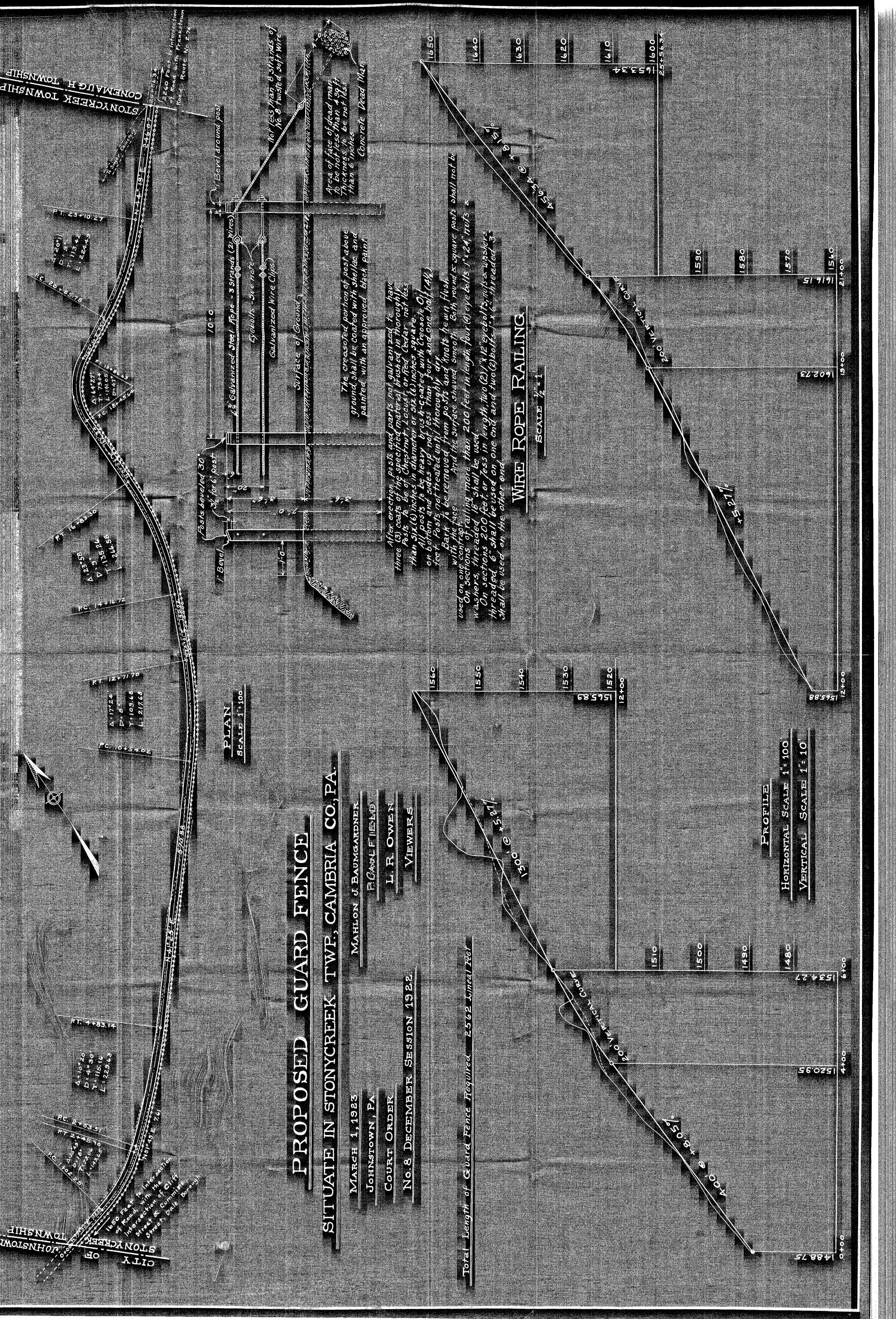
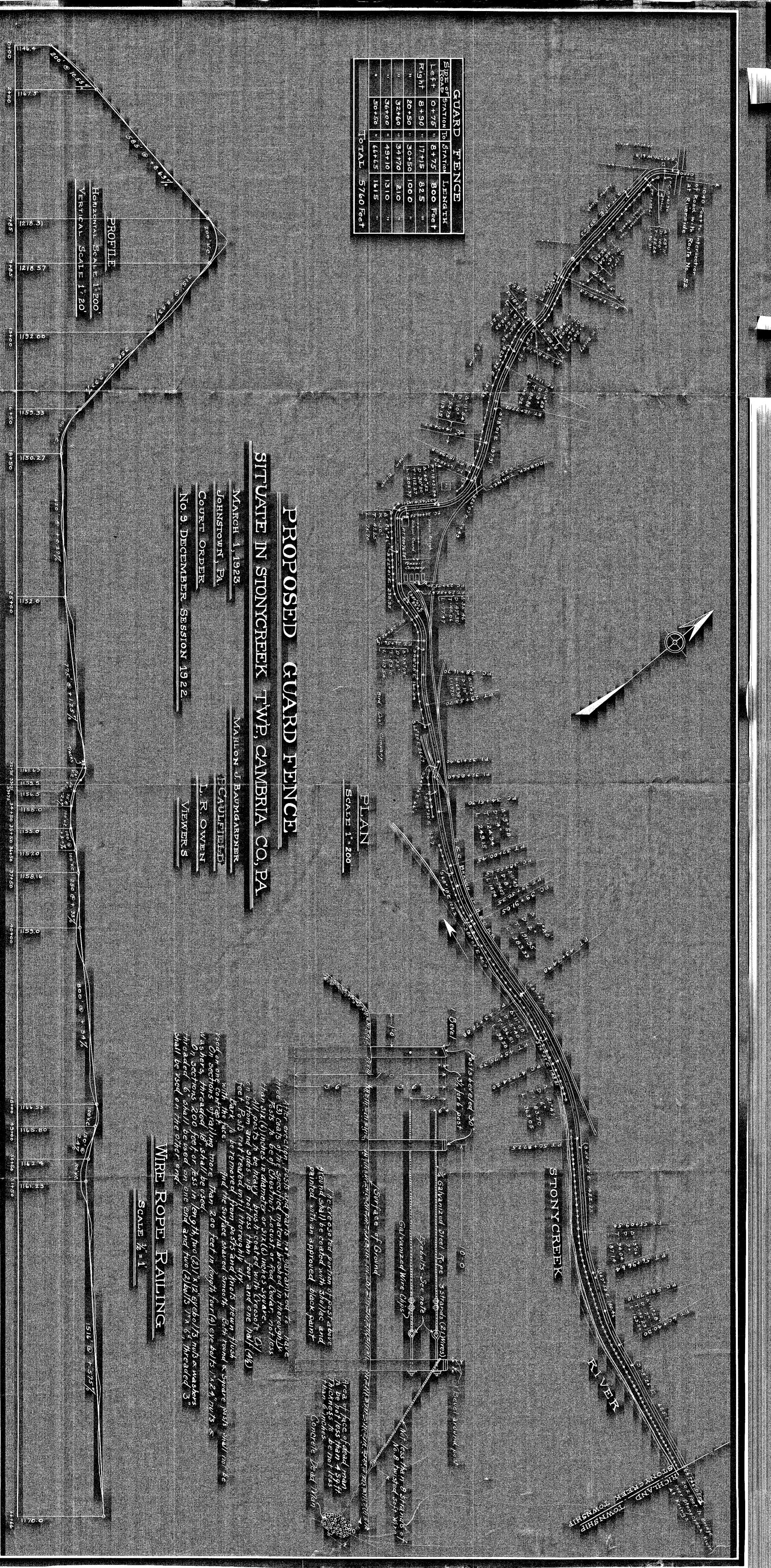
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# 756.98

In the Court of Quarter Sessions of Cambria County, Pa. No. 9 December Jess. 1922.

In Re Guard Rails along the Highway leading from the Pennsylvania State Highway Route # 252 at Riverside Bridge across the Hogback Tunnel to Trings Station, in the Township of Stonycreek County of Cambrie, Penna.

REPORT OF VITARS.

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MAHLON J. BAUMGARDNER

ATTORNEY AT LAW

JOHNSTOWN, PENNA.

File 10 March 1923

SWANE BLDG.

In re Guard Rails along the Highway leading from Pennsylvania State Highway Route # 252 at Riverside Bridge across the Hogback Tunnel toxKrings Station in the Township of Stonycreek, County of Cambria, Pennsylvania.

In the Court of Quarter Sessions of Cambria County Pennsylvania.

No. 9 December Sess. 1922.

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## REPORT OF VIEWERS.

To the Honorable, the Judges of said Court:-

We, the undersigned, Viewers appointed by the annexed Order of the above Court, to view the premises for the purpose of Guardrails along the Highway leading from Pennsylvania State Highway Route # 252 at Riverside Bridge across the Hogback Tunnel to Krings Station, all in the Township of Stonycreek, County of Cambria and State of Pennsylvania, reseptifully report:

That we were duly sworn or affirmed as members of the permanent board of Viewers of Cambria County, as shown by the records of said Court, gave due public Notice of the time and place of meeting of said Viewers by publication in the Johnstown Daily Tribune, by hand bills posted on the premises and by Notice served on the Commissioners of Cambria County and upon D. P. Weimer, Counsel for the Commissioners of Stonycreek Township, all of whom accepted service, at least ten days prior to the time of the making of the said view, evidence of which is shown by copies of said Notices hereto attached and made a part of this report; that we met upon the premises according o the notice given an the Riverside Bridge on the second day of March A. D. 1923 at 9:30 o'clock A. M. and proceeded with the duties of our appointment.

We viewed the site and locality where Guard Rails are proposed to be constructed, making a personal inspection of the ground between the points designated in the petition and order.

That we are of the opinion and therefore recommend that Guard tails be erected beginning at a point one thousand and forty (1040) feet to intersection of road with Route # 52 at Riverside, Township of Stonycreek, County of Cambria, Penna., being the one terminus and the other terminus being the dividing line between the Townships of Richland and Stonycreek, two hundred and two (202) feet distant from bridge over Stonycreek River at Krings. Said distance being six thousand threehundred sixty (6360) lineal feet, which is the distance that requires Guard Rails, the location, courses and distances which are more particularly set forth in a draft and blue print hereto attached and made a part of thes report.

Said Guard Rails to consist of two cables three fourth (3/4) inch galvanized steel rope three strans (21) wires, the posts through which cables run to be chestnut, locust or red cedar not less than six (6) inches in diameter or six (6) inches square. All posts to be heavy brush-coated with Cressote Oil on bottom and sides up not less than four and one half  $(4\frac{1}{2})$ feet. Posts not treated until thoroughly dry. Bark to be removed from posts and knots hewn flush with the base. And the surface shaven smooth. Both round and square posts shall not be used on one contract. On section of tailing more than two hundred (200), feet in length four (4) eye bolts 1" x 24" nuts and washers, threaded 18" shall be used. On sections two hundred (200) feet or less in length two (2) 1" x 12" eye bolts, nuts and washers threaded 6" shall be used on one and and two (2) bolts  $1" \times 6"$  threaded 3" shall be used on the other end, as is more fully set forth on a blue print hereto attached. The approximate cost of Guard Rails of the above proposed erection complete for 6360 lineal feet as per plans at seventy five (.75) cents per foot being -

The Viewers further recommend that the Commissioners of the Township of Stonycreek widen the road along which the proposed Guard Rails are to be erected in conformity to the outlineas shown on the accompanying draft and blue print.

he are also of the opinion and agree that the expense of the erection and construction of the Guard rails as above outlined, stipulated, and estimated is more than the inhabitants of the Township of Stonycreek should bear, we therefore recommend that the expense of erecting the Guard Rails as aforesaid be borne by the County of Cambria, State of Pennsylvania.

Witness our hands this 3rd. day of March A. D. 1923.

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The ballow of Brown police of Vilewers.

In re Guard Rails along the Highway leading from the Pennsylvania State Highway Route # 252 at Riverside Bridge across the Hogback Tunnel to Krings Station, in the Township of Stonycreek, County of Cambria, Penna.

In the Court of Quarter
Sessions of Cambria County
Pennsylvania.

No. 9 December Sess. 1922.

## TO PHILIP CAULFIELD, L. R. OWEN and

## MAHLON J. BAUMGARDNER. Dr.

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TO MENTION J. BROMGARDHER, Dr.		•
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To L. R. OWEN, Dr.

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To PHILIP CAULFIELD, Dr

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In re Petition of the Commissioners of Stonycreek Township for Guard Rails along highway leading from enna. State Highway Route # 252 at Riverside Bridge across the Hogback Tunnel to Krings Station.

In the Court of Quarter Sessions of Cambria County, Penna.

No 9 December Sess, 1922.

#### NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to view with respect to the necessity for Guard Rails and the cost of construction thereof, for a highway leading from the Pennsylvania State Highway Route Number 252 at "iverside Bridge across the Hogback Tunnel to Erings tation, will meet at the Riverside Bridge on Friday March 2nd. A. D. 1923 at 9:30 olclock A. M. for the purpose of performing the duties of our appointment.

PHILIP CAULFIELD,

L. R. OWEN

MAHLON J. BAUMGARDNER, Viewers.

February 17th. 1923.

And now February 1923, I accept service of the within Notice to View for the Commissioners of Stonycreëk: Township: Cambria County, Penna.

Attorney for Commissioners

Stonycreek Township.

In re Petition of the Commissioners of Stonycreek Township for Guard rails along highway leading from Penna. State Highway Route # 252 at Riverside Bridge across the Hogback Tunnel to Krings Station.

In the Court of Quarter Sessions of Cambria County, Penna.

No. 9 December Sess. 1922.

### NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to view with respect to the necessity for Guard Rails and the cost of construction thereof, for a highway leading from the Pennsylvania State Highway Route Number 252 at Riverside Bridge across the Hogback Tunnel to Arings Station, will meet at the Riverside Bridge on Friday March 2nd., A. D. 1923 at 9:30 o'clock A. M. for the purpose of performing the duties of our appointment.

PHILIP CAULFIELD,

L. R. CWEN.

MAHLON J. BUMGAFDRER. Viewers,

February 17, 1923.

And now 19 February 1923, I accept service of the within Notice to View for the Commissioners of Cambrian County, Rennsylvaniator.

Jas Moline

otition of the Commmors of Stonycreek Townp for Guard rails along Aghrey leading from Fenna. State Highway Route # 252 at Biveroide Fridge ecross the Hogosck Tunnel to Arings Statton.

In the Court of Quarter Bessions . of Cambria County, Penna. 7. No. 9 Pecember Bess. 1922.

MOTION TO VIEW

to, the undersigned Viewers amorphed by the above Court. to viou with respect to the necessity for Guard Rails and the does or construction thereof. for a highway fording from the Pennsylvania State Highway Route Number 252 at Riverside Bridge. across the Hogback lunnel to Trings Station, will meet at Hiverside Spidge on arthay Yarch 2nd., J. D. 1923 at 9:30 o'clock A. M. for the purpose of posterning the duties of our appointment.

February 17th. 1923.

VIEWERS, NOTICE—In, re petition of the Commissioners of Stonycreek Township for guard rails along highway leading from Pennsylvania, State Highway Route No. 252 at Riverside Bridge across the Hogback Tunnel to Krings Station. In the Court of Quarter Sessions of Cambria County: Pennsylvania, No. 3 December Sessions, 1922.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above Court to view with respect to the necessity for guard rails and the cost of construction thereof, for a highway leading from the Pennsylvania State Highway Route No. 252 at Thirdright Ending Station, will meet at the Riverside Bridge across the Hogback Tunnel to Krings Station, will meet at the Riverside Bridge on Friday March 2. A. D. 1923, at 9:30 o'clock a. m. for the purpose of performing the duties of our appointment.

PHILIP B. CAULFIELD.

MAHLON J. BAUMGARDNER, February 17, 1923. Viewers.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENN'A.

In re Petition of the Commissioners of Stonycreek Township for the appoint- No.9 December Sessions, 1922. ment of viewers for guard ratis.

TO THE NONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned Commissioners of Stonycreek Township, County of Cambria and state of Pennsylvania respectfully represent: that the highway leading from the Pennsylvania State Highway, Route # 252 at Riverside Bridge, across the Hogback Tunnel to Kring's Station is in a very dangerous condition for want of a guard rail or fence along the same; and that the expense of constructing said guard rail or fence is greater than it is reasonable that the said township of Stonycreek should bear.

They therefore respectfully pray the Court to appoint viewers to view the said highway with the respect to the necessity for guard rails and the cost of construction thereof, and make report to the Court, and to do such other and further things as the Act of Assembly in such case made and provided requires, and they will ever pray.

And now, the 12th day of Feb. 1923, the within petition having been presented and considered, Philip Caulfield, L.R. Owen and Mahlon J. Baumgardner are hereby appointed viewers as within prayed for.

BY THE COURT.

Extract from the Record.

Certified this 13th day of February, A. D. 1923.

Finsk 6 Poff. Clerk Q. S.

no. 9 December Sess. 1922 In the Court of Quarter Sessions of Cambria County Petition of the Commissioners of Stonycreek Township for the appointment of viewers for guard rails. And now, the 12 day of Feb January, 1923, the within petition having been presented and con-Julip Care K. K. Ou Mahlen are hereby appointed viewers as within prayed for Filed 12 Feby. 1923 D.P. WEIMER, ATTORNEY AT LAW, JOHNSTOWN, FA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY

To the Honorable, the Judges of said Court.

The petition of the undersigned Commissioners of Steny-creek Township, County of Cambria and State of Pennsylvania respectfully represent: that the highway leading from the Pennsylvania State Highway, Route # 252 at Riverside Bridge, across the Hogback Tunnel to Kring's Station is in a very dangerous condition for want of a guard rail or fence along the same; and that the expesse of constructing said guard rail or fence is greater than it is reasonable that the said township of Stonycreek should bear.

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E. E bonstable

Elma Blough

Commissioners of the Township of Stonycreek, Cambria County, Pa.

State of Pennsylvania ) SS: County of Cambria

The undersigned being duly sworn according to law deposes and says that he is one of the Commissioners of Stonycreek Township and that the matters contained in the above and foregoing petition are true and correct as he verily believes.

S.a. m Grah

Sworn and subscribed before me this 3/ day of January,

My commission expires May 31-

1923.

Julied ! March 1927

No 8 December Sessions 1922.

. .

In Re the matter of guard rails for the highway leading from Cliff Street in Dale Borough to Pennsylvania Highway Route No. 276 in the Township of Stonycreek, Cambria County, Pennsylvania:

We the Grand Jury of Cambria County in session on March 11, 1927 do hereby recommend that the guard xxizx fence in question be built at the expense of the County of Cambria.

Foreman.

No. 9 December Session 1922.

In Re the matter of guard rails along the highway leading from the Pennsylvania Highway Route No. 252 at Riverside across the Hogback Tunnel to Kring's Station in the Township of Stomycreek, County of Cambria, Pennsylvania:

We the Grand Jury of Cambria County in session on March 11, 1927 do hereby recommend that the guard fence in question be built at the expense of the County of Cambria.

Foreman.

32

To th Honorable, the Judge of said Court.

We, the undersigned. Commissioners of The Township of Stonycreek, a township of the first class in the county of Cambria and state of Pennsylvania, in pursuance of Section 498 of the Act of the General Assembly of the Commonwealth of Pennsylvania, approved July 14th. 1917. entitled "An Act concerning town ships, and revising, amending and consolidating the law relating thereto, do hereby report that in pursuance of the petition of certain owners of property in said Township of Stonycreek for the lay out of a road between the points therein named, a copy of which said petition, together with the names of the property owners, signing the same, is here to attached, did give ten (10) days notice to the property owners affected thereby, of a time and place in and where all persons interested might meet and be heard: and after said hearing and consideration of the matter, the undersigned being the majority of the Board of Commissioners do hereby decide in favor of granting the prayer of said petition and do grant the same and do return for public use a road according to the following courses and distances, seginning at a point on the Northern side of Bedford pike and extending in a notherly direction to a point on line of the North Property line of Thorn Avenue as shown on the plan of lots laid out by Mrs. H. W. Arthur; said road extending between the lands of Mrs. H. W. Arthur on the Southeastern side and the lands of Mrs. H. W. Arthur, William Thompson, and J. E. Custer on the North vestern side, and being approximately 570 feet in length and of a uniform wiath of 40 feet. a draft or survey of which said road showing the improvements along line thereof, together with the names of the owners of property to which the same shall pass or whereon it shall abut is hereto attached.

O. O. Berkebile

E. Moonstatice

S. Canti: Polist

Elmer Blough

COMMISSIONERS OF STONYCREEK TOWNSHIP

#### PETITION OF REAT ESTATE OWNERS

TO THE BOARD OF SUPERVISORS OF STONYCREEK TOWNSHIP; CAMBRIA COUNTY, PENNSYLVANIA.

#### Gentlemen:-

The undersigned property owners respectfully petition your Board to improve Arthur Street; between Bedford Street or Johnstown and Scalp Level Turnpike and Thorn Avenue, as shown on the map, laid out by Mts. H. W. Arthur, September 22, 1911 and recorded in Plat Book Vol. 1 page 112m records of Cambria County. The undersigned hereby waive all claims for damages by reason of said improvement.

Your petitioners further represent that the said Arthur Street is their only means of access and the same is in very bad condition, so that it is difficult and almost impossible to use the said street.

June 30, 1922.

NAME

ADDRESS

- 1. J. E. Custer
- 2. Wm. Thompson
- 3. Joseph A Dell.
- 4. John Thorn
- 5. George Karr
- 6. Mrs. H. W. Arthur
- 7. H. B. Kaufman
- 8. H. B. Miller

No. 6 Dec Seas 1922
Quarter Sessions
Bond of Petitioners in the matter of the Petition to vacate and supply public Road in Chest Township.
And now; fau. 8 1923 the within Bond and the Sureties thereon approved  M.
Feled Ffany. 1923
REUEL SOMERVILLE ATTORNEY AT LAW PATTON, PA.

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Know all men by these presents that

all of the Township of Chest; Cambria County and State of Pennsylvania are held and firmly bound unto the Commissioners of Cambria County, Pennsylvania; in the sum of One Hundred Dollars; lawful money of the United States of America, to be paid to the said Commissioners of Cambria C unty; their certain attorney or assigns; to which payment well and truly to be made and done, we bind ourselves; our heirs; executors; administrators, and sery of them; firmly by these presents; sealed with our seals and dated this 27th., day of December; A.D. 1922.

The Condition of this Obligation is such that if the said obligors; who have petitioned the Court of Quarter Sessions of Cambria County for the appointment of viewers to view and vacate and supply a certain highway in the Township of Chest, in said county; leading from Patton to St. Lawrence, shall pay the cost and expense of the viewers so appointed into the office of the County Treasurer of said county; as the court shall direct, when the proceedings are concluded, then this obligation to be void and no effect, or else to be and remain in full force and virtue.

Signed and sealed in the presence

of

George Warner (80 1)

Jach Sine (Seal)