough

Name	Residence.
Edgar Garrison	Dale Borough
George Fleck	City
W. C. Winger	City
John Murphy	City
Wm Longenecker	City
Irin Messenger	Dale Borough
Elias Miller	City
Joseph Wagner	Dale Bor
James Heiple	Dale Bor
Geo H Wagner	Dale Bor.
Robert L. Shilling	Dale Bor.
S. B. Garretson	Dale Borough
Orin L. Betts	Dale Borough
Albert Fisher	Dale Borough
Clayd Croft	Dale Borough
Harry Croft	Dale Borough
Newton Marsh	Dale Borough
J. A. Rhoades	City 348
M. E. Shaffer	City
Harry Keller	Dale Boro
Christ Deckman	Dale 208
N. S. Garretson	Dale 667 1/2
W. B. Copline	Dale Borough
Walter Leppler	Dale " "

Name

Residence.

Andrew Krous-

Dale Burns

Geo. C. Beckman

Dale Borough

F. A. Griffith

Stony Creek Twp.

N. L. Winkler

Stony Creek Twp.

M. R. Strong

Stony Creek Twp.

Arthur J. Allison

Stony Creek Twp.

J. M. Schrader

Stony Creek Twp.

J. W. Daubert

Stony Creek Twp.

O. W. Baker

Stony Creek Twp.

Geo. Schrader

Stony Creek Twp.

J. B. Carr

Stony Creek Township

E. M. Hall

Stony Creek Twp.

J. C. Allison

Stony Creek Twp.

Albert Heize

Dale Boro.

J. J. Reiman

Dale Boro

Geo. Miller

Dale Borough

Maria Mayland

Dale Borough

Ellis Kline

Dale Borough

H. D. Adams

Dale Borough

Harry Feathers

Dale Borough

H. L. Kline

Dale Borough

O. D. Brubaker

Dale Borough

Earl Fiskel

Dale 222 Stoyer St.

Dale 732 Bedford St.

Commonwealth of Pennsylvania:
County of Cambria SS.
:

Personally appeared before me, a Notary Public in
and for said State and County, George Keller, who being
duly sworn according to law deposes and says that the statements
contained in the foregoing petition are true and correct to the
best of his knowledge, information and belief.

George Keller

Sworn and subscribed before me this 15th
day of July, A. D. 1916.

Margaret Jones
Notary Public.
My commission expires
March 9, 1919.

706. June 1916

IN THE COURT OF QUARTER SESSIONS OF THE PEACE IN AND FOR THE COUNTY OF CAMBRIA, PENNA.

In re road in the Borough of Dale, Cambria County, Penna.

PETITION TO VACATE ROAD IN DALE BOROUGH, CAMBRIA COUNTY, PENNSYLVANIA.

Now, August 1, 1916, the within petition having been read and considered the Court appoint *Geo. H. Shryock* and *Philip Canfield*, persons qualified according to law who are to view the said road and ascertain whether there is occasion for closing and vacating the same and make report according to law.

By the Court
1 Aug 1916 - Filed

LAW OFFICES OF
FRANK P. BARNHART
JOHNSTOWN, PENNA.

In re road in the Borough of
Dale, County of Cambria and
State of Pennsylvania.

In the Court of Quarter Sessions
of Cambria County, Pennsylvania.
No. Sessions, 1916.

B O N D.

KNOW ALL MEN BY THESE PRESENTS That We, A. E. Tate, Sr.,
Charles Kline, George Keller, W. T. Mellinger, Christianna Dronsfield
and Robert Wagner,
all of the Borough of Dale, County of Cambria and State of Penn-
sylvania, are held and firmly bound unto the County of Cambria
aforesaid in the sum of Fifty Dollars (\$50.00) 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, administrators and assigns and every of them
by these presents.

Sealed and dated the Fifteenth day of July,
A. D. 1916.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if
the above bounden A. E. Tate, Sr., Charles Kline, George Keller, W. T.
Dronsfield and Robert Wagner
Mellinger, Christianna /, their heirs, executors, or administrators
or any of them shall well and truly pay or cause to be paid unto the
County of Cambria a sufficient sum to pay for the purpose of view-
ing the above mentioned road, if the Court shall so order, then
this obligation to be void, otherwise to remain in full force and
effect.

A. E. Tate Sr. (SEAL)

Charles Kline (SEAL)

George Keller (SEAL)

W. T. Mellinger (SEAL)

Christianna Dronsfield

Robert Wagner (SEAL)

No 6. June Decs 1916

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PA.
NO. SESSIONS, 1916

In re road in the Borough of
Dale, County of Cambria and
State of Pennsylvania.

B O N D.

Aug 1st / 1916
Bond approved
By the Court
1 August 1916, Filed

LAW OFFICES OF
FRANK P. BARNHART
JOHNSTOWN, PENNA.