

To the Honorable F. J. O'Connor, Judge of the Court of Quarter Sessions of Cambria County.

The petition of the undersigned petizens and inhabitants of Richland Township, Cambria County, respectfully represents:

That they labor under great inconvenience on account of the grade or grades on the Public Road leading from a point on the Johnstown and Scalp Level Turnpike at or near the buildings of Hiram Hostetler in the Township of Richland or north of the road leading to Samuel Hoffman's saw-mill in said Richland Township to a point at or near the house or premises of Levi Wingard in said Township.

That they are desirous on account of said grades and inconveniences to have the same vacated and supplied.

The petitioners therefore pray the Court to appoint persons qualified according to law to view the ground and to inquire of and vacate such grades as inconvenience and supply the grades, said vacated road becoming useless by said supply and make a report of said proceedings at said next Court.

And they will ever, &c.,

1 D. S. Yoder,  
2 Frank Orrin  
3 William W. Myers  
4 J. D. Hershberger  
5 Joseph J. Orrin  
6 Moses B. Miller  
7 Jacob Mischler

8 J. D. Bangardner  
9 C. J. Orrin  
10 A. C. Weaver  
11 Lewis Bangardner  
12 Wm. Trent  
13 John P. Lavan  
14 Ammon Wingard.  
Levi P. Wingard

15 J. F. Keam

16 A. R. Miller

17 Abraham P. Miller

18 H. J. Luster

19 Josiah Wingard

20 Hiram Wingard

21 Daniel Q. Wingard

22 Peter Wingard, Jr.

23 E. D. Lloyd

24 Sidman Young

25 Jacob L. Lehman

26 Levi Ripple

27 Noah J. Holman

28 Hiram Quil

29 William Orris

No. 5 Sepm Sess 1902 RA

Plates of Plumes  
published by  
Richard Forester  
for Vacating and  
Supply of Public  
Road (Legacy from  
Scap and Sump  
to a good workman  
from England

Admors 1 1902  
The Court of Appeal  
J. H. Turner -  
Counsel Res -  
J. P. Staller Sump  
Vicego  
By the Court -

Filed 1 September, 1902,

Indigumum

TO THE COURT OF QUARTER SESSIONS:

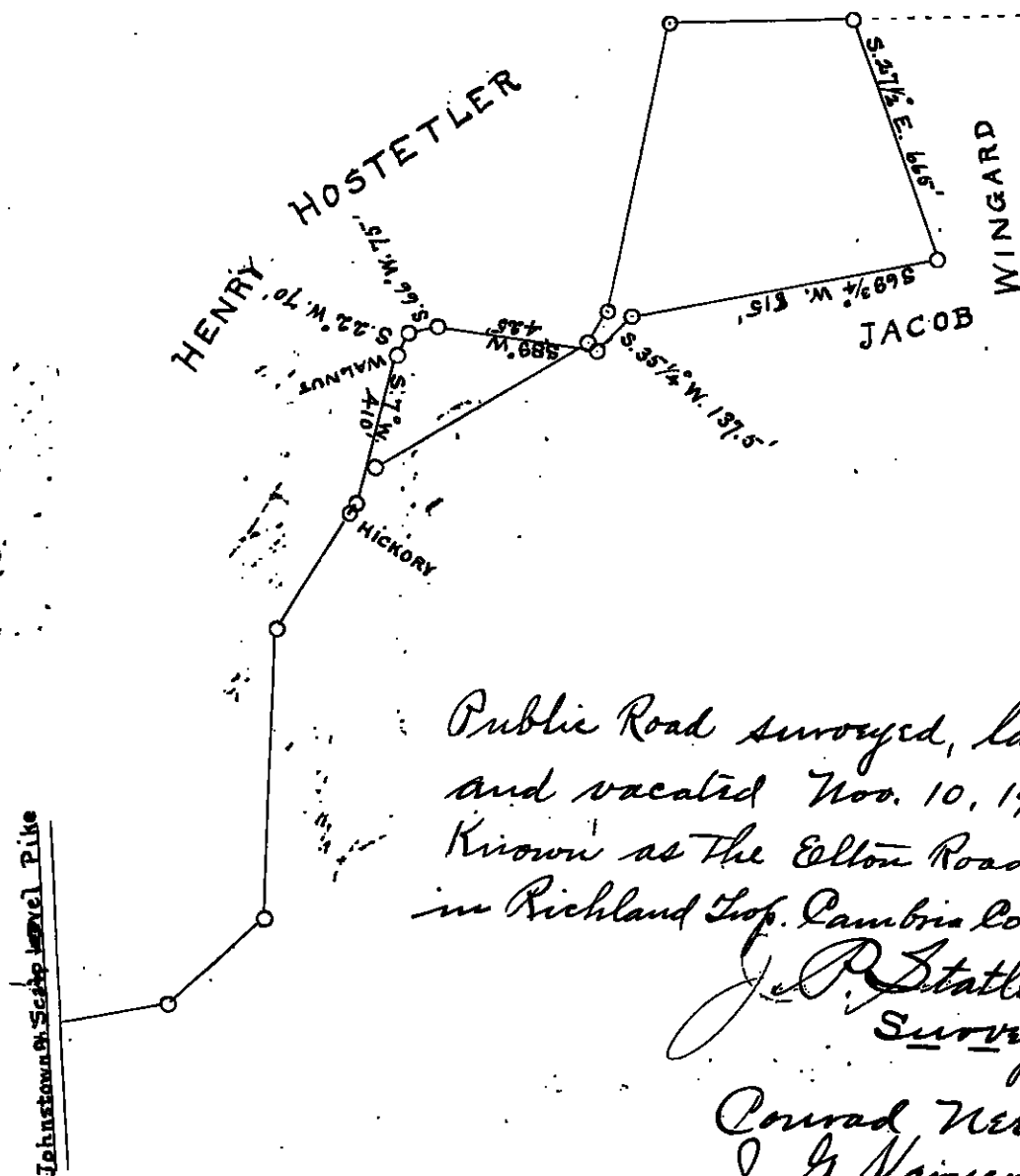
The undersigned,viewers named in the within order ( the order is attached to the Report ) respectfully report:

1. That we met at the time and place specified in the notices,to-wit, on the tenth day of November,1902,near the dwelling house of Hiram Hostetler, in Richland Township,as required by the notices.
2. The notices required by law were duly given,that is to say ten days in writing to Abram Hostetler,one of the County Commissioners,of the time and place at which the said viewers should meet to discharge the duties of their appointment,and also notices to the landowners and the public,of the time and place of such meeting,by six advertisements,put up in the most public places in the vicinity of the ground to be viewed,five days before the time fixed for holding the view.
3. We were severally affirmed according to law,and before proceeding to discharge our duties.
4. We viewed the site and locality of the road proposed to be laid out and vacated,making a personal inspection of the ground ~~between the~~ between the points designated in the petition and order on the 10,day of November,1902.
5. We are of the opinion and agree that a public road with a better grade between said points designated in the petition and order,is necessary. We therefore vacate a part of old road,lay out,supply and return for public use,a road in Richland Township,as follows; BEGINNING at a point in said road now vacated,and intersection of private road of Jacob Wingard,and road leading to Elton,near the house of Levi Wingard; thence by private road of Jacob Wingard,S.27 1/2 degrees east,six hundred and sixty-five feet; thence through improved land of Jacob Wingard,S.69 3/4 degrees west,eight hundred and fifteen feet; thence by the same S.35 1/4 degrees west,one hundred and thirty-seven and five tenths feet; thence crossing said old road and through woodland of Henry Hostetler,S.89 degrees west,four hundred and twenty-five feet; thence by the same S.66 degrees west seventy-five feet; thence by the same S.22 degrees west,seventy feet to a walnut tree; thence by the same and a part improved land S.7 degrees west,four hundred and ten feet to a point in said old road,twenty-four feet north east of a hickory tree.( Vacating old road between said beginning and ending points.)
6. We assess ~~the~~ the damages to arise by reason of such location to Jacob Wingard and Henry Hostetler,who own all the land upon which said road is located; Henry Hostetler seventy-five dollars;Jacob Wingard one hundred dollars
7. In our opinion the road laid out by us is of such public necessity and utility as that the expense of opening the same should be borne by Richland Township.

Witness our hands this 17,day of November,A.D.1902.

*J. P. Statter*  
*Conrad Nees*  
*J. G. Warner*

VIEWERS.



Note - Red lines denote part of old road vacated.

Scale 500' = 1 Inch

Return and Report  
of Officers app't.  
to Vacate and  
Supply Suffice  
Board in Richland  
Township

J. P. Statler,  
Surveyor 2 day  
Comptroller  
Bremer 1 day  
J. E. Bremer 1 day

Filed Dec 1902

J. E. Bremer

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 first day of September A. D. 1902, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Richland, in the said County, setting forth that they labor under inconvenience ~~for want of a public road to lead from~~  
~~on account of the grade or grades on the Public Road leading from a~~  
~~point on the Johnstown and Scalp Level Turnpike at or near the~~  
~~buildings of Hiram Hostetler in the Township of Richland or north of~~  
~~the road leading to Samuel Hoffman's saw-mill in said Richland Town-~~  
~~ship to a point at or near the house or premises of Levi Wingard in~~  
~~said Township. That they are desirous on account of said grades~~  
~~and inconveniences to have the same vacated and supplied.~~

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

J. P. Statler SURVEYOR, and

J. G. Varner and Conrad Nees

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:

B. E. Triffell, 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."

No. 5, September Session, 1902.

Order to -- view layout and

vacate public road in

Richland Township.

Rep of Viewers  
Filed 1 Dec 1902

J. P. Statler

J. G. Varner

Conrad Nees

Viewers.

Clerk Troxell 90 cts.

Zimmerman

MOUNTAINEER-HERALD PRINT.

Jan'y 20, 1903, approved and fixed at  
thirty feet, <sup>breast</sup>

By the Court

Nov 1904 confirmed

C. E. Troxell,

Clerk T. S.