

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

To the Honorable, the Judges of the Court of Quarter Sessions of  
Cambria County, Pennsylvania.

We, the undersigned members of the Board of Viewers of Cambria county, appointed by your honorable Court to view and ascertain the damages, if any, sustained by Josiah Frye by reason of the change or alteration of the line and grade of the public road, by the State Highway Department, where the same had passed along and over the front of his premises, in Richland Township, Cambria County, Pa., respectfully report:

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County, the Secretary of the Board of Supervisors of Richland Twp. to Josiah Frye, the petitioner, and to the public by printed hand bills posted in public places on and near the premises in question; and having been first duly qualified according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability and true report to make concerning the matters and things submitted to us in relation to which we were authorized to enquire. All of us met upon the premises, in accord with the notices given and having carefully viewed the premises we adjourned to a time and place, of which all parties interested had notice, where and where we met with the parties or their representatives and heard what testimony they had to offer, and having heard and considered the same we prepared a schedule of benefits and damages and gave ten days written notice of a time and place when and where we would sit to exhibit same and hear objections, if any and did meet accordingly but no objections were offered; hence we file this report.

We have levied no benefits against the petitioner and fixed the damages which he has sustained at Seven Hundred Fifty Dollars, which amount the County of Cambria should pay to Josiah Frye, the petitioner, to compensate him for the damages which he has sustain-

ed by reason of the change or alteration of the line and grade of the public highway along and over his premises.

A plot or draft showing the change of the lay of the road along the premises of the petitioner is hereto attached and made a part of this report.

Witness our hands this 20th. day of February, A. D., 1925.

Dixon Tomb  
Philip E. Langford  
A. M. Shoemaker.

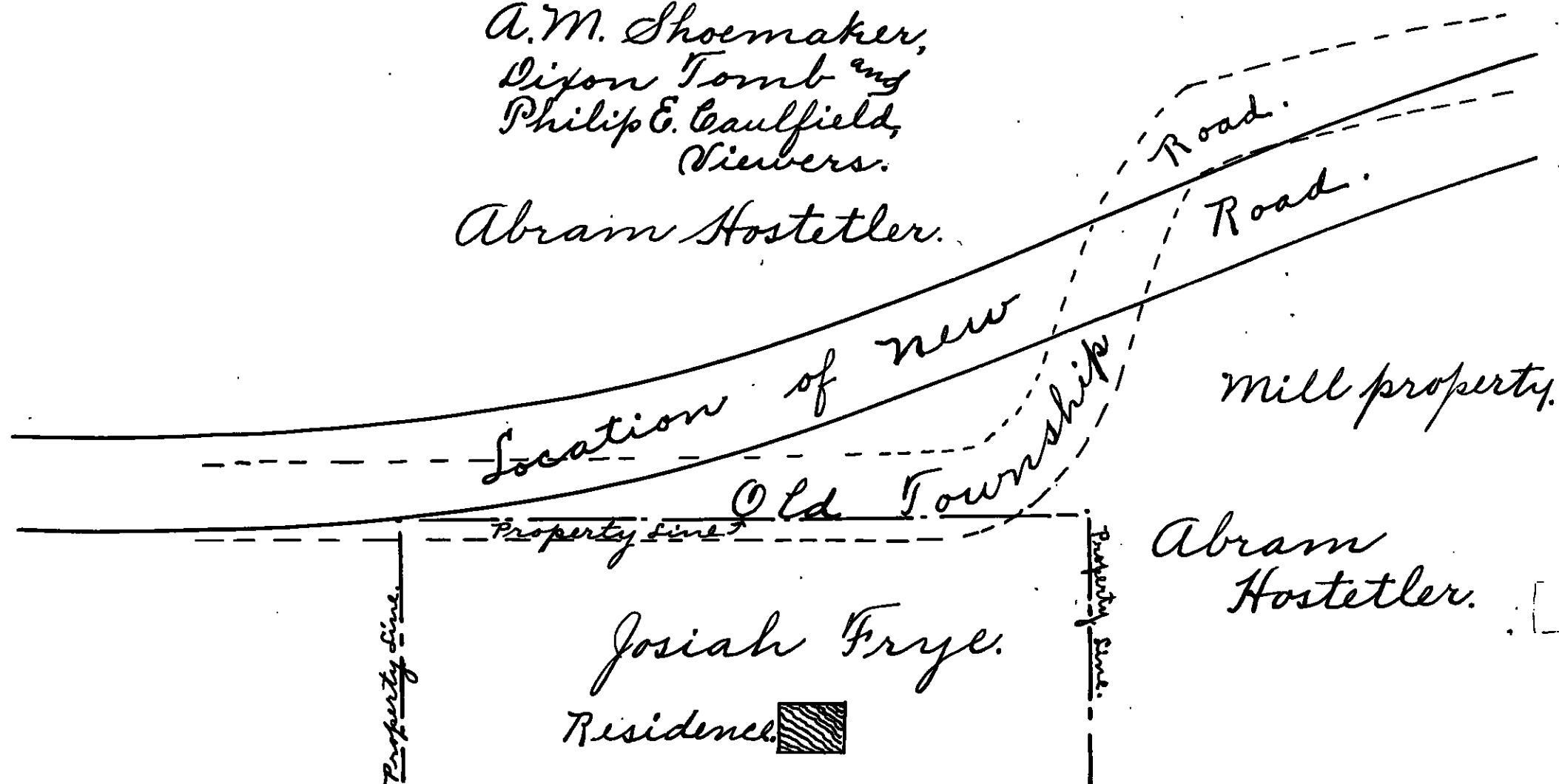
Viewers.

Sketch showing the change or alteration in the line of the public road in Richland Township, Cambria Co., Pa. where same passes the premises of Josiah Frye.

Viewed upon an Order of the Court of Quarter Sessions of Cambria county entered to No. 3. December Term 1924.

A. M. Shoemaker,  
Dixon Tomb<sup>2nd</sup>  
Philip E. Caulfield,  
Viewers.

Abram Hostetler.



# Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Josiah Frye by reason of the change or alteration of the line and grade in the construction of the new or recently improved highway which passes through and over his premises in Richland Township, Cambria Co., Pa.:

will meet on the premises of Josiah Frye, above referred to, in the Township of Richland aforesaid on the 3<sup>rd</sup> day of February 1925, at 11:00 o'clock A. M., for the purpose of performing the duties of their appointment.

Philip E. Caufield,  
Dixon Tomb and  
A. M. Shoemaker,  
Viewers.

Now, January 22-1925, service of the within notice is  
hereby accepted for Josiah Frye of Richland Township, Cambria  
Co., Pa.

Maklon J. Baumgardner  
Atty. for Josiah Frye.

# Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Josiah Frye by reason of the change or alteration of the line and grade in the construction of the new or recently improved highway which passes through and over his premises in Richland Township, Cambria Co., Pa.:

will meet on the premises of Josiah Frye, above referred to, in the Township of Richland aforesaid on the 30<sup>th</sup> day of Feb'y 1925, at 11:00 o'clock A. M., for the purpose of performing the duties of their appointment.

Philip E. Caufield,

Dixon Tomb and

A. M. Shoemaker,

Viewers.

Now, January 22, 1925, service of the within notice is  
hereby accepted for the Commissioners of Cambria Co., Pa.

A. S. Kirkhead,

Clerk.

# Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Josiah Frye by reason of the change or alteration of the line and grade in the construction of the new or recently improved highway which passes through and over his premises in Richland Township, Cambria Co., Pa.:

will meet on the premises of Josiah Frye, above referred to, in the Township of Richland aforesaid on the 3<sup>rd</sup> day of February 1925, at 11:00 o'clock A. M., for the purpose of performing the duties of their appointment.

Philip E. Caufield,  
Dixon Tomb and  
A. L. Shoemaker,  
Viewers.



# SCHEDULE.

In re Petition of Josiah Frye for the appointment of Viewers to ascertain the damages, if any, sustained by him by reason of the change and alteration of the line and grade of the public road along and ~~and~~ near his premises in Richland Township, Cambria Co., Pa., the Viewers appointed by the Court of Quarter Sessions of Cambria County have prepared the following schedule of benefits and damages, viz:

Benefits	---	---	----	---	---	None.
Damages	----	----	----	----		\$750.00.

Philip E. Caufield,

Dixon Tomb and

A. M. Shoemaker,

Viewers.

Notice is hereby given that the undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to determine the damages, if any, sustained by Josiah Frye by reason of the change or alteration of the grade of the recently improved highway leading past or over his premises, in Richland Township, said county and state, will meet at the Judges Chambers, in the Nathan Bldg., Johnstown, Pa.

February 13<sup>th</sup> 1925, at 10:00 a. m. for the purpose of hearing any and all testimony relevant to the matter in question.

Philip E. Caufield,

Dixon Tomb and

A. M. Shoemaker.

*[Handwritten signature]*

NOTICE OF VIEWING

Now, Feby. 1925, service of the within notice is here-  
by accepted for the within named petitioner.

Marlon J. Bannard

Notice is hereby given that the undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to determine the damages, if any, sustained by Josiah Frye by reason of the change or alteration of the grade of the recently improved highway leading past or over his premises, in Richland Township, said county and state, will meet at the Judge's Chambers, in  
the Nathan Bldg., Johnstown, Pa.  
February 13th 1925, at 10:00 a. m. for the purpose of hearing any and all testimony relevant to the matter in question.

Philip E. Caufield,

Dixon Tomb and

A. M. Shoemaker.

Now, Feby. 1925, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pa.

L. S. Jones  
Solicitor

Now Feb'y 21<sup>st</sup> 1925, I hereby  
certify that a careful search  
of the records of Cambria  
county discloses no liens  
against the property of Josiah  
Prye, in Richland Township,  
Cambria county, Pennsylvania.  
A. M. Shoemaker

J. Frye.

Cost of View.

A. M. Shoemaker			
Sifting Order			\$ .90
10 Days			75
80 miles	2 trips		400
Engineering work			30.00
Advertising 2 notices			4.50
			<u>\$114.40</u>

CERTIFIED  
Jacob M. Hoffman  
COUNTY CONTROLLER

Philip E. Canfield			\$26.25
3 1/2 Days			.70
14 miles			<u>\$26.95</u>

CERTIFIED  
COUNTY CONTROLLER

Dixon Tomb			\$26.25
3 1/2 Days			.60
12 miles			<u>\$26.85</u>

CERTIFIED  
COUNTY CONTROLLER

APPROVED FOR PAYMENT  
*[Signature]*  
COMMISSIONER

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

No. 3 December Sessions, 1924.

In re Petition for the Appointment of Viewers to Assess Damages occasioned by the Improvement of the State Highway in Richland Township, Cambria County, Pennsylvania, as affecting the property of Josiah Frye.

To the Honorable, the Judges of said Court:-

The petition of Josiah Frye, respectfully sets forth:-

First: That he is a resident of the Township of Richland, County of Cambria and State of Pennsylvania, and the owner of certain real estate situate in Richland Township, County of Cambria and State of Pennsylvania, abutting and being traversed as a Public State Highway, said real estate more particularly described as follows:-

All that certain piece or tract of land situate, lying and being in the Township of Richland, County of Cambria and State of Pennsylvania, bounded and described thus:-

BEGINNING at a stone, corner of other land of Andrew Baumgardner; thence along said land North  $56^{\circ} 59'$  East Six Hundred and ninety and four tenths (690.4) feet to an iron pin in other lands of Andrew Baumgardner; thence along the same South  $16^{\circ} 20'$  East Four hundred ninety-eight (498) feet to an iron pin on other land of Andrew Baumgardner; thence along the same South  $65^{\circ} 34'$  West Four Hundred and ninety-five and six tenths (495.6) feet to a stone, corner of land of Abram Hostetler; thence along the same North  $41^{\circ} 09'$  West Four Hundred and six and seven-tenths (406.7) feet to a stone on line of other land of Andrew Baumgardner, the place of beginning. Containing Six Acres.

Second: That the aforesaid State Highway has lately been improved and that by the layout, opening, widening, changing of location and changing of grade of said road as aforesaid, your petitioner has sustained great injury and damages, among other things as follows:-



(a) That the changing from the former public road to the present location greatly damages your petitioner's said land.

(b) That the said land is rendered less valuable by reason of the grade being made different than the abutting land and different than the former road.

(c) That the said road makes a deep cut immediately across the portion of your petitioner's land causing said land to be greatly less in value.

(d) That by reason of the changing of location of said road from its former location to that of the present location makes access to the property of your petitioner impossible and that your petitioner has not outlet to said road in its present location, whereas he had means of access to his property while the road was in the former location.

(e) That the said road renders the land of your petitioner less valuable.

(f) That the change from the former public 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 of location, changing of grade and changing and construction of said road.

Your petitioner therefore prays that your Honorable Court appoint three disinterested persons to view the premises and assess the damages which your petitioner may have sustained.

(Signed) Josiah Frye.

Petitioner.

In the Court of Quarter  
Sessions - Cambridge.  
No. 3. Dec. Sess. 1924.

In re petition of  
Josiah Frye for ap-  
pointment of Viewers

Order to View<sup>r</sup> of  
Report of Viewers

Filed 23 July. 1925

10:05 A.M.

CERTIFIED

Jacob M. Hoffman

COUNTY CONTROLLER

9 March 1925 Approved,  
By the Court  
E.

8 April 1925 Confirmed absolutely  
Frank B. Rolt Clerk

D E C R E E .

And now the 12th day of January, A. D. 1925, the within petition having been read and considered Dixon Tomb, Philip Caulfield and A. M. Shoemaker, Esq., are appointed Viewers for the purposes within set forth; returnable the Second day of March, A. D. 1925.

By the Court,

E.

Extract from the Record.

Certified this 15th day  
of January, A. D. 1925.

Frank C. Pelt

Clerk U. S.

IN THE COURT OF QUARTER SESSIONS  
OF CAMBRIA COUNTY, PENNA.  
NO. 3 DECEMBER SESSION, 1924.

in re Petition for the  
Appointment of Viewers to  
Assess damages occasioned by  
the Improvement of the State  
Highway in Richland Township,  
Cambria County, Pennsylvania  
as affecting the property of  
Josiah Frye.

PETITION FOR VIEWERS.

*Filed 12 January 1925.*

Decree inside.

MAHLON J. BAUMGARDNER  
ATTORNEY AT LAW  
JOHNSTOWN, PENNA.  
SWANK BLDG.

In re petition for the  
Appointment of Viewers to  
Assess damages occasioned  
by the Improvement of the  
State Highway in Richland  
Township, Cambria County,  
Pennsylvania, as affecting  
the property of Josiah Frye.

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

No.

December Sess. 1924.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Josiah Frye, respectfully sets forth:-

First : That he is a resident of the Township of  
Richland, County of Cambria and State of Pennsylvania, and the  
owner of certain real estate situate in Richland Township,  
County of Cambria and State of Pennsylvania, abutting and being  
traversed as a Public State Highway, said real estate more  
particularly described as follows:-

All that certain piece or tract of land situate,  
lying and being in the Township of Richland, County of Cambria  
and State of Pennsylvania, bounded and described thus:-

BEGINNING at a stone, corner of other land of  
Andrew Baumgardner; thence along said land North  
56° 59' East Six Hundred and ninety and four tenths  
(690.4) feet to an iron pin in other lands of Andrew  
Baumgardner; thence along the same South 16° 20'  
East Four hundred ninety-eight (498) feet to an iron  
pin on other land of Andrew Baumgardner; thence along  
the same South 65° 34' West Four Hundred and ninety-  
five and six tenths (495.6) feet to a stone, corner  
of land of Abram Hostetler; thence along the same North  
41° 09' West Four Hundred and six and seven-tenths  
(406.7) feet to a stone on line of other land of  
Andrew Baumgardner, the place of beginning. Containing  
Six Acres.

Second: That the aforesaid State Highway has lately  
been improved and that by the laying out, opening, widening  
changing of location and changing of grade of said road as  
aforesaid, your petitioner has sustained great injury and  
damages, among other things as follows:-

(a) That the changing from the former public road to the present location greatly damages your petitioner's said land.

(b) That the said land is rendered less valuable by reason of the grade being made different than the abutting land and different than the former road.

(c) That the said road makes a deep cut immediately across the portion of your petitioner's land causing said land to be greatly less in value.

(d) That by reason of the changing of location of said road from its former location to that of the present location makes access to the property of your petitioner impossible and that your petitioner has no outlet to said road in its present location, whereas he had means of access to his property while the road was in the former location.

(e) That the said road renders the land of your petitioner less valuable.

(f) That the change from the former public 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 of location, changing of grade and changing and construction of said road.

Your petitioner therefore prays that your Honorable Court appoint three disinterested persons to view the premises and assess the damages which your petitioner may have sustained.

  
Petitioner.

Commonwealth of Pennsylvania, |  
County of Cambria | SS

Personally appeared before me a Notary Public in and for said State and County, JOSIAH FRYE, the within named petitioner, who being duly sworn according to law deposes and says that the statements set forth in the within petition are true and correct.

Affirmed and subscribed to before me this tenth day of January A. D. 1925.

Josiah Frye

Algis Baumgardner  
Justice of the Peace  
MY COMMISSION EXPIRES  
FIRST MONDAY IN JANUARY 1927

D E C R E E

And now the 12th, day of January A. D. 1925, the within petition having been read and considered by the Court  
Tomb, P. Philip Canfield and  
Am. Shoum are appointed Viewers for the purposes within set forth; returnable the Second day of March A. D. 1925.

By the Court  
E