

Trinity of Cambria.

[illegible]

P. F. Campbell and 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.

A. A. Kirkhead, 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. 2 June SESSION, 1912

Order to view Road in Lower Yoder Twp. beginning at the Boundary line dividing City of Johnstown & Lower Yoder Twp. where it intersects with "J" St.

Settled SEP 16 1912 CAG

Order 4 September 1912 in open court

Viewers

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

Clerk 90 cts

Sorber

AMERICAN MOUNTAIN-HEARD ERECTING CO.

*4 Sept. 1912. Approved and breaded fixed at thirty feet.
By the Court
17 Dec 1912 confirmed
A. A. Kinkade Clerk*

TO THE HONORABLE MARLIN B. STEPHENS, PRESIDENT JUDGE OF THE
COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

The petition of the undersigned, inhabitants of the township
of Lower Yoder, in said County, respectfully represents:

That they labor under great inconvenience for want of a public road or highway beginning at a point where the boundary line dividing the city of Johnstown and Lower Yoder Township, in said county, intersects with the center line of "J" street (also called extension of "J" street), which point is one hundred & fifty-five feet from the intersection of "J" street and Barron Ave. in said city and county, and ending at a point on the center line of the ^{Yoder} ~~Elk Run~~ ^{from Millcreek Road} road leading to Johnstown, in said Lower Township in said County, which point is near the house of Charles M. Reynolds and is one (1) mile ~~_____~~ distant from the intersection of the ~~Elk Run~~ road and D street in said County.

The petitioners, therefore, pray the court to appoint three persons qualified according to law to view the ground proposed for such road, and if they see occasion to lay out the same, and make report of their proceedings to the next term of this court.

And they will ever pray, etc.

T. Mallams
W. J. Robertson
James A. Felix
Lawrence Boyer
Daniel Felix
Walter H. Austin
Frank Beasinger
Bert Felix
Chas Durr

James A. Boyer
Ben Smith
Porter Stagle
Elba Horner
Aurora St. Graziop
Harry D. Wilson
John Miller
Albert Williams
O. Griffith
Fredrick Moyer

alex mayer
Samuel A Rhodes
charley Rhodes
W B Cole
C C Brazier
John Burkhardt

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

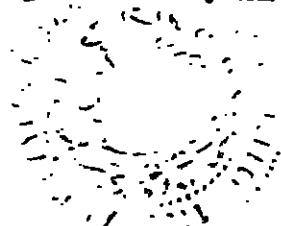
Before me the subscriber a Notary Public in and for
said County and State personally appeared C. C. Brazier
who being by me duly sworn according to law does depose and
say that the matters and statements contained in the above and
foregoing petition are true and correct to the best of his
knowledge and belief, and that the signatures of the petition-
ers are their and each of their hand writing.

C C Brazier

Sworn and subscribed to this first day of June, 1912.

William T. Taylor,
(Notary Public)

My commission expires Feb. 21, 1915.



To Henry Boyer, Henry J. Schmidt, and Ben Smith
Supervisors of the Township of Lower Yoder, in Cambria County:

Notice is hereby given that a petition will be presented to the Court of Quarter Sessions of Cambria County on Monday, the Thirtieth day of June, 1912, at ten o'clock A. M. for the appointment of viewers to lay out a public road beginning at a point where the boundary line dividing the city of Johnstown and Lower Yoder Township, in said county, intersects with the center line of "J" street (also called extension of "J" street), which point is One hundred and fifty feet from the intersection of "J" street and Barren Ave. in said city and county, and ending at a point on the center line of the ~~Millbrook~~ Elk Run road leading to Johnstown, in said Lower Yoder Township in said county, which point is near the house of Charles M. Reynolds and is One mile ~~far~~ distant from the intersection of the ~~Millbrook~~ Elk Run road and D Street in said County.

H. Earl Parker,
Attorney for Petitioners

The undersigned, supervisors of the township of Lower Yoder, in Cambria County, hereby accept service of the above notice.

May 31, 1912.

James H. Boyer
Ben Smith
Henry J. Schmidt

KNOW ALL MEN BY THESE PRESENTS.

That C. C. Grazier and T. Malbrance are held and firmly bound unto the County of Cambria in the sum of one hundred dollars (\$100.00), lawful money of the United States of America, to be paid unto the said County of Cambria, to which payment well and truly to be made, we bind ourselves, our heirs, executors, and administrators firmly by these presents. Sealed with our seals the first day of June, in the year of our Lord one thousand nine hundred and twelve.

Whereas on the Third day of June, 1912, the petition of divers inhabitants of the township of Lower Yoder, in the County of Cambria, State of Pennsylvania, will be presented to the Court of Quarter Sessions of Cambria County for the appointment of viewers to view and lay out a public road to begin at a point where the boundary line dividing the city of Johnstown and Lower Yoder township, in said County, intersects with the center line of "J" street (also called the extension of "J" street), which point is One hundred and fifty feet from the intersection of "J" street and Barron Ave in said city and county, and ending at a point on the center line of the Elk Run road leading to Johnstown, in said Lower Yoder township in said county, which point is near the house of Charles M. Reynolds, and is One mile ~~feet~~ distant from the intersection of the Elk Run road and "D" street in said County.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said petitioners asking for the appointment of said viewers shall pay or caused to be paid the fees and expennses of the viewers appointed in said recited proceedings, if the court shall so require, then this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, Sealed and Delivered
in the presence of

Mr. T. Malbrance
W. S. Lambert

T. Malbrance (SEAL)
C. C. Grazier (SEAL)

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 Third day of June, A. D. 1912, 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 great inconvenience for want of a public road or highway, to lead from a point where the boundary dividing the city of Johnstown and Lower Yoder Township, in said County, intersects with the center line of "J" street(also called extension of "J" street), which point is *One hundred & fifty five* feet from the intersection of "J" street and Barron Avenue in said city and county, and ending at a point on the center line of the Elkrum road leading from the Millcreek road to Johnstown, in said Lower township in said county, which point is near the house of Charles M. Reynolds and is one mile distant from the intersection of the Elkrum road and "D" street in said county, 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. Shorrock, surveyor, and *John L. Singer* and *P. F. Campbell*, 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

By the Court

No. 2. June Sessions 1912

In the Court of Quarter
Sessions of Cambria County.
June Term, 1912.

Petition in re Road in

Lower Yoder Township.

Acceptance of Notice by

Supervisors and bond.

Filed 7 June 1912

H. EARL SORBER
ATTORNEY AT LAW
JOHNSTOWN, PA.

Baltimore Office Supply Co., Baltimore, Md.

To the Honorable Marlin B. Stephens, president judge of the court of
Quarter Sessions of Cambria County.

The petition of the undersigned supervisors of Lower Yoder Township,
in said county respectfully represents:

That a petition was presented at the June Sessions, 1912, entered to
No. 2, said Sessions, R.D., praying the appointment of viewers to lay out
a public road beginning at a point where the boundary line dividing the
city of Johnstown and Lower Yoder Township in said county intersects
with the center line of "J" street, also called extension of "J" street,
which point is 155 feet from the intersection of "J" street and Barron
Avenue in said city and county, and ending at a point on the center line
of the Elk Run Road leading from Millcreek Road to Johnstown, in said
Lower Yoder Township in said county, which point is near the house of
Charles M. Reynolds and is one mile distant from the intersection of
the Elk Run Road and "D" street in said county,

That the said road was laid out by the viewers to a point ending at
land of C.C. Grazier and Daniel Felix, the said point of ending not being
a public road, nor any point recognized by law as a proper place for ending
a road, and further the original termini of said road called for a dis-
tance between the same of about 7100 feet of road, and as laid out by
said viewers the said road is about 2700 feet to its present ending or
termini.

That an inspection of the record and the order to open said road
discloses these facts to your petitioners. That the said road was con-
firmed absolutely Dec. 17, 1912, as your petitioners believe, inadvertently
by the court, and that the said confirmation in said case was without
authority of law, your petitioners are advised, and as well, that the said
jury to view were without authority or jurisdiction to vary the termini
of said road contrary to the order to view.

That the said road remains unopened and your petitioners conceive
would be inconvenient, useless and burdensome to the inhabitants of said

township, wherefore they pray the court that the confirmation heretofore erroneously made in said case be set aside.

J. L. Boyer.
Henry J. Schmidt
Ben Smith Jr.

Supervisors.

Cambria County, SS:

Before me the subscriber a notary public in and for said county personally came J. L. Boyer one of the supervisors abovenamed who being duly sworn according to law deposes and says that the facts set forth in the foregoing petition are true and correct.

mm

Sworn to and subscribed before me this 28 day of January 1913

Arthur M. Swartz
Notary Public

COMMISSION EXPIRES
FEB. 21, 1915.

Christman

No 2 June Sessions 1912 R. St.

In re Road in Lower
yoder Township
— — —

Petition to Set
aside Confirmation

Feb 4th 1913 Perle
upon the petition
granted & returnable
the first Monday of
March

By the Court

Filed 4 February, 1913.

Perle

R E P O R T O F V I E W E R S .

We, the undersigned, members of the Board of Viewers of Cambria County, appointed by your Honorable Court to view a certain road in Lower Yoder Township, beginning at a point where the boundary-line between the City of Johnstown and said Township intersects with "J" Street, or "J" Street extended, and ending at a point in the Elk Run road as noted in the order of Court, dated June 7th, 1912, for the purposes therein specified respectfully report:-

That having give due notice of the view and of the time and place of metting of the viewers to the Commissioners of Cambria County and the Supervisors of Lower Yoder Township by having them accept service of notices and to the general public by printed handbills posted in public and conspicuous places at and near the termini and along the route of the said proposed 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 to the best of our ability; we viewed the premises and are of opinion that the whole road between the points or termini specified in the order of Court is not necessary for the use an convenience of the travelling public, but a certain portion thereof, to-wit:- that portion of the road lying between the place of beginning at the City line where the same intersects "J" Street and ending at a point marked "A" on the plot or draft hereto attached and made a part of this report, which said point is at the corner of land of D. Felix, where his land corners on the property of C. C. Grazier, is necessary for the convenience of a great number of citizens located along that portion of the route of the said

which
road takes the following courses and distances:- Beginning at the point of beginning above noted, thence S. 11 degrees E. through and over lands of parties as noted on the draft hereinabove referred to, 660 ft., thence through lands of other parties noted on said draft, S. 14 degrees E. 88 ft. S. 50 degrees W. 205 ft., thence 10 1/2 degrees E. 65 1/2 ft., S. 49 degrees E. 172 ft., S. 65 1/4 degrees W. 247 ft., S. 28 degrees E. 92 ft., S. 3 1/2 degrees West 335 ft., S. 14 1/2 degrees W. 67 ft., S. 67 degrees W. 180 ft., S. 80 degrees W. 190 ft., N. 57 1/2 degrees W. 190 ft., N. 73 1/2 degrees W. 193 ft., S. 59 degrees W. 570 ft., S. 41 1/2 degrees W. 365 ft., S. 22 1/2 degrees W. 516 ft., S. 32 degrees W. 800 ft., S. 58 degrees E. 715 ft., S. 30 1/2 degrees W. 384 ft and S. 60 degrees E. 1400 ft. to place of ending noted in the attached order of Court.

Therefore we recommend that the portion of said road, as laid out between the place of beginning, as noted in the said order and shown on the attached draft, and ^{the} point marked "A" ~~as~~ shown on the said draft, be directed to be opened for the use of the public and that portion of the road lying between the point "A" on said draft and the place of ending thereon noted, be left unopened as the latter part of said road would, not only be exceedingly expensive to construct, as well as very hilly, but also would be of very little use to the traveling public or citizens living along the route of this road as laid out.

The Viewers having failed to secure releases of damages from the parties through and over whom the route of the proposed road passes, have assessed damages as follows, viz:-

To L. Horner sixty dollars and to D. H. Slagle two hundred and ninety-four dollars and to the other parties, through and over whom the said road passes, we have assessed no-----

damages.

Witness our hands this 25th day of Aug., A. D. 1912.

A. M. Shoemaker.

P. F. Campbell

J. L. Singer.

Viewers.

Costs of View.

P. F. Campbell

3 Days — 15.00

Transportation 1.80

Meals 2.00

Prints .75

A. M. Shoemaker.

Lifting Order .90

3½ Days 17.50

Transportation 2.30

Meals 2.00

Helper pd by A.M.S. 1.50

John L. Singer

2 Days 10.00

Livery hire,

feed, meals 12.70

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 a point on line between the City of Johnstown & Lower Yoder Twp., at the intersection of "J" St. or "J" St. extended, which point is about 150 ft. from the intersection of said St. & Barron Ave. in said City, and ending at a point on Elk Run Road, leading from Mill Creek Road to Johnstown, near the house of Charles M. Reynolds, said proposed road being in Lower Yoder Twp., Cambria Co., Pa.*

will meet at the *place of beginning, above noted*, in the Township of *Lower Yoder* aforesaid, on the *15th* day of *August* 1912, at *10:00* o'clock *a.m.*, for the purpose of viewing said ground.

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

July 31st 1912

Now Aug 4 1912 Service of the within
notice accepted for the County
Commissioners of Cambria Co., Pa.
H C Trappell
Clerk

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 a

point on line between the City of Johnstown & Lower Yoder Twp, at the intersection of "J" St or "J" St. extended with said line, which point is about 155 ft. from the intersection of said St. & Barron Ave., in said City, and ending at a point on Elk Run Road, leading from Mill Creek Road to Johnstown, near the house of Charles M. Reynolds, said proposed road being in Lower Yoder Twp, Cambria Co., Pa.

will meet at the place of beginning above noted, in the Township of Lower Yoder aforesaid, on the 15th day of August 1912, at 10:00 o'clock a.m. for the purpose of viewing said ground.

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

July 31st 1912

Now, Aug 1912, service of the within
notice accepted by the undersigned
Supervisors of Sower Yoder Trwp,
Cambria Co., Pa

Henry J. Schmidt
Ben Smith

J. H. Boyer
Supervisors

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 on the boundary line between the City of Johnston & Town of Lower Yoder at the intersection of "1" St. or "A" Street with said line which is at a point 155 ft. from the intersection of Barron Ave. with said St. and ending at a point on the Elk River Road leading from the Mill Creek Road to Johnston near the house of Charles M. Tier not less than being wholly within the Town of Lower Yoder, Camilla Co., Ga.

will meet at the place of beginning, above noted, in the Township of Lower Yoder aforesaid, on the 15th day of August 1912, at 10:00 o'clock A.M. for the purpose of viewing said ground.

W. M. Hoover
J. H. C. ...
J. H. ...
Viewer

Aug 24th 1912

MAP SHOWING LOCATION OF PROPOSED PUBLIC ROAD
IN LOWER YODER TOWNSHIP, CAMBRIA CO. PA.
VIEWED UPON AN ORDER OF COURT OF QUARTER
SESSIONS, DATED THE 7TH DAY OF JUNE 1912.
SCALE 1" = 200' FT.

A.M. SHOEMAKER.
JOHN L. SINGER.
P.F. CAMPBELL.
VIEWERS

