

R.D. #7 Sept. 1924

Not Microfilmed







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

No. 7 September Sess. 1924.

In re Vacating portion of  
the Mountain Road in the Town-  
ship of West Taylor, Cambria  
County, Penna., beginning 1800  
feet from Cramer Pike and  
Supplying a Road beginning  
at said point of vacation and  
ending 5865.8 feet from  
the Cramer Pike.

REPORT OF VIEWERS.

*Filed 5 December 1924*

**CERTIFIED**

*Jacob M. Hoffman*

**COUNTY CONTROLLER**

**MAHLON J. BAUMGARDNER**

**ATTORNEY AT LAW**

**JOHNSTOWN, PENNA.**

**SWANK BLDG.**

8 Dec. 1924 Appraised and breadth fixed at forty feet.

By the Court  
E

9 March 1925 confirmed absolutely

Frank C. Rott Clerk

In re Vacating Portion of the Mountain Road in the Township of West Taylor, Cambria County, Penna. beginning 1800 feet from Cramer Pike and Supplying a road beginning at said point of vacation and ending 5365.8 feet from Cramer Pike .

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

No. 7 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 vacating and supplying of a public road beginning at a point on what is known as the Mountain Road eighteen hundred (1800) feet from what is known as the Cramer Pike; thence North  $35^{\circ} 10'$  East six hundred and fifty-eight (658) feet to a point thence by a curve to the left one hundred (100) rods to a point; thence North  $61^{\circ} 25'$  West seven hundred sixty-six (766) feet to a point; thence North  $61^{\circ} 25'$  West two hundred eighty-two and two tenths (282.2) feet to a point; thence North  $42^{\circ} 30'$  West two hundred forty-four and five tenths (244.5) feet to a point; thence North  $37^{\circ} 10'$  West four hundred sixty-five and one-tenth (465.1) feet to a point; that the above mentioned road described by courses and distances as aforesaid, has become useless, inconvenient and burdensome and there would be much improvement if, instead of following the said courses and distances, the same should be vacated and there should be supplied instead thereof a road running from the beginning of the above mentioned road, which point is exactly eighteen hundred (1800) feet from the intersection of the Cramer Pike, which said Cramer Pike is the nearest intersecting road, and extending to the point of ending of the above described road, that has become useless, inconvenient and burdensome, aforesaid, which point of ending is exactly five thousand eight hundred sixty-five and eight tenths (5865.8) feet from the aforesaid Cramer Pike, which is the nearest intersecting road, the said proposed road

extending however, instead of over the route which is hereby prayed for vacated, in a westerly direction for a portion of the distance and then curving again in an easterly direction to the point of ending, as aforesaid, thus obviating, as is herein proposed, a difficult grade, 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 handbills posted on the premises and by notice served upon the Commissioners of Cambria County and upon the Secretary of the Board of Supervisors of West Taylor Township and upon Stephens, Stephens, and Glass, Esqs., Counsel for the petitioners, and by publication in the Johnstown Daily Tribune and the Cambria County Legal Journal at least ten days prior to the time of making of 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 to notice given at the point of vacation and supply on Thursday, November 13th. A. D. 1924 at ten o'clock A.M. and proceeded with the duties of our appointment.

We viewed the site and the locality of the road proposed to be laid out, making a personal inspection of the ground between the points designated in the petition and order.

We are of the opinion and agree that a public road between the points mentioned is necessary, and that we authorize the laying out of the road according to the accompanying draft. We therefore, lay out and return for public use a road as follows:- BEGINNING at a point on what is known as the Mountain Road eighteen hundred (1800) feet from intersection with the Cramer Pike, thence from said point of beginning North Eighteen (18°) degrees fifty-five (55') minutes West Two Hundred twenty-one and six tenths (221.6) feet to a point; thence North Twenty-seven (27°)

degrees West One Hundred Seventy-nine and five tenths (179.5) feet to a point; thence South Seventy-three ( $73^{\circ}\frac{1}{2}$ ) degrees Ten (10') minutes West a distance of One Hundred Twelve (112) feet to a point; thence South Thirty-two ( $32^{\circ}$ ) degrees Thirty (30') minutes West a distance of Two Hundred Twenty-nine (229) feet to a point; thence South Eighty-eight ( $88^{\circ}$ ) degrees Twenty-five (25') minutes West a distance of One Hundred Forty-six (146) feet to a point; thence North Sixty-six ( $66^{\circ}$ ) degrees Thirty (30') minutes West a distance of Two Hundred Forty (240) feet to a point; thence North Twenty-two ( $22^{\circ}$ ) degrees West a distance of One Hundred Eighty-six (186) feet to a point; thence North Three ( $3^{\circ}$ ) degrees Thirty (30') minutes East a distance of Four Hundred Forty (440) feet to a point; thence North Thirty-five ( $35^{\circ}$ ) degrees East a distance of One Hundred Eighty-eight (188) feet to a point; thence North Nine ( $9^{\circ}$ ) degrees Fifteen (15') minutes East a distance of Eighty-five (85) feet to a point; thence North Thirty-two ( $32^{\circ}$ ) degrees Thirty (30') minutes West a distance of Six Hundred Six and nine tenths (606.9) feet to a point and terminus of said road.

And we also vacate that portion of said road now laid out and open beginning at a point on what is known as the Mountain Road Eighteen Hundred (1800) feet from intersection with the Cramer Pike as follows: BEGINNING at said point of intersection of the Cramer Pike and the road proposed to be laid out as above described; North Thirty-five ( $35^{\circ}$ ) degrees Ten (10') minutes East Six Hundred Fifty-eight (658) feet to a point in a curve with radius of One Hundred feet; thence North Sixty-one ( $61^{\circ}$ ) degrees Twenty-five (25') minutes West Seven Hundred Sixty-six (766) feet to a point; thence North Sixty-one ( $61^{\circ}$ ) degrees Twenty-five (25') minutes West in a curve Two Hundred eighty-two and two-tenths (282.2) feet; thence North Forty-two ( $42^{\circ}$ ) degrees Thirty (30') minutes West Two Hundred Forty-four and five tenths (244.5) feet to a point; thence North Thirty-seven ( $37^{\circ}$ ) degrees Ten (10') minutes West Forty-six and fifty-one one hundredths (46.51) feet to a point, being the terminus of

said road vacated.

We did not endeavor to secure releases of damages of the persons through whose land the said proposed road is located for the reason that we believe the advantages and benefits derived by said property owners, because of the said road is greater and counteracts any disadvantages or damages that may accrue to the respective property owners. Therefore we assess no benefits and no damages.

WITNESS OUR HANDS this First day of December A. D. 1924.

S. E. Dickey  
Thos E. Coughlin  
Thos. J. Bauman  
Viewers.



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

IN the Court of Quarter Sess.  
of Cambria County, Penna.  
No. 7 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	3.50
Posting Notices	7.50
Making View	7.50
Mileage	.40
Making Report of Viewers	7.50
Stenographer and Stationery	3.50
Conference with Court; Reconsidering Report	7.50
Make Viewers Report after said Reconsideration	7.50
Stenographer and Stationery	3.50
Order to View	.90
Advertising Notice to View, Tribune	6.00
Advertising Notice to View, Cambria County Legal Jr.	2.25
	<u>\$65.05</u>

COUNTY CONTROLLER

CERTIFIED

S. E. DICKEY, Dr.

Making View,	7.50
Mileage	.40
Data in re survey and preparing Draft	15.00
Tracing cloth	.45
3 Blue prints	1.50
Reconsidering Report	7.50
Making Survey	15.00
Mileage	.80
Making draft	7.50
3 blue prints	1.50
	<u>\$57.15</u>

COUNTY CONTROLLER

CERTIFIED

Philip Caulfield, Dr.

Making View,	7.50
Mileage	.40
Reconsidering Report	7.50
	<u>\$15.40</u>

APPROVED FOR PAYMENT

COUNTY CONTROLLER

CERTIFIED

COMMISSIONERS

In re Vacating Portion of the Mountain Road in the Township of West Taylor, Cambria County Penna., beginning 1800 feet from Cramer Pike and Supplying a road Beginning at said point of vacation and ending 5865.8 feet from Cramer Pike.

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

No. 7 September Sess. 1924.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above Court, to view for the purpose of vacating a portion of the Mountain Road in West Taylor Township, beginning 1800 feet from the Cramer Pike and ending at a point 4065.8 feet from the Cramer Pike, and to supply a public road beginning at the point of vacation 1800 feet from the Cramer Pike and ending 5865.8 feet from the Cramer Pike, will meet at the point of vacation and supply on Thursday, November 13th, 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER

S. E. DICKEY,

PHILIP CAULFIELD,

Viewers.

November 3, 1924.

And now November 4, 1924, I hereby accept service of the above Notice to View as Chief Clerk for the Commissioners of Cambria County.

A. S. Kirkhead



In re Vacating a portion of the Mountain Road in the Township of West Taylor, Cambria County, Penna. beginning 1800 feet from Cramer Pike and Supplying a road beginning at said point of vacation and ending 5865.8 feet from Cramer Pike.

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

No. 7 September Sess. 1924.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above Court, to view for the purpose of vacating a portion of the Mountain Road in West Taylor Township, beginning 1800 feet from the Cramer Pike and ending at a point 4065.8 feet from the Cramer Pike, and to Supply a public road beginning at the point of vacation 1800 feet from the Cramer Pike and ending 5865.8 feet from the Cramer Pike, will meet at the point of vacation and supply on Thursday, November 13th, 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,

S. E. DICKEY,

PHILIP BAUMFIELD,

Viewers.

November 3, 1924.

And now November 4, 1924, I hereby accept service of the above Notice to View for the Board of Supervisors of Lower Yoder Township.

  
Secretary of the Board of Supervisors  
of Lower Yoder Township.

*Please sign  
return to M. J. Baumgardner*

In re Vacating a portion of the Mountain Road in the Township of West Taylor, Cambria County, Penna. beginning 1800 feet from Cramer Pike and Supplying a road beginning at said point of vacation and ending 5865.8 feet from Cramer Pike.

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

No. 7 September Sess. 1924.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above Court, to view for the purpose of vacating a portion of the Mountain Road in West Taylor Township, beginning 1800 feet from the Cramer Pike and ending at a point 4065.8 feet from the Cramer Pike, and to supply a public road beginning at the point of vacation 1800 feet from the Cramer Pike and ending 5865.8 feet from the Cramer Pike, will meet at the point of vacation and supply on Thursday, November 13th, 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,

S. E. DICKEY,

PHILIP SAUERFIELD,

Viewers.

November 3, 1924.

And now, November 6, 1924, I hereby accept service of the above notice to View as Counsel for the Petitioners of Lower Yoder Township.

*Stephen Stephens & Glau*

*Please sign & return to M. J. Baumgardner*



In re Vacating Portion of the Mountain Road in the Township of West Taylor, Cambria County Penna., beginning 1800 feet from Cramer Pike and Supplying a road Beginning at said point of vacation and ending 5865.8 feet from Cramer Pike.

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

No. 7 September Sess. 1924.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above Court, to view for the purpose of vacating a portion of the Mountain Road in West Taylor Township, beginning 1800 feet from the Cramer Pike and ending at a point 4065.8 feet from the Cramer Pike, and to supply a public road beginning at the point of vacation 1800 feet from the Cramer Pike and ending 5865.8 feet from the Cramer Pike, will meet at the point of vacation and supply on Thursday, November 13th, 1924 at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER

S. E. DICKEY,

PHILIP CAULFIELD,

Viewers.

November 3, 1924.

*Johurstown Tribune*

*Cambria County Legal Journal*

**VIEWERS' NOTICE**—In re vacating portion of the Mountain Road in the Township of West Taylor, Cambria County, Pennsylvania, beginning 1,800 feet from Cramer Pike and supplying a road beginning at said point of vacation and ending 5,865.8 feet from Cramer Pike. In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 7 September Session, 1924.

**NOTICE TO VIEW.**

We, the undersigned Viewers, appointed by the above Court, to view for the purpose of vacating a portion of the Mountain Road in West Taylor Township, beginning 1,800 feet from the Cramer Pike and ending at a point 4,065.8 feet from the Cramer Pike, and to supply a public road beginning at the point of vacation 1,800 feet from the Cramer Pike and ending 5,865.8 feet from the Cramer Pike, will meet at the point of vacation and supply on Thursday, November 13, 1924, at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,  
S. E. DICKEY,  
PHILIP CAULFIELD,

Viewers.

November 3, 1924.

**NOTICE**

In re Vacating Portion of the Mountain Road in the Township of West Taylor, Cambria County, Penna., beginning 1800 feet from Cramer Pike and supplying a road beginning at said point of vacation and ending 5865.8 feet from Cramer Pike.

In the Court of Quarter Sessions of Cambria County, Penna. No. 7 September Sess. 1924.

**NOTICE TO VIEW**

We, the undersigned Viewers, appointed by the above Court, to view for the purpose of vacating a portion of the Mountain Road in West Taylor Township, beginning 1800 feet from the Cramer Pike and ending at a point 4065.8 feet from the Cramer Pike, and to supply a public road beginning at the point of vacation 1800 feet from the Cramer Pike and ending 5865.8 feet from the Cramer Pike, will meet at the point of vacation and supply on Thursday, November 13th, 1924, at 10 o'clock A. M. for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner,  
S. E. Dickey,  
Philip Caulfield,

Viewers.

Nov. 3. 1924.

11-7-14



NO 7, September SESSIONS, 1924

Order to view vacate and lay

out road in West Taylor

Township

M. J. Haungardner

S. E. Dickey

Philip Caulfield

Viewers

Clerk Robb 90 cts.

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."



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 27th day of October 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 an ~~incon-~~  
~~venient and burdensome~~ ~~road~~ ~~which~~ ~~has~~ ~~been~~ ~~laid~~ ~~out~~ ~~and~~ ~~opened~~ ~~in~~ ~~the~~ ~~said~~ ~~Township~~ ~~of~~ ~~West~~ ~~Taylor~~ ~~in~~ ~~the~~ ~~said~~ ~~County~~ ~~setting~~ ~~forth~~ ~~that~~ ~~they~~ ~~labor~~ ~~under~~ ~~an~~ ~~incon-~~  
~~venient and burdensome~~ ~~road~~ ~~which~~ ~~has~~ ~~been~~ ~~laid~~ ~~out~~ ~~and~~ ~~opened~~ ~~in~~ ~~the~~ ~~said~~ ~~Township~~ ~~of~~ ~~West~~ ~~Taylor~~ ~~in~~ ~~the~~ ~~said~~ ~~County~~ ~~setting~~ ~~forth~~ ~~that~~ ~~they~~ ~~labor~~ ~~under~~ ~~an~~ ~~incon-~~

a public road has long since been laid out and opened in the said Township of West Taylor, beginning at a point on what is known as Mountain Road eighteen hundred (1800) feet from what is known as the Cramer Pike; thence North 35° 10' East six hundred fifty-eight (658) feet to a point; thence by a curve to the left one hundred (100) rods to a point; thence North 61° 25' West seven hundred sixty-six (766) feet to a point; thence North 61° 25' West two hundred eighty-two and two-tenths (282.2) feet to a point; thence North 42° 30' West two hundred forty-four and five-tenths (244.5) feet to a point; thence North 37° 10' West four hundred sixty-five and one tenth (465.1) feet to a point. That the above mentioned road described by course and distances, as aforesaid, has become useless, inconvenient and burdensome and there would be much improvement if, instead of following the said courses and distances, the same should be vacated and there should be supplied instead thereof a road running from the beginning of the above mentioned road, which point is exactly eighteen hundred (1800) feet from the intersection of the Cramer Pike, which said Cramer Pike is the nearest intersecting road, and extending to the point of ending of the above described road that has become useless, inconvenient and burdensome, as aforesaid, which point of ending is exactly five thousand eight hundred sixty-five and eight-tenths (5865.8) feet from the aforesaid Cramer Pike, which is the nearest intersecting road, the said proposed road extending, however, instead of over the route which is hereby prayed vacated, in a westerly direction for a portion of the distance and then curving again in an easterly direction to the point of ending, as aforesaid, thus obviating, as is herein proposed, a difficult grade.

and therefore praying the Court to appoint proper persons to vacate 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 E. 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 C. Robb

Clerk.

No. 7 September Sess. 1924.

In the Court of Quarter  
Sessions of Cambria Co.  
Pennsylvania

In re Vacation and Supply  
of Road in the Township of  
West Taylor, County of Cam-  
bria and State of Penn-  
sylvania

PETITION TO VACATE AND  
SUPPLY ROAD

Filed 27 October 1924

Now, October 27, 1924, the  
within petition having been  
read and considered,

*Samuel J. Squire* and *S. E. Squire*  
and *Charles P. Chaffin*  
are appointed Viewers as  
within prayed for.

*By the Court*  
*M.*

LAW OFFICES OF

FRANK P. BARNHART

JOHNSTOWN, PENNA.

Board of Review meeting Wed. Oct. 29 an as follows:  
Dr. E. Dickey, Philip Canfield, M. J. Baumgardner

In re Vacation and Supply  
of Road in the Township  
of West Taylor, County of  
Cambria, State of Pennsyl-  
vania

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

PETITION TO VACATE AND SUPPLY ROAD

TO THE HONORABLE JUDGES OF THE ABOVE NAMED COURT:

The petition of the undersigned residents and tax payers  
of the said Township of West Taylor respectfully represents:

That a public road has long since been laid out and  
opened in the said Township of West Taylor, beginning at a point  
on what is known as Mountain Road eighteen hundred (1800) feet  
from what is known as the Cramer Pike; thence North  $35^{\circ} 10'$  East  
six hundred fifty-eight (658) feet to a point; thence by a curve  
to the left one hundred (100) rods to a point; thence North  $61^{\circ}$   
 $25'$  West seven hundred sixty-six (766) feet to a point; thence  
North  $61^{\circ} 25'$  West two hundred eighty-two and two-tenths (282.2)  
feet to a point; thence North  $42^{\circ} 30'$  West two hundred forty-four  
and five-tenths (244.5) feet to a point; thence North  $37^{\circ} 10'$   
West four hundred sixty-five and one-tenth (465.1) feet to a point.  
That the above mentioned road described by courses and distances,  
as aforesaid, has become useless, inconvenient and burdensome  
and there would be much improvement if, instead of following the  
said courses and distances, the same should be vacated and there  
should be supplied instead thereof a road running from the be-  
ginning of the above mentioned road, which point is exactly eighteen  
hundred (1800) feet from the intersection of the Cramer Pike,  
which said Cramer Pike is the nearest intersecting road, and

extending to the point of ending of the above described road that has become useless, inconvenient and burdensome, as aforesaid, which point of ending is exactly five thousand eight hundred sixty-five and eight-tenths (5865.8) feet from the aforesaid Cramer Pike, which is the nearest intersecting road; the said proposed road extending, however, instead of over the route which is hereby prayed to be vacated, in a westerly direction for a portion of the distance and then curving again in an easterly direction to the point of ending, as aforesaid, thus obviating, as is herein proposed, a difficult grade.

Your petitioners therefore pray the Court to appoint qualified persons to view the premises and to inquire into the expediency of making the said change and otherwise proceed as directed by the Act of Assembly in such case made and provided.

*Archibald Frantelizi*

*Geo. Pavlosky*

*Jacob Sprockett*

*H. E. Reynolds*

*W. W. Rummell*

*William Smith*

*L. D. Mills*

*Charles E. Jones*

*John C. Adams*

*Steve Vargo*

*Collins Benchoff*

*Margaret Frantelizi*

*Geo. T. Adams*

*Mrs. Joe Pavlosky*

Residents and tax payers of West  
Taylor Township, Cambria Co., Penna.



COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CAMBRIA

SS.

Personally appeared before me, a Notary Public in and for said State and County, MARGARET FRANTELIZI one of the within named petitioners, who being duly sworn according to law, deposes and says that the matters within stated are true and correct and that she was personally present and saw each of the within signers affix his signature to said petition.

Sworn and subscribed before me this 27th day of October, 1924.

Jessie S. Boyer

NOTARY PUBLIC

My Commission Expires April 4, 1925