

In the Court of Quarter Sessions for the Peace for
Cambria County.

No. 5, June Term, 1896.

In re Vacating a public road in West Taylor
township.

To the Honorable Judge of said Court.

The undersigned, being one of the viewers appointed in this case, and being unable to agree with the majority members of the view, beg to report that the road in question which is desired to be vacated should not be so done until there is another public road supplied to take its place, as the vacation of it will deprive the users thereof of a public highway to and from their place of business. When the viewers met for the first time, objections to the above effect were filed by the Cambria Fertilizer Co. and the Stone Quarry Co. but the objections of the latter have been withdrawn, but as to the other they remain, therefore, I do not think the road should be vacated until the objections are withdrawn or another public road supplied.

Enoch Davis

No. 5 June 1896
(Road Box)

(Road Back)

Re order of view vacate

road in
West Taylor Township

from Indiana County line

to present list of Cooper's dolls.

Minority Report of
Enoch James, minor-

Conoch-James, near-

Filed 6 Dec 1897

District Court
of Cambria County

At a court of Quarter Sessions of the
Peace of the District in said County
held at Johnstown in and for said
District of the County of Cambria on
the 6 day of July A. D. 1875 before
J. B. Bannock, R. B. Leachy, & M. W. Keiser
Judges of said court upon the Petition of Wm. W. Keiser
of the Township of Taylor in said County setting forth
that they labor under great inconvenience for want of
a public road or highway to lead from a point on
the Old turning path of the Pennsylvania Canal
near the Indiana County Line where a township
road of said County intersects said turning path
to the Township road at or near the village of
Casper Dale. Your petitioners therefore pray 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 William
Sick, Sumner, A. B. Davis & J. M. Bossmann
who after being respectively sworn or affirmed to
perform the duties of appointment with impartiality
and fidelity are to view the turning proposed
for the said road and if they or any two of
them view the same and any two of the actual
viewers agree that there is occasion for such a
road they shall proceed to lay out the same
as agreeable to the desire 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
and shall make report of their proceedings to the
next Court of Quarter Sessions to be held for the
said district Court of Cambria County. Stating particu-
larly whether they judge the same necessary for a public
road and furnish along with said report a
plan or draft of said road and the corners and
distances together with references to the map or maps
through which it may pass.

By the Court
Samuel Weston clk.

To the Honorable the Judges of the District
Court of Cambria County.

We the undersigned
viewers appointed by the within order of
Court, Having met on the 12th day of
August A.D. 1875 and being duly sworn
according to law, We proceeded to examine
the ground proposed for said road, and
have laid out according to the following
course and distances for road, We putting
the same for public use, A plan and
draft whereof is hereto annexed,
beginning at a post on the township of
the old Pennsylvania Canal (or Slackwater)
and at the County line between Indiana and
Cambria thence up along said township.

South sixteen & a half degrees east forty
perches to post, thence South fourteen degrees

east sixty from perches to a post, thence South sixteen
degrees east twenty perches to a post opposite Patrick

Carbone dwelling, thence South twenty four degrees
east seventeen perches to a post, thence South thirty

two degrees east twelve perches to a post, thence
South thirty three & a half degrees east thirty perches

to a post, thence South twenty four degrees east
sixteen & a half perches to a Post, thence South

thirty two degrees east nine perches to a post,
thence South nineteen degrees east twenty

eight perches to a post, thence South twenty two
degrees east sixty perches to a post, thence South

nine degrees east forty perches to a post, thence
due South thirty three perches to a post opposite

old Luck house at the first dam on Great
water, thence South sixteen degrees east nine

teen perches to post, thence South nine degrees
east thirty six perches to a post, thence

South twenty three & a half degrees east sixty
four perches to a post, thence South twenty nine degrees

east eighteen perches to a post, thence South thirty
three degrees east fifty perches to a post, thence

South twenty three degrees east twenty four per
ches to a post, thence South thirty one degrees

east sixteen perches to a post, thence South thirty
eight degrees east nineteen perches to a post,

thence South forty five degrees east forty
one perches to a post, thence ^{South} forty seven

degrees east twenty four perches to a post, thence
South forty degrees east forty three perches to

a post, thence South twenty seven degrees east
thirty perches to post opposite Luck house

thence South thirty two degrees east thirty
perches ~~across old canal~~ to a post below

to a post, thence South thirty five degrees
east thirty perches to a post across Canal below

the fourth Lock from Johnston an old Canal
thence along land path South eighty seven degrees
east twenty nine perches to a post, thence North
fifty eight degrees east thirty four perches to a
post, thence North forty nine degrees east thirty
six perches to a post, thence North sixty three de-
grees east eight perches to a post, thence North
eighty two degrees east twenty eight perches
to a post, thence due East seven and a half perches to
a post, thence South seventy three degrees east eight
teen perches to a post, thence South sixty degrees
east sixteen and a half perches to a post, thence through the
dock over Laurel Run thence South thirty four
degrees east thirty perches to post intersecting the
public road leading from Johnston to Hambram
Turnace,)

all of which is respectfully submitted

Thos. Slichter 9th 2¹/₂ days

Mr. W. Bowman, 1 day

Indiana County
Lyonsburg
Black Spring

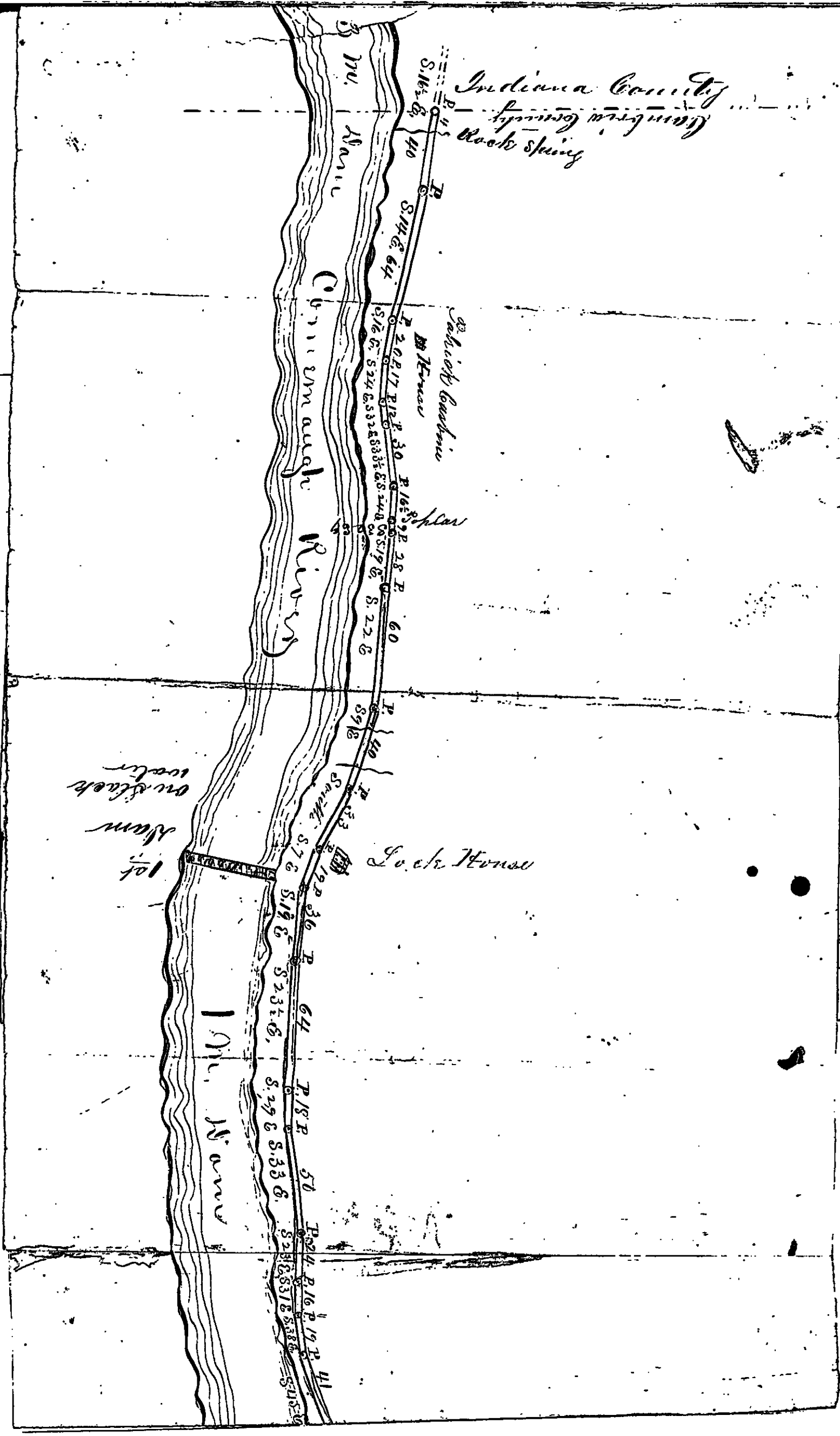
Conemaugh River

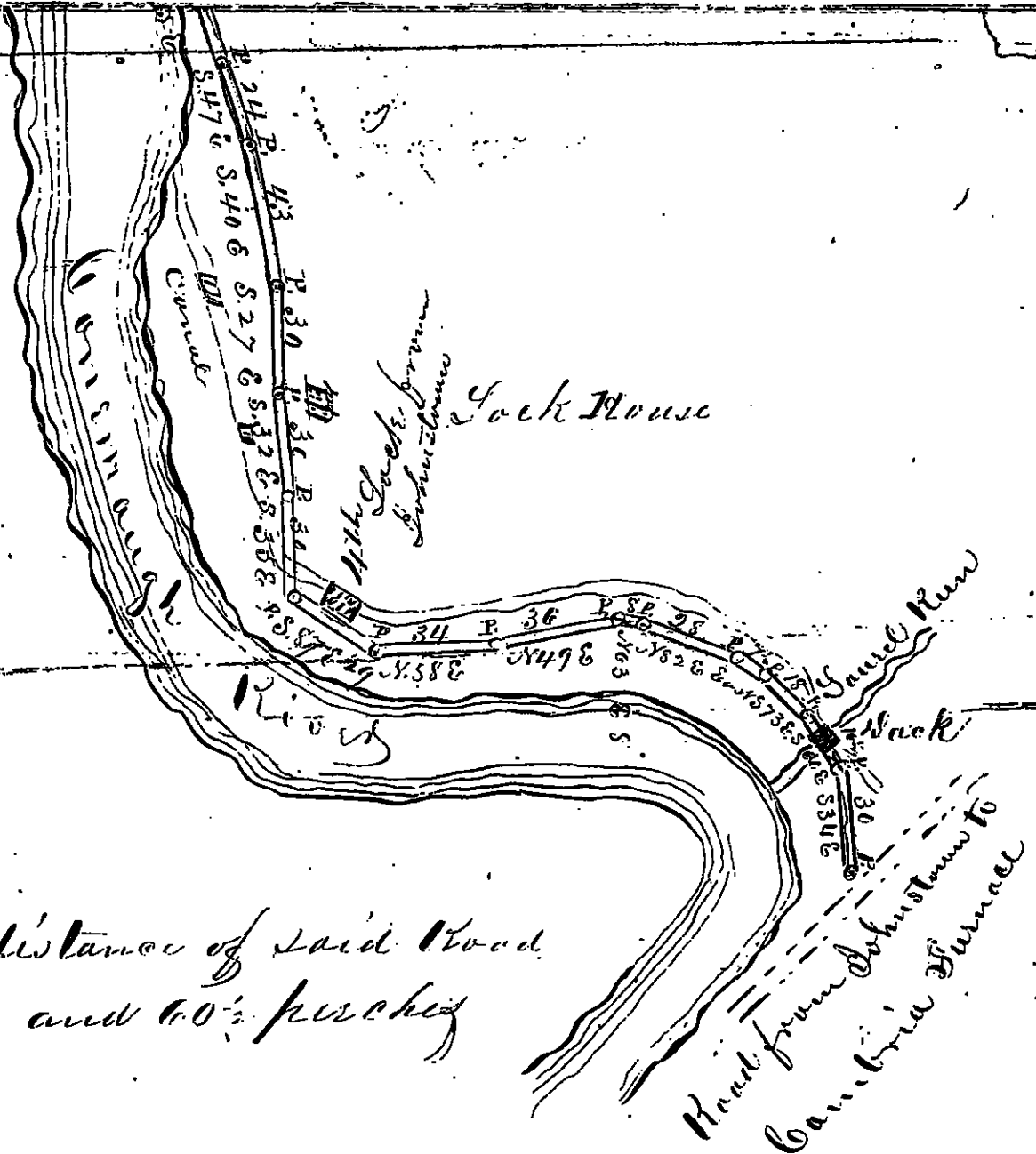
Lock Haven

Lock Haven

1 mi. above

at
Lock
Haven





Road 1873-

Report of John M. Bowman
+ William Stick, winners appointed
by the Court to view and lay out a
public road, commencing at the
Indiana County line, at the head
Pennsylvania's branch of the
and leading to the Township road
at or near the village of Exeter.

Filed Aug 24, 1876
Aug 24 - 1878

Confirmed, made
width of Road to be
~~about 12 feet~~ 12 feet
By the Court
and now known as 1878
performed absolutely
and road ordered
to be of uniform width
wide By the Court

Rich & Plank

Recd. Com. Dec
1873 1.15

Order for to view
Lay out a road from
against Spring the
Common line to the
Township road at
the village of Exeter

Witness
William H.
John M. Bowman
J. B. Davis

\$1.50 Paid by H.

J. B. Davis

To the Honorable, A.V. Barker, President Judge of the Court of
Quarter Sessions of the Peace in and for said County of Cam-
bria:-

The petition of the undersigned citizens of the Town-
ship of West Taylor in said County, respectfully represents: That
(*all being in the said township*)
a road has been long since laid out from a point on the tow-path
of the Old Pennsylvania Canal at the line between Cambria and In-
diana County, and thence leading eastward upon and along said tow-
path a distance of three miles and fifty-two perches to a point
where the public road from Cambria Furnace intersects said first
mentioned road below the Village of Coopersdale; that said road
along said tow-path was laid out in pursuance of proceedings had
in the District Court of Cambria County which were begun upon a
petition filed in said Court on the fifth day of July, A.P. 1875,
and the report of viewers laying out said road was confirmed abso-
lutely November 2, A.D. 1875 by said District Court.

Your petitioners further represent that the portion of said
road from the Indiana and Cambria County line eastward for about
2 1/2 miles is entirely occupied by the tracks of the West Penn
Branch of the Pennsylvania Railroad and has been so occupied for
several years, and, consequently, such portion of said road is not
open for the traveling public; that at a point about one-eighth of
a mile from said eastern terminus of said road, a public road di-
verges therefrom ^{leading} past the residence of ----- McMahon, -----
McMillen, ----- Williams, ----- Walls, Edward Adams
and John Denshoef, and at a point about one-half mile distant from
the eastern terminus of said road, a private way or road diverges
to a bone-mill and two stone-quarries to the north of said road,
and the only use made of said one-half mile of road is for the pur-
pose of reaching said bone-mill and quarries, except as to the
extreme eastern one-eighth mile thereof which is used by the fami-

lies of said McMahon et al., in going to Coopersdale and Johnstown.

Your petitioners further represent that on March 5, 1894, a petition was presented to this Honorable Court for the laying out of a road in West Taylor Township, to begin at a point at or near the old Bucket Factory west of the Borough of Coopersdale, (being at the Cambria Furnace road aforesaid, and at the eastern terminus of the road laid out on said towing path), and to end at a point on the line between Indiana and Cambria Counties, said road to connect with a similar public road in Indiana County; that viewers were thereupon appointed to view the site of said proposed road, and on June 4, 1894, the report of said viewers was filed laying out a road as prayed for, which report was confirmed nisi

July 3, A.D. 1894, and road ordered to be opened thirty feet wide; and on October 31, 1894, on motion of counsel for petitioners for said road, the report of viewers was held over. Your petitioners further represent that the proceedings last mentioned at No. 3 March Sessions, 1894, and the road therein prayed for and laid out was and is designed to wholly supersede the old road laid out as aforesaid, by the District Court; and that said road at March sessions, 1894, will furnish the necessary outlet for all parties living along said public road passing McMahons, McKillen, Adams, et al., and for said bone-mill and quarries, as well as furnish a much needed line of communication with Indiana County.

Your petitioners, therefore, aver that the old road along said tow-path, laid out as aforesaid, from the Indiana County line to the Cambria Furnace road below Coopersdale has now become useless, inconvenient and burdensome to the inhabitants of said Township, and pray the Court that said road may be vacated agreeably to the Acts of Assembly in such cases made and provided, and that the report of viewers at No. 3 March Sessions, 1894, may be confirmed absolutely, and an order issued for the opening of said road; and they will ever pray, &c.

WITNES.

Wm Griffith
William Riblet

WITNES.

J. A. McMillan
Martin Rager

Names

Ambrose Jenkins
 John W. Adams
 J. C. Barnes
 Jesse Lydick
 Chas A Lydie
 Daniel B Adams
 Samuel Taylor
 Robert Rager
 William L. Galbreath
 Abraham Ribble
 Jacob B Bowser
 W H McCreary
 C. M. Galbreath
 J. W. Robblett

Names

John Eckels
 Jess Berkebile
 Jess Berkebile
 Isaac Stutzger
 E. B. Cardiff
 G. W. Bush
 Jacob Adams
 L. E. McMillon
 James Tindley
 Isaac Boringen
 Joseph Jenkins
 L. E. Traver

Cambria County, ss:-

Personally appeared E. E. McMillan
and James Findley, who being sworn according to law
say: that the facts set forth in the foregoing petition are cor-
rect and true; and further saith not.

Sworn and subscribed before me,)

this 30th day of June, A.D. 1896()

John N Morley
Notary Public

1. E E McMillan

2. James Findley

No. 5 June Sess 1896 Rd.
Petition of Citizens of
West Taylor Township
for vacation of Road
leading from a point on the
Tow Path of the old Tanna Canal
on the line between Indiana and
Cumberland Counties in said tow
to

a point on said tow path
where the Cumbrina Furnace
Road intersects said tow
path road west of the
village of Coopersdale, in
said tow

July 1st 1896
petition read and

Chas. H. Hower

James M. King

Enoch J. Jumbo

affirmed by the Court

Filed July 1896

(E. D. S. L.)

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 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."

No. 5 June Term 1896 Rd.

No.

Order to view a road in the road
from point on the left of Cross Canal and line
between Indian Township and Union Township
from point on the left where the Cambria Turnpike
crosses the road and turning East and West
of the Village of Confluence in West
Chester Twp.

Filed Dec 11 1897
Viewers Report of
John L. Harner
James M. Henry
Edward J. Harner

Dec 7, 1896 Court with same viewers
Rec'd the Court
Mar 11, 1897 Court with same
viewers Rec'd the Court
Mar 21, 1897 Court with same viewers
Rec'd the Court
7th Sept 1896 Court
Rec'd the Court

7th Sept. 1897 Court with same viewers
Rec'd the Court.
6th Sept. " Court with same viewers
Rec'd the Court

Feb 11 1898 Read and confirmed nisi
Mar 14 1898 Confirmed
Absolutely
S. W. Davis
Clerk
Rec'd the Court

To the Honorable A.V. Barker, President and Sole Judge of the Court
of Quarter Sessions of Cambria County:-

The undersigned Viewers named in the within order respectfully report ~~report~~:

1.- The notices required by law were duly given, that is to say: not less than ten typewritten notices of the time and place where said Viewers were to meet for the purpose of viewing said road, were posted in the most public places and at different points along and in vicinity of the ground to be viewed more than ten days before the time fixed for such meeting, a copy of said notice is hereto annexed, marked Exhibit "A".

2.- That two of the said Viewers, to wit: Charles L. Hower and Enoch James having first been severally sworn or affirmed according to law met at the time and place specified in the notices, to wit: On Wednesday, August 10, 1893, at 9 o'clock, a.m., on the line of the road proposed to be vacated at the eastern terminus of the same where it intersects the Cambria Furnace road immediately west of the Borough of Coopersdale. James M. King, the other Viewer, was not present, he having left this State before the view and not having returned until some weeks after the view.

3.- In pursuance of said order and notice the two Viewers named in the foregoing paragraph, viewed the site and locality of the road proposed to be vacated, making a personal inspection of the ground between the points designated in the petition and order on the 13th, 24th and 25th days of August, 1893, and at the same time a survey of the same was made by Charles L. Hower, one of said Viewers. (A map of said survey is hereto annexed and marked Exhibit "C").

4.- The order to view was regularly continued by the Court with the same Viewers, at September and December Terms, 1896, and at March, June and September Terms, 1897.

5.- Soon after the order to view in this case was issued, a charter was granted by the Commonwealth of Pennsylvania to The Johnstown & Cramer Turnpike Company, which Company located a turnpike, beginning at or near the eastern terminus of the road proposed to be vacated, and extending in a westwardly direction nearly parallel with said road asked to be vacated, ~~extending~~ to the Village of Cramer in Indiana County. The said turnpike has been constructed and is now in daily use between the Village of Cramer in Indiana County and the point where the public road leading from McElahon, Williams, Ed. Adams, John Benshoff et al., intersects the road proposed to be vacated about one-fifth of a mile from the eastern terminus thereof. The said turnpike as opened and used furnishes a much better road between the same points than the old road was. In addition to this, the West Penn branch of the Pennsylvania Railroad has been constructed upon the line of the old road from the line between Cambria and Indiana County eastward to a point near the Bone Mill of Caples & Moore.

6.- The order to view was continued, as aforesaid, for the purpose of having a view by the full Board of Viewers after the completion of said turnpike, and at a time when its effect upon the old road could be properly judged. All of the undersigned Viewers, therefore, having first been severally sworn or affirmed according to law met at the time and place specified in the second notices-, to wit: On Thursday the 4th day of November, A.D. 1897, at 2 o'clock p.m., on the line of the road proposed to be vacated at the eastern terminus thereof. The notices required by law, to

vit: not less than ten typewritten notices of the time and place where said Viewers were to meet for the purpose of viewing said road were posted in the most public places and at different points along and in vicinity of the ground proposed to be viewed more than ten days before the time fixed for such meeting. (A copy of said notice is hereto annexed and marked Exhibit "B".) In pursuance of said order and notice, all of said Viewers viewed the site and locality of the road proposed to be vacated as per map or draft hereto annexed, marked Exhibit "C", upon which map are noted all the improvements, together with the line of the West Penn branch of the Pennsylvania Railroad and the line of the Johnstown & Cramer Turnpike, and we are of the opinion that the portion of the road mentioned in the annexed order, to wit: Beginning at the point where the Johnstown & Cramer Turnpike intersects said road, being also the point where the public road leading past McIlahon, McMillen, Williams, Adams et al., intersects said road, and extending thence in a westwardly direction to the line between Indiana and Cambria Counties is unnecessary and should be vacated.

Respectfully submitted this 20th day of November,
A.D. 1897.

James King

Chas. L. Hower

VIEWSERS.

Exhibit A

In the Matter of the Order
to View and Vacate a Road
in West Taylor Twp., from
a point on the Tow-Path on
the Pennsylvania Canal on
the Line between Indiana
and Cambria Counties to a
Point on said Tow-Path
where the Cambria Furnace
Road Intersects the same
West of the Village of
Coopersdale.

: In the Court of Quarter Ses-
:
: sions of Cambria County.
:
: No. 5 June Sessions, 1896.
:
:
:
: Road Docket.
:
:

---OXO---

Notice is hereby given that the undersigned Viewers ap-
pointed by said Court in the above-stated matter, will meet for
the performance of their duties in the premises, on Wednesday
the 19th day of August A.D. 1896,
at nine o'clock, a.m., on the line of the road proposed to be
vacated, at the eastern terminus of said road, to wit: where
the Cambria Furnace road intersects the same immediately west
of the Village of Coopersdale.

Charles L. Hower.

James M. King.

Enoch James.

Viewers.

Exhibit
In the Matter of the Order
to View and Vacate a Road
in West Taylor Twp., from
a Point on the Tow-Path on
the Pennsylvania Canal on
the Line between Indiana
and Cambria Counties to a
Point on said Tow-Path
where the Cambria-Furnace
Road intersects the same
West of the Village of
Coopersdale.

)
)
) In the Court of Quarter Ses-
) sions of Cambria County.
)
) No. 5 June Sessions, 1897.
)
)
) Road Docket.

---OXO---

Notice is hereby given that the undersigned Viewers ap-
pointed by said Court in the above-stated matter, will meet
for the performance of their duties in the premises, on -----
Thursday the *4th* day of *November*
A.D. 1897, at *two* o'clock, *p.m.*, on the line of the
road proposed to be vacated, at the eastern terminus of said
road, to wit: where the Cambria Furnace road intersects the
same immediately west of the Village of Coopersdale.

Charles L. Hower,
James M. King,
Enoch James,
Viewers.

Fees of Viewers

1. Chas. L. Hower, view Klurungor

2 Days on Road @ \$4.00 =	\$8.00
2 " Making draft @ 4.00 =	8.00
12 miles @ 10¢ =	1.20
	<u>\$17.20</u>

2. Enoch James, view

3 Days on Road @ \$2.00 =	\$6.00
9 miles @ 10¢ =	.90
	<u>\$6.90</u>

3. James M. King, view.

1 Day on Road @	\$2.00
3 miles @ 10¢ =	.30
	<u>\$2.30</u>

4. Henderson Kinton Chain carrier

1 Day on road @ \$1.50 =	
3 miles @ 10¢ =	.30
	<u>1.80</u>

5. Wm Staphel - Chain carrier.

1 Day on road @ \$1.50 =	
3 miles @ 10¢ =	.30
	<u>1.80</u>

Exhibit C.

Exhibit C.

MAP
TO A COMPANY
REPORT OF VIEWERS
ON A MATTER RELATING TO OLD ROAD ALONG
TOWNSHIP OF PENNSYLVANIA CANAL IN
WEST TAYLOR TOWNSHIP
GAMBRIA CO. PA.

Note- Road enclosed in red dotted lines and tinted red is the road ordered by the Court to be viewed upon petition of inhabitants of west Taylor Township to vacate the same

Enclosed in book clothed lines and lined
 paper is the Christening Prayer Terrence
 new given and arriving on outfit to Indiana Co.

JOHNSTOWN, PA.,
Charles R. Hower

Courses and distances along Road from a point on the intersection of the line, elevating Cambria over Indiana Counties, and old Township of Pennsylvania Cambria along township to its intersection with the Cambria Furnace Road, taken from a certified copy of the record at Ebensburg					
40 Pk	South	33 Pk	5.47000 E	2.44	200 ft
516.330 E	5.7900 E	19 "	5.46700 E	43.45	5.73000 E
5.4000 E	5.19000 E	30 "	5.57000 E	30.45	5.60000 E
5.16000 E	5.28300 E	60 "	5.32000 E	30 "	5.34000 E
5.4000 E	5.59000 E	18 "	3.35000 E	30 "	
5.32000 E	6.33000 E	30 "	5.17000 E	49.40	
5.33000 E	5.33000 E	50 "	4.58000 E	32.40	
5.32000 E	5.81000 E	16 "	4.49000 E	30 "	
5.19000 E	5.38000 E	19 "	4.68000 E	8 "	
5.11000 E	5.40000 E	41 "	4.85000 E	21 "	
5.29000 E					
					75.50