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PROPERTY
OF
SARAH CAVANAUGH PATTERSON
SITUATE IN
EAST TAYLOR TWP. CAMBRIA CO. PA.
SHOWING LOCATION OF
OLD & NEW EBENSBURG ROAD
SCALE 1"=50'
O P THOMAS R.P.E. & L.S. JOHNSTOWN PA.
CERT. 272
MAY 16 1924.

In re petition for the appointment of viewers to assess damages occasioned by the opening of a public road in the Township of East Taylor, County of Cambria and State of Pennsylvania

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

TO THE HONORS, THE JUDGES OF THE COURT OF QUARTER SESSIONS OF THE PEACE IN AND FOR THE COUNTY OF CAMBRIA AND STATE OF PENNSYLVANIA:

The petition of Margaret Cavanaugh Patterson respectfully represents:

That a public road or highway has been laid out and opened within one year past through the lands of your petitioner by the order of said Court.

That the aforesaid land is located in the said Township of East Taylor, County and State aforesaid.

That by the laying out, opening, widening and changing of said road as aforesaid your petitioner has sustained great injury and damage, among other things as follows:

- (a) That the said road appropriates a large part of said land.
- (b) That the said road renders the rest of said land less valuable.
- (c) That the said road makes a deep cut across a large portion of said land, causing said land to be greatly less in value if not wholly destroyed.
- (d) That the said land is rendered by reason of said road less accessible.
- (e) That said land is rendered less valuable by reason of the grade being made different than the abutting land and different than the grade of the former road.
- (f) That the change from the former road to the present location greatly damages your petitioner's said land.

(g) That in various other ways the said land is rendered less valuable by reason of the laying out, opening, widening, changing and construction of said road.

Your petitioner therefore prays your Honors to appoint three disinterested persons to view the premises and assess the damages which your petitioner may have sustained as aforesaid.

Margaret Parnough Patterson
Petitioner

No. 9 March Sessions 1924

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

In re petition for the appointment of viewers to assess damages occasioned by the opening of a public road in the Township of East Taylor, County of Cambria and State of Pennsylvania

P E T I T I O N

March 31st 1924, the within petition having been read and considered Mahlon J. Bantz and Dirce T. Lamb and Philo Caffron are appointed viewers for the purposes within set forth; returnable the 4th day of June, 1924.

By the Court

Filed 31 March 1924
J. H. Roth

LAW OFFICES OF
FRANK P. BARNHART
JOHNSTOWN, PENNA.

In re Laying out, Opening, Widening and changing a public road in East Taylor Township, Cambria County, Penna. as affecting the property of Margaret Cavanaugh Patterson.

In the Court of Quarter Sessions of Cambria County, Pa. No. 9 March Sessions 1924.

REPORT OF VIEWERS.

To the Honorable, the Judges of the above mentioned Court.

We, the undersigned Viewers, appointed by the annexed order of the above Court to view the above premises and determine and estimate the damages that have resulted or that may seem likely to result by reason of Laying out, Opening, Widening and Changing a public road in the Township of East Taylor, Cambria County, Penna., as affecting the property of Margaret Cavanaugh Patterson, respectfully 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 the Court; That due public notice of the time and place of meeting of said Viewers was given by publication in the Johnstown Daily Tribune and in the Cambria County Legal Journal and by hand bills posted upon the premises, and by service upon the Commissioners of Cambria County, upon Charles C. Greer, Esq., Solicitor for the Supervisors of the Township of East Taylor and upon Frank P. Barnhart, Counsel for Margaret Cavanaugh Patterson, at least ten days prior to the making of said view, evidence of which is shown by copies hereto attached and made a part of this report; that we met upon the premises according to the notice given on Tuesday May 13th. A. D. 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

All the parties in interest received written notice of the time and place of hearing for the purpose of hearing evidence

and taking testimony. That the time and place of hearing for the purpose of taking testimony was Saturday May 17th., A. D. 1924 at 10 o'clock A. M. in the Viewers Room, Wolfe Bldg., Franklin St., Johnstown, Pa.

Pursuant to said written notice above recited, we met in the Viewer's Room, Wolfe Bldg., Franklin St., Johnstown, Pa. on Saturday, May 17th., A. D. 1924 at 10 o'clock A. M. for the purpose of hearing all evidence and testimony in said view, at which time witnesses appeared and we heard all evidence and testimony offered.

That having viewed the premises and hearing all evidence and testimony offered and taking into consideration all matters before us, we estimated and determined the quality and quantity of the land taken, occupied and injured by the Laying Out, Opening, Widening and Changing the public road in East Taylor Township, Cambria County, Penna., and having due regards to and making just allowances for the damages which have resulted or which may seem likely to result to the property of Margaret Cavanaugh Patterson, we estimated and determined the amount of the damages and benefits and prepared a schedule thereof. That all parties interested were notified of the time and place of meeting of the Viewers for the purpose of exhibiting said Schedule and considering all exceptions and evidence thereto, by due public notice in the Johnstown Tribune and the Cambria County Legal Journal and by personal service on Charles C. Greer, Solicitor for the Supervisors of East Taylor Township, upon the petitioner, Margaret Cavanaugh Patterson; and upon Frank P. Barnhart, Counsel for petitioner, at least ten days prior to the time of said meeting evidence of which is shown by copies of said notices hereto attached and made a part of this report. That we met in

accordance with the notices given on Saturday May 24th. A. D. 1924 at 10 o'clock A. M. in the Viewer's Room, Wolfe Building, Franklin St., Johnstown, Pa. where said Schedule was exhibited and all exceptions and testimony offered thereto was heard. That hearing all exceptions and testimony offered and giving all matters before us due consideration, we are of the opinion and agree that the said property of MARGARET CAVANAUGH PATTERSON, abutting on the Laying Out, Opening, Widening and Changing a public road in East Taylor Township, Cambria County, Penna., has NOT BEEN DAMAGED, therefore we assess with NO BENEFITS and WITH NO DAMAGES.

WITNESS our hands this Thirty-first day of May A. D. 1924.

Dixon Tomb
Philip E. Canfield
Nelson Baunsgardner
Viewers.

In re Laying out, Opening, Widening,
and Changing a Public road in East
Taylor Township, Cambria County,
Penna. as affecting the property of
Margaret Cavanaugh Patterson

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 9 March Sessions 1924.

TO MAHLON J. BAUMGARDNER, DIXON TOMB
AND PHILIP CAULFIELD, DRS

To Mahlon J. Baumgardner, Dr.

Preparing Notice to View,	\$7.50
Stenographer and stationery	3.50
Posting Notices, (2 days)	15.00
Mileage	.40
Making View	7.50
Mileage	.20
Preparing Notices of Hearing	7.50
Stenographer and Stationer	3.00
Preparing Notices of Exhibit of Schedule	7.50
Stenographer and Stationery	2.50
Serving Notices of Exhibit of Schedule	7.50
Mileage	.20
Hearing Testimony	7.50
Preparing Schedule of Damages	7.50
Stenographer and Stationery	2.50
Considering, Estimating Amount of Damages, etc.	7.50
Exhibit of Schedule	7.50
Preparing Report of Viewers	7.50
Stenographer and Stationery	3.00
Preparing Notice of Filing Report	7.50
Stenographer and Stationery	1.50
Order to View	.90
Advertising Notice to View, Tribune	7.50
Advertising Notice to View, Legal Journal	3.00
Advertising Notice Exhibit of Schedule Tribune	6.00
Advertising Notice Exhibit of Schedule Lg. Jr.	5.00
Advertising No ice Filing Report	3.00

CERTIFIED

Jacob M. Hoffman

COUNTY CONTROLLER

\$139.70

To Dixon Tomb, Dr.

Making View	7.50
Mileage	.20
Hearing	7.50
Considering, estimating damages etc.,	7.50
Exhibit of Schedule	7.50

30.20

To Philip Caulfield, Dr.

Making View,	7.50
Mileage	.20
Hearing	7.50
Considering, estimating, damages etc.,	7.50
Exhibit of Schedule	7.50

\$30.20

COMMISSIONERS

In re Laying out, Opening, Widening and Changing a public road in East Taylor Township Cambria County as affecting the property of Margaret Cavanaugh Patterson.

In the Court of Quarter Sessions of Cambria County, Penna.
No. 9 March Sessions, 1924.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the said Court to view the property of Margaret Cavanaugh Patterson and determine and estimate the damages that have resulted or that may seem likely to result by reason of the laying out, opening, widening and changing of a public road in East Taylor Township, Cambria County, Pa., as affecting the property of Margaret Cavanaugh Patterson, will meet on the premises Tuesday, May 13th. A. D. 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner,

Dixon Tomb,

Philip Cauffield,

Viewers.

Now May 5, 1924 I accept service of the within notice to View for the Commissioners of Cambria County, Penna.

S. D. Kirkhead
Chief Clerk.

In re Laying out, Opening, Widening and Changing a public road in East Taylor Township, Cambria County, as affecting the property of Margaret Cavanaugh Patterson.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 9 March Sessions, 1924.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the said Court to view the property of Margaret Cavanaugh Patterson and determine and estimate the damages that have resulted or that may seem likely to result by reason of the laying out, opening, widening and changing of a public road in East Taylor Township, Cambria County, Pa. as affecting the property of Margaret Cavanaugh Patterson, will meet on the premises Tuesday, May 13th. A. D. 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

EAHLON J. BAUMGARDNER,

DIXON TOMB,

PHILIP CAUFFIELD,

Viewers.

Now May 3rd, 1924 I hereby accept service of the within notice to view as Solicitor for the Supervisors of the Township of East Taylor, Cambria County, Pa.

Chas. W. W. W.

In re Laying out, Opening, Widening and Changing a public road in East Taylor Township, Cambria County, as affecting the property of Margaret Cavanaugh Patterson.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 9 March Sessions, 1924.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the said Court to view the property of Margaret Cavanaugh Patterson and determine and estimate the damages that have resulted or that may seem likely to result by reason of the laying out, opening, widening and changing of a public road in East Taylor Township, Cambria County, Pa. as affecting the property of Margaret Cavanaugh Patterson, will meet on the premises Tuesday, May 13th. A. D. 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,

DIXON TOMB,

PHILIP CAUFFIELD,

Viewers.

Now May 3rd, 1924 I accept service of the within
Notice to view as Counsel for Margaret Cavanaugh Patterson.

Frank P. Barnhart

In re Laying Out, Opening, Widening and Changing a public road in East Taylor Township, Cambria County, Penna., as affecting the property of Margaret Cavanaugh Patterson.

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

No. 9 March Sessions, 1924.

NOTICE OF EXHIBIT OF SCHEDULE.

We, the undersigned Viewers, appointed by the said Court to view the premises, have estimated and determined the damages and benefits that have resulted or that may seem likely to result by reason of the laying out, changing, opening and widening of a public road in East Taylor Township, Cambria County, Penna., as affecting the property of Margaret Cavanaugh Patterson, will meet in the Viewers Room, Wolfe Bldg. Franklin St. Johnstown, Pa. on Saturday May 24th., A. D. 1924 at 10 o'clock A. M. at which time a schedule of damages and benefits will be exhibited and all exceptions thereto and evidence will be heard.

MAHLON J. BAUMGARDNER,

DIXON TOMB,

PHILIP CAULFIELD,

Viewers.

And now May 13, 1924 I hereby accept service of the above Notice of Exhibit of Schedule.

Margaret Cavanaugh Patterson

Heer

In re Laying out, Opening,
Widening and Changing a public
road in East Taylor Township,
Cambria County, Penna. as affect-
ing the property of Margaret
Cavanaugh Patterson.

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

No. 9 March Sessions 1924.

NOTICE OF EXHIBIT OF SCHEDULE.

We, the undersigned Viewers, appointed by the said Court to view the premises, have estimated and determined the damages and benefits that have resulted or that may seem likely to result by reason of the Laying out, changing, opening and widening of a public road in East Taylor Township, Cambria County, Penna., as affecting the property of Margaret Cavanaugh Patterson, will meet in the Viewers Room, Wolfe Bldg., Franklin St. Johnstown, Pa. on Saturday, May 24th. A. D. 1924 at 10 o'clock A. M. at which time a schedule of damages and benefits will be exhibited and all exceptions thereto and evidence will be heard.

MAHLON J. BAUMGARDNER,

DIXON TOMB,

PHILIP CAULEFIELD,

VIEWERS.

And now May, 13^{*A*} 1924, I hereby accept service of the within Notice of Exhibit of Schedule as Solicitor for the Supervisor s of the Township of East Taylor, Cambria County, Penna.

Leporello to Turn

Sh. Sup. E T Twp

Barnhart.

In re Laying out, Opening,
Widening and Changing a public
road in East Taylor Township,
Cambria County, Penna. as affect-
ing the property of Margaret
Cavanaugh Patterson.

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

No. 9 March Sessions 1924.

NOTICE OF EXHIBIT OF SCHEDULE.

We, the undersigned Viewers, appointed by the said Court to view the premises, have estimated and determined the damages and benefits that have resulted or that may seem likely to result by reason of the Laying out, changing, opening and widening of a public road in East Taylor Township, Cambria County, Penna., as affecting the property of Margaret Cavanaugh Patterson, will meet in the Viewers Room, Wolfe Bldg., Franklin St. Johnstown, Pa. on Saturday, May 24th. A. D. 1924 at 10 o'clock A. M. at which time a schedule of damages and benefits will be exhibited and all exceptions thereto and evidence will be heard.

MAHLON J. BAUMGARDNER,

DIXON TOMB,

PHILIP CAULFIELD,

VIEWERS.

And now May 13 1924, I accept service of the above
Notice of Exhibit of Schedule as Counsel for Margaret Cavanaugh
Patterson.

Frank P. Barnhart
Atty. for Margaret
Cavanaugh Patterson

TRIBUNE

VIEWER'S NOTICE—In relaying, out, opening, widening and changing a public road in East Taylor Township, Cambria Co., as affecting the property of Margaret Cavanaugh Patterson. In the Court of Quarter Sessions of Cambria County, Penna., No. 9 March Sessions, 1924.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the said Court to view the property of Margaret Cavanaugh Patterson and determine and estimate the damages that have resulted or that may seem likely to result by reason of the laying out, opening, widening and changing a public road in East Taylor Township, Cambria County, Pa., as affecting the property of Margaret Cavanaugh Patterson, will meet on the premises Tuesday, May 13, A. D. 1924, at 10 o'clock a. m. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,
DIXON TOMB,
PHILIP CAULFIELD, Viewers.

Legal Journal

NOTICE TO VIEW

In re Laying out, Opening, Widening and Changing a public road in East Taylor Township, Cambria County as affecting the property of Margaret Cavanaugh Patterson.

In the Court of Quarter Sessions of Cambria County, Penna. No. 9 March Sessions, 1924.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the said Court to view the property of Margaret Cavanaugh Patterson and determine and estimate the damages that have resulted or that may seem likely to result by reason of the laying out, opening, widening and changing of a public road in East Taylor Township, Cambria County, Pa., as affecting the property of Margaret Cavanaugh Patterson, will meet on the premises Tuesday, May 13th, A. D. 1924, at 10 o'clock A. M., for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner,
Dixon Tomb,
Philip Caulfield, Viewers.

5-9-1t

VIEWERS' NOTICE—In re laying out, opening, widening and changing a public road in East Taylor Township, Cambria County, Pennsylvania, as affecting the property of Margaret Cavanaugh Patterson. In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 9 March Sessions, 1924.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the said Court to view the premises, have estimated and determined the damages and benefits that have resulted or that may seem likely to result by reason of the laying out, changing, opening and widening of a public road in East Taylor Township, Cambria County, Pennsylvania, as affecting the property of Margaret Cavanaugh Patterson, will meet in the Viewers' Room, Woolf Building, Franklin street, Johnstown, Pa., on Saturday, May 24, A. D. 1924, at 10 o'clock a. m., at which time a schedule of damages and benefits will be exhibited and all exceptions thereto and evidence will be heard.

MAHLON J. BAUMGARDNER,
DIXON TOMB,
PHILIP CAULFIELD, Viewers.

NOTICE

In re Laying Out, Opening, Widening, and Changing a public road in East Taylor Township, Cambria County, Penna., as affecting the property of Margaret Cavanaugh Patterson.

In the Court of Quarter Sessions of

Cambria County, Penna. No. 9 March Sessions, 1924.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the said Court to view the premises, have estimated and determined the damages and benefits that have resulted or that may seem likely to result by reason of the laying out, changing, opening and widening of a public road in East Taylor Township, Cambria County, Penna., as affecting the property of Margaret Cavanaugh

Patterson, will meet in the Viewers Room, Wolfe Bldg., Franklin Street, Johnstown, Pa., on Saturday, May 24th, A. D. 1924, at 10 o'clock A. M. at which time a schedule of damages and benefits will be exhibited and all exceptions thereto and evidence will be heard.

Mahlon J. Baumgardner,
Dixon Tomb,
Philip Caulfield, Viewers.

5-16-2t

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 31st day of March A. D. 1924 be-
fore the Honorable Judge of the said Court: Upon the petition of Margaret Cavanaugh Patterson
of East Taylor, in the said County, setting forth that they have order to

~~experience for the purpose of a~~ ~~road of highway to road from~~
That a public road or highway has been laid out and opened within one
year past through the lands of your petitioner by the order of said
Court. That the aforesaid land is located in the said Township of
East Taylor, County and State aforesaid. That by the laying out,
opening, widening and changing of said road as aforesaid your petitioner
has sustained great injury and damage; among other things as follows:
(a) That the said road appropriates a large part of said land. (b)
That the said road renders the rest of said land less valuable. (c)
That the said road makes a deep cut across a large portion of said
land, causing said land to be greatly less in value if not wholly
destroyed. (d) That the said land is rendered by reason of said road
less accessible. (e) That said land is rendered less valuable by
reason of the grade being made different than the abutting land and
different than the grade of the former road. (f) That the change
from the former road to the present location greatly damages your
petitioner's said land. (g) That in various other ways the said
land is rendered less valuable by the laying out, opening, widening,
changing and construction of said road.

and therefore praying the Court to appoint proper persons to assess damages
view and lay out the same according
to law. The Court, upon due consideration had of the premises, do order and appoint

Mahlon J. Baumgardner, Esq., surveyor, and

Dixon Tomb and Philip Cauffield

viewers, to view the ground proposed for ^{such damage} ~~said road~~, and if they ^{damages} 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:

Frank L. Robb, Clerk.

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to 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. 9, March sessions, 1924

Order to view and assess damages

caused by the opening of a public

road over land of Margaret

Cavanaugh Patterson in East

Taylor Township.

Mahlon J. Baumgardner, Esq.

Dixon Tomb

Philip Cauffman

Clerk Robb 90 cts.

Frank P. Barnhart/

<p>IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNA. No. 9 March Sessions, 1924.</p>	<p>In re Laying out, Opening, Widening and Changing a Public Road in East Taylor Township, Cambria County, Penna., as affecting the property of Margaret Cavanaugh Patterson.</p>	<p>REPORT OF VIEWERS.</p>	<p>Filed 2 June 1924.</p> <p>CERTIFIED.</p> <p><i>Jacob W. Hoffmann</i></p> <p>COUNTY CONTROLLER</p> <p>MAHLON J. BAUMGARDNER ATTORNEY AT LAW JOHNSTOWN, PENNA. SWANK BLDG.</p>
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9 June 1924. Read and confirmed nisi. confirmation to become
absolute unless exceptions are filed within five days. Notice of confirmation
to be given by petitioners

By the Court
E.