

IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY, PENNA.
No. 1 September Sessions 1924.

In re Vacating and Supply-
ing a Public Road in West
Taylor Township, Cambria
County, Penna.

REPORT OF VIEWERS.

Filed 5 December 1924

CERTIFIED

Jacob M. Hoffmann

COUNTY CONTROLLER

MAHLON J. BAUMGARDNER

ATTORNEY AT LAW

JOHNSTOWN, PENNA.

SWANE BLDG.

5 Dec 1924 Approved

By the Court
E

9 March 1925 confirmed absolutely

In Re Vacating and Supplying
Road in West Taylor Township,
Cambria County, Penna.

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNA.
No. 1 September Sessions, 1924.

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 supplying and vacating a Public road in the Township of West Taylor County of Cambria and State of Pennsylvania, beginning at a point in the State Highway, known as the Johnstown and Cramer Turnpike, at a point northwesterly seven hundred sixty-six (766) feet from its intersection with a brick road known as the Laurel Run road, both now open, and ending at a point two hundred and fifty (250) feet north of the Tanneryville School House, where said road is intersected by a private road.

Your petitioners pray the Court to appoint three competent persons as viewers according to law to view the ground proposed for said road, and if they should see occasion to lay out the same, to inquire of and vacate the public road now opened beginning at a point on the state highway known as the Johnstown Cramer Turnpike northwesterly seven hundred sixty-six (766) feet from the brick road known as the Laurel Run road, where the same intersects the Cramer Turnpike and ending at a point in said Township at or near the Indiana County Road, and has no terminus upon any public road or thoroughfare now opened, which said last mentioned road is useless and burdensome to the taxpayers of said township and by reason of the proposed road will be useless and burdensome to the taxpayers of the township aforesaid, 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 said Court; that we gave due public notice of the time and place of meeting of said Viewers, by publication in the

Johnstown Daily Tribune and the Cambria County Legal Journal, by hand bills posted on the premises and by notices served upon the Commissioners of Cambria County, upon A. M. Adams, Secretary to the Board of Supervisors of West Taylor Township and upon Walter E. Glass, counsel for the Petitioners, at least ten days prior to the time of making of said view, evidence of which is shown by copies of said Notice hereto attached and made a part of this report.

Pursuant to an amicable agreement the date of making View was continued from Wednesday, October 29th., A. D. 1924 at 10 o'clock A. M. to Thursday, November 13th. A.D. 1924 at 10 o'clock A. M. as shown by acceptance of service of Walter E. Glass, Esq and Frank P. Barnhart, Esq: hereto attached and made a part of this report, and the Supervisors of West Taylor Township waived service of notice of acceptance of continuance.

Pursuant to said continuance we met upon the premises according to said continuance on Thursday, November 13th. A.D. 1924 at 10 o'clock A. M. and proceeded with the duties of our appointment.

We viewed the site and locality of the road proposed to be laid out, making a personal inspection of the ground beginning at a point in the state highway, known as the Johnstown and Cramer Turnpike at a point northwesterly seven hundred sixty six (766) feet from its intersection with a brick road known as the Laurel Run Road, both now open, and ending at a point two hundred fifty (250) feet north of the Tanneryville School House, where said road is intersected by a private road.

We are of the opinion and unanimously agree that the laying out and opening of the road thus described is not necessary and that if laid out and opened the same would be burdensome for the taxpayers of said township. For this reason we refuse to lay out and open the proposed road.

WITNESS our hands this twenty-ninth day of November
A. D. 1924.

S. E. Dickey
Philip E. Langford
Mathew J. Baumgardner
Viewers.

In re Vacating and Supplying
a Public road in West Taylor
Township, Cambria County, Penna.

In the Court of Quarter Sess
of Cambria County, Penna.
No. 1 September Sess. 1924.

IN ACCOUNT WITH MAHLON J. BAUMGARDNER, S. E.

DICKEY, PHILIP CAULFIELD.

MAHLON J. BAUMGARDNER, DR.

Data and preparing Notice to View	\$ 7.50
Stenographer and Stationery	4.00
Posting Notices	7.50
Preparing and Serving Notices of Continuance	7.50
Making View	7.50
Mileage	1.00
Data and preparing Report of Viewers,	7.50
Stenographer and stationery	3.00
Order to View	.90
Advertising Notice of View, Tribune	6.00
Advertising Notice of View, Cambria County Legal Jr.	4.50
	<u>\$56.90</u>

S. E. DICKEY, DR.

Making View	7.50
Mileage	1.00
	<u>\$8.50</u>

PHILIP CAULFIELD, DR.

Making View	7.50
Mileage	1.00
	<u>\$8.50</u>

APPROVED FOR PAYMENT

COMMISSIONER

In re Vacating and Supplying
Road in West Taylor Township,
Cambria County, Penna.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1 September Sess. 1924.

NOTICE TO VIEW.

To, the undersigned Viewers, appointed by the above Court,
to view for the purpose of supplying a road beginning at a point in
the State highway, known as the Johnstown and Cramer Turnpike at
a point northwesterly 766 feet from its intersection with a brick
road known as Laurel Run Road, and ending at a point 250 feet North
of the Tanneryville School House, and for the purpose of vacating
a public road beginning at a point on the Johnstown-Cramer Turn-
pike Northwesterly 766 feet from the Laurel Run Road, where the same
intersects the Cramer Turnpike and ending at a point near the Indiana
County line in West Taylor Township, will meet at the Tanneryville
School House on Wednesday, October 23rd, 1924 at 10 o'clock A. M.
for the purpose of performing the duties of our appointment.

S. B. DICKEY,

PHILIP CAULFIELD,

HAILEY J. BAUMGARDNER,
Viewers.

October 13, 1924.

And now October 16, 1924, I hereby accept service
of the within Notice to View for the Commissioners of Cambria
County.

A. S. Kinkead
Chief Clerk of County Commissioners.

In re Vacating and Supplying
Road in West Taylor Township,
Cambria County, Penna.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1 September Sess. 1924.

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S. E. DICKEY,

PHILIP CAULEFIELD

MAHLON J. BAINGARNER,
Viewers.

October 17, 1924.

And now October 17, 1924, I hereby accept service of the within Notice to View for the Supervisors of West Taylor Township.

A. M. Adams
Secretary.

*Return to
Mr. G. B.*

In re Vacating and Supplying
Road in West Taylor Township,
Cambria County, Penna.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1 September Sess. 1924.

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a point northwesterly 766 feet from its intersection with a brick
road known as Laurel Run Road, and ending at a point 250 feet North
of the Tanneryville School House, and for the purpose of vacating
a public road beginning at a point on the Johnstown-Cramer Turn-
pike Northwesterly 766 feet from the Laurel Run Road, where the same
intersects the Cramer Turnpike and ending at a point near the Indiana
County line in West Taylor Township, will meet at the Tanneryville
School House on Wednesday, October 29th, 1924 at 10 o'clock A. M.
for the purpose of performing the duties of our appointment.

S. E. DICKEY,

PHILIP CAULFIELD,

MAHLON J. BAUMGARDNER,
Viewers.

October 17, 1924.

And now October 18 1924, I hereby accept service of the
within Notice to View as Counsel for the petitioners.

Stephens Stephens & Glass

In re Vacating and Supplying
Road in West Taylor Township,
Cambria County, Penna.

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

No. 1 September Term, 1924.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above Court, to view for the purpose, of supplying a road beginning at a point in the State Highway, known as the Johnstown and Cramer Turnpike at a point northwesterly 766 feet from its intersection with a brick road known as the Laurel Run Road, and ending at a point 250 feet north of the Tanneryville School House, and for the purpose of vacating a public road beginning at a point on the Johnstown-Cramer Turnpike northwesterly 766 feet from the Laurel Run Road, where the same intersects the Cramer Turnpike, and ending at a point near the Indiana County line, in West Taylor Township, will meet at the Tanneryville School House on Wednesday, October 23rd, 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

S. B. DICKY,

PHILIP CAUFIELD,

MAHLON J. BAUMGARTNER,
Viewers.

October 17th, 1924.

Johnstown Tribune

VIEWERS' NOTICE—In re vacating and supplying road in West Taylor Township, Cambria County, Pennsylvania. In the Court of Quarter Sessions of Cambria County, Pa. No. 1 September Session, 1924.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above Court to view for the purpose of supplying a road beginning at a point in the State highway, known as the Johnstown & Cramer Turnpike, at a point northwesterly 766 feet from its intersection with a brick road known as Laurel Run road, and ending at a point 250 feet north of the Tanneryville schoolhouse, and for the purpose of vacating a public road beginning at a point on the Johnstown-Cramer Turnpike northwesterly 766 feet from the Laurel Run road, where the same intersects the Cramer Turnpike and ending at a point near the Indiana County line in West Taylor Township, will meet at the Tanneryville schoolhouse on Wednesday, October 23, 1924, at 10 o'clock a. m., for the purpose of performing the duties of our appointment.

S. E. DICKEY,
PHILIP CAULFIELD,
MAHLON J. BAUMGARDNER,
October 17, 1924. Viewers.

Cambria County Legal Journal

NOTICE

In re Vacating and Supplying Road in West Taylor Township, Cambria County, Penna.

In the Court of Quarter Sessions of Cambria County, Penna. No. 1 September Sess. 1924.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above Court, to view for the purpose of supplying a road beginning at a point in the State Highway, known as the Johnstown and Cramer Turnpike at a point northwesterly 766 feet from its intersection with a brick road known as Laurel Run Road, and ending at a point 250 feet North of the Tanneryville School House, and for the purpose of vacating a public road beginning at a point on the Johnstown-Cramer Turnpike northwesterly 766 feet from the Laurel Run Road, where the same intersects the Cramer Turnpike and ending at a point near the Indiana County Line in West Taylor Township, will meet at the Tanneryville School House on Wednesday, October 23rd, 1924, at 10 o'clock A. M., for the purpose of performing the duties of our appointment.

S. E. DICKEY,
Philip Caulfield,
Mahlon J. Baumgardner,
October 17, 1924. Viewers.
10-17-24

No 1, September SESSIONS, 1924

Order to view vacate and supply
public road in West Taylor
Township.

Page 3 - 10 m. l.

S. E. Dickey

M. J. Baumgardner

Philip Caulfield

} Viewers

Clerk Robb 90 cts.

TE. "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."

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 8th day of September A. D. 1924, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of West Taylor, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from

at a point in the state highway, known as the Johnstown and Cramer Turnpike at a point northwesterly seven hundred sixty-six (766) feet from its intersection with a brick road known as the Laurel Run road, both now open, and ending at a point two hundred and fifty (250) feet north of the Tanneryville School House, where said road is intersected by a private road.

Your petitioners pray the court to appoint three competent persons as viewers according to law to view the ground proposed for said road, and if they should see occasion to lay out the same, to inquire of and vacate the public road now opened beginning at a point on the state highway known as the Johnstown Cramer Turnpike northwesterly seven hundred sixty-six (766) feet from the brick road known as the Laurel Run Road, where the same intersects the Cramer Turnpike and ending at a point in said Township at or near the Indiana County line, which said last mentioned road is not an Indiana County road, and has no terminus upon any public road or thoroughfare now opened, which said last mentioned road is useless and burdensome to the taxpayers of said township and by reason of the proposed road will be useless and burdensome to the taxpayers of the township aforesaid.

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

S. E. Dickey surveyor, and

M. J. Baumgardner and Philip Caulfield

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:

Frank B. Roth, Clerk.

In re Vacating and Supplying
Road in West Taylor Township,
Cambria County, Penna.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 1 September Sess. 1924.

CONTINUANCE OF SAID VIEW.

I, hereby accept service of the within Notice of Continuance
of the above View as Counsel for the Petitioners
of Lower Yoder Township, said continuance being for a View which
was to be held on Wednesday October 29th. 1924 at 10 o'clock A. M.
and continued until Thursday, November 13th. 1924 at 10 o'clock
A. M.

Stephens Stephens & Shaw

Please sign & return to
Maklon J. Baumgardner

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

In the matter of the petition of inhabitants of the township of West Taylor, to vacate road and supply a new road.

Filed 8 Sept. 1924

STEPHENS, STEPHENS & GLASS
ATTORNEYS AT LAW
JOHNSTOWN, PA.

SUITE 14 ALMA HALL

IN THE COURT OF QUARTER SESSIONS CAMBRIA COUNTY, PA.

No. December Sessions, 1924.

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:-

The petition of the undersigned inhabitants and qualified electors of the Township of West Taylor, Cambria County, Pennsylvania, respectfully represents:-

That they labor under great inconvenience for want of a public road to BEGIN at a point in the state highway, known as the Johnstown and Cramer Turnpike at a point northwesterly seven hundred sixty-six (766) feet from its intersection with a brick road known as the Laurel Run road, both now open, and ending at a point two hundred and fifty (250) feet north of the Tanneryville school house, where said road is intersected by a private road.

Your petitioners pray the court to appoint three competent persons as viewers according to law to view the ground proposed for said road, and if they should see occasion to lay out the same, to inquire of and vacate the public road now opened beginning at a point on the state highway known as the Johnstown Cramer Turnpike northwesterly seven hundred sixty-six (766) feet from the brick road known as the Laurel Run road, where the same intersects the Cramer turnpike and ending at a point in said township at or near the Indiana county line, which said last mentioned road is not an Indiana county road, and has no terminus upon any public road or thoroughfare now opened, which said last mentioned road is useless and burdensome to the taxpayers of said township and by reason of the proposed road will be useless and burdensome to the taxpayers of the township aforesaid; and directing that said viewers make report of their proceedings, according to law.

And your petitioners will ever pray, etc.

Fred. Riblett
Mabel Riblett
Frank W. Bheam
Sarah A. Bheam
William Bheam
Edward C. Dill
Anna Dill
A. M. Gahagan

Margaret Fagan
Edith Whiting
Mellie Dill
Jennie Whiting
Margaret Whiting
Wm Whiting
B. M. Bowser
Mrs. B. M. Bowser
James Fiedler
L. W. Dill
S. D. Bowser
Lavin C. Ribblett
Corretta Ribblett
Eva May Ribblett
James Oscar Ribblett
Goldie Blanche Ribblett
Leland D. Boring
Stella D. Boring
John W. Ribblett
Mary A. Ribblett

D6E6C R E E

And now, September...^{8th}.....1924, the foregoing petition having
been presented in open court, read and considered, the and the
court appoint *M. J. Bonjurdur Esq.* *L. B. Drakey*
and *Philip Cauffield*.....as Viewers to view the pro-
posed roads in said petition described, and make report thereof
according to law.

By the Court
Samuel L. Luman Reed
J. C. P. P.

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