

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

PETITION OF CITIZENS OF
MUNSTER TOWNSHIP TO VACATE
ROAD

Filed 21 July 1930.

C. RANDOLPH MYERS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

July 21, 1930 - Service of a copy of the within petition and notice that same will be presented to the Court of quarter Sessions of Cambria County on July 21, 1930 at 10 o'clock A. M., is hereby accepted.

Charles E. Roberts
Chief Clerk, Commissioners of
Cambria County

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned, citizens of the Township of Munster, Cambria County, Pennsylvania, respectfully represents:

That a public road has long since been laid out, used and maintained by the public in Munster Township, Cambria County, Pennsylvania, representing that portion of the public road which leads from the Munster-Jamestown Road, at a point 3,168 feet Southward from its intersection, in Munster, with the Philadelphia-Pittsburgh Turnpike, in a Southwesterly direction, and terminates on the road leading from Ebensburg to Portage via O'Hara's Mills; beginning at the lane leading to the farm buildings on the farm belonging to the Henry Freidhoff Estate, now occupied by one David Lute, and extending thence in a Southerly direction a distance of 5,296.1 feet, and ending in the road leading from O'Hara's Mills to the Munster-Jamestown Road. Being approximately 5,296.1 feet in length and wholly within the Township of Munster, which road has now fallen into disuse and disrepair and is burdensome to the taxpayers of the Township.

Your petitioners, therefore, pray the Court to inquire of and vacate said road, and for that purpose to appoint viewers according to law to view said road and inquire of the premises, and make return of their proceedings, according to the Act of Assembly in such case made and provided.

Wm. Edith Rodgers
Charles Rodgers
Daniel G. Heath
Mrs. Daniel G. Heath
Michael Brings

Gandy 9/11/14
Mary H. Jones
Tenjit Kalamazari
Robert Shiber
W. B. Barney

Mike Pramuk
J. L. Sheehan
Philomena Sheehan
John J. Tracy
E. Elizabeth Tracy

Joseph Sheehan
Ellis J. Tracy
Mrs. Pius S. Tracy
Archie Tracy
J. A. Murphy
A. E. Shiber

State of Pennsylvania :
County of Cambria : ss.

A. E. Shiber, being duly sworn according to law, did depose and say that the statements set forth in the foregoing petition are true and correct.

A. E. Shiber

Sworn and subscribed before me
this 19th day of July, A. D., 1930.

Geo. W. Williams
Prothonotary

AND NOW, July 21, 1930, the foregoing petition having been read and considered, A. W. Hoemaker, J. D. Potter, and Adair Shuman, members of the Board of Viewers of Cambria County are hereby appointed to view the said road and make report according to law.

By the Board
McKenrick J.

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 permanent Board of Viewers of Cambria County, Pa., appointed by your honorable Court upon the attached order and therein directed to view and determine as to the propriety of vacating a certain piece of public road in Munster Township, said county and state, 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, and the Supervisors of the Township of Munster and having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini of the piece of road proposed to be vacated; and having been each first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability. all of us met at the time and place appointed, in accord with the notices so given and served as aforesaid, and having gone over and carefully viewed the premises: We are all of the opinion that the piece of road in question and as described in the attached order of the Court, beginning at the lane leading to the residence on the Henry Treidhoff Estate and extending thence in a southerly direction to the public road leading from O'Haras Mills to the Munster-Jamestown road, should be vacated.

The piece of road above described, a plot or draft of which is hereto attached and made a part of this report, takes the following courses and distances, viz: Beginning on the road leading from said Munster - Jamestown road to O'Haras Mills at a point approximately 5119.5 feet, measuring along said last mentioned road from said Munster-Jamestown road, and extending thence North 1° East 89 feet, North 14° West 240 feet, North 6° West 145.5 feet, North 3° 50' West 342.6 feet, North 7° East 83.5 feet, North 63° 35' East 67 feet, North 89° East 186 feet, North 33° East 93

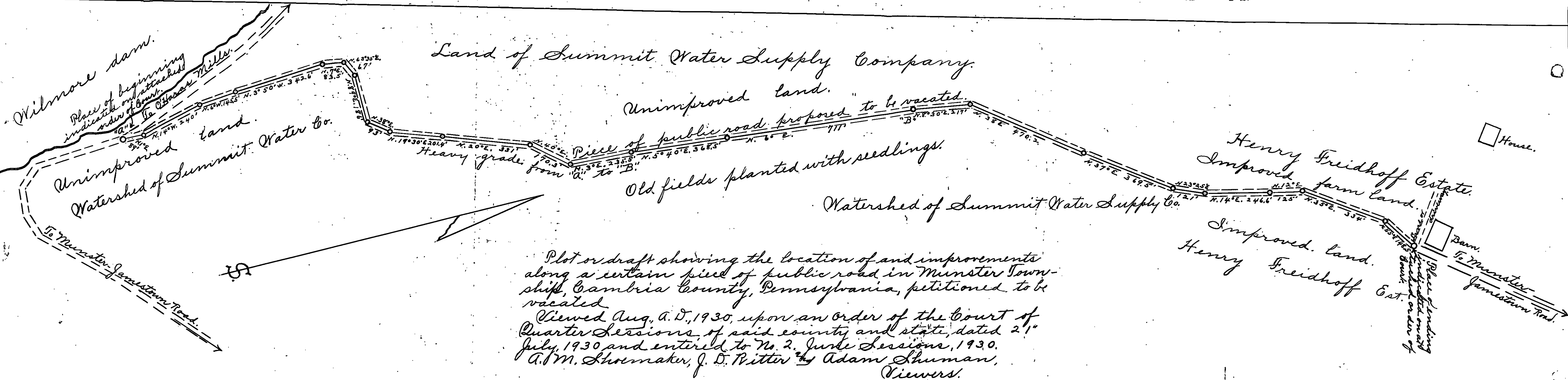
feet, North 19° 30' East 201.4 feet, North 20° East 331 feet, North 40° East 170.3 feet, North 3° East 235.5 feet, North 5° 40' East 368.5 feet, North 6° East 301.7 feet, North 6° East 409.3 feet, North 8° 30' East 217 feet, North 38° West 470.2 feet, North 37° East 369.5 feet, North 23° 25' East 121 feet, North 14° East 246.6 feet, North 12° East 125 feet, North 35° East 334 feet, and North 55° East 148.5 feet to the point of ending at the land leading to the residence on the Weidhoff farm now occupied by one David Lute.

The above described piece of road, approximately half of which is a heavy grade, has long since fallen into disuse by the public and has been allowed to lapse into such a state of disrepair as to appear almost like an abandoned log road; however, even if it were put into a good state of repair it would not be of service to the traveling public, tho one or two individuals might use it occasionally; and though a sufficient amount were spent on the road to put same in good condition the traffic over same would by no means justify the expenditure.

Witness our hands this 4th. day of August, A. D., 1930.

Adam Shuman
J. D. Ritter
A. M. Shoemaker

Viewers.



NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Munster Township, said county and state:

Beginning on the road leading from the Munster - Jamestown road; past the Henry Freidholl farm; to the road leading from Ebensburg to Portage by way of O'Haras Mills at a point on said road 5296.1 feet northward from the juncture of said piece of road, sought to be vacated, with the Ebensburg - Portage road, above referred to, near the Wilmore dam, and ending on said Ebensburg - Portage road at the juncture last above noted, near said dam: will meet at the point of beginning, above mentioned, near the barn on the Henry Freidhoff farm, in Munster Township, August 2nd., 1930, at 10:00 O'clock a. m., for the purpose of performing the duties of their appointment.

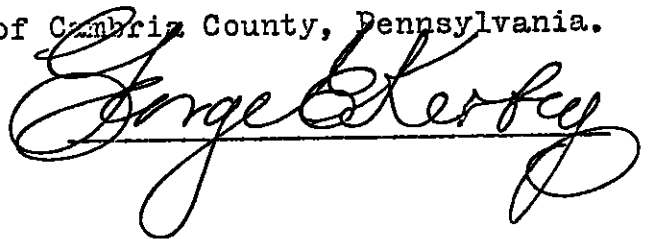
A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, July 30 1930, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

A handwritten signature in cursive script, appearing to read "George E. Kerby", written over a horizontal line.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Munster Township, said county and state,

Beginning on the road leading from the Munster - Jamestown road; past the Henry Freidhoff farm; to the road leading from Ebensburg to Portage by way of O'Haras Mills at a point on said road 5296.1 feet northward from the juncture of said piece of road, sought to be vacated, with the Ebensburg - Portage road, above referred to, near the Wilmore dam and ending on said Ebensburg-Portage road at the juncture last above noted, near said dam; will meet at the point of beginning above mentioned, near the barn on the Freidhoff farm, in Munster Township August 2nd., 1930, at 10:00 O'clock a. m., for the purpose of performing the duties of their appointment.

A. H. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, July 30 1930, service of the above notice is hereby accepted by the undersigned Supervisors of the Township of Munster Cambria County, Pennsylvania.

A. E. Shiber
L. W. Kline

Supervisors.

1

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Munster Township, said county and state:

Beginning on the road leading from the Munster - Jamestown road; past the Henry Freidhoff farm, to the road leading from Ebensburg to Portage, by way of O'Haras Mills, at a point on said road 5296.1 feet northward along said road from its juncture with the Ebensburg - Portage road, above referred to, near the Wilmore dam, and ending on said Ebensburg - Portage road at the juncture of the road, a portion of which is sought to be vacated, with the said Ebensburg - Portage road near the Wilmore dam: will meet at the point of beginning above mentioned, near the Freidhoff barn, in Munster township August 2nd. 1930, at 10:00 O'Clock a. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Costs of View

A. M. Shoemaker
 Preparing, posting and serving
 notices of view, and notifying
 viewers \$24.00
 Stenographer & stationery — 3.25
 Auto hire — 3.50
 Day on view — 12.00
 Auto hire to view — 2.75
 Survey, plotting drafting of
 5296.1 ft of road, helpers and
 transportation — 66.20
 Consultation with viewers,
 preparing, having signed,
 assembling & filling report
 of viewers — 30.00
 Stenographer & stationery 2.25
\$143.95

J. D. Ritter
 Day on View — \$12.00
 Consultation with viewers 6.00
 Mileage 46 mi @ 10¢ — 4.60
 Auto hire — 2.75
\$25.35

Adam Shuman
 Day on View — \$12.00
 Consultation with viewers 6.00
 Auto hire — 4.75
\$22.75

CERTIFIED
 Joseph L. Cannon
 COUNTY CONTROLLER

J. Albee
 Moscowher

State of Pennsylvania,

SS:

County of Cambria

Personally appeared before James McClune, Deputy Controller,
A. M. Shoemaker, one of the Viewers within mentioned, being duly sworn
according to law deposes and says that all the items of stenographer,
stationery, auto hire, help, etc., for which credit is claimed ^{by him} in the
within schedule of costs of view have been duly paid.

A. M. Shoemaker

Sworn and subscribed before
me this 6th day of August,
1930.

James McClune
Deputy Controller.

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 21st day of July A. D. 1950, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Munster, in the said County, setting forth that ~~they have a public road~~

~~vacate for a public road~~ a public road has long since been laid out, used and maintained by the public in Munster Township, Cambria County, Pennsylvania, representing that portion of the public road which leads from the Munster-Jamestown Road, at a point 3,168 feet Wouthward from its intersection, in Munster, with the Philadelphia-Pittsburgh Turnpike, in a Southwesterly direction, and terminates on the road 1 leading from Ebensburg to Portage via O'Hara's Mills; beginning at the lane leading to the farm buildings on the farm belonging to the Henry Freifhoff Estate, now occupied by one David Lute, and extending thence in a Southerly direction a distance of 5,296.1 feet, and ending in the road leading from O'Hara's Mills to the Munster-Jamestown Road. Being approximately 5,296.1 feet in length and wholly within the Township of Munster, which road has now fallen into disuse and disrepair and is burdensome to the taxpayers of the Township

and therefore praying the Court to appoint proper persons to view and ~~vacate~~ ^{vacate} the same according to law. The Court, upon due consideration had of the premises, do order and appoint

A. M. Shoemaker

surveyor, and

J. D. Ritter and Adam Shuman

viewers, to view the ground proposed for said ~~road~~ ^{vacation}, and if they ~~vacate~~ ^{vacate} view the same, and shall agree that there is occasion for such ~~road~~ ^{vacation}, they shall proceed to ~~lay out~~ ^{vacate} 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 E. Rolt, Clerk.

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."

NO. 2 June SESSIONS, 1930

Order to view and vacate road in

Munster Township

and
Report of Viewers

Filed 4 August 1930

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk

CERTIFIED

90 cts.

Henry L. Conrad
COUNTY CONTROLLER

*By the Court
Conrad C.*

8 Sept. 1930 Approved

Specification filed

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

In the Matter of :
The Petition for the Appointment :
of Viewers to Vacate a Public : No. 2 June Sessions, 1930.
Road in the Township of Munster, :
Cambria County, Pennsylvania. :

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the citizens of the Township of Munster, Cambria County, Pennsylvania, who signed the original petition which was filed on January 21, 1930 to the above stated number and term, by C. Randolph Myers, their Attorney respectfully represent:

That inadvertently there was omitted from said petition a reference to the number and term of the original case or to the number and page of the docket containing the record thereof, as required by Rule No. 308 of the Rules of the Court of Oyer and Terminer and Quarter Sessions of the Peace of Cambria County.

Your petitioners further represent that the record of the original case in this Court, whereby the public road above mentioned was laid out and directed to be opened for public use, cannot be found, although diligent search was made for the same, and, therefore, your petitioners are unable to set forth in this petition a reference to the number and term of the said original case or to the number and page of the docket containing the record thereof, as required by Rule 308 of the Rules of this Court.

Wherefore, your petitioners pray your Honorable Court for an order permitting them to file this, their ~~amended petition~~ ^{as} to comply with the rules of this Court in this proceeding.

And they will ever pray, etc.

C. Randolph Myers
Attorney for Petitioners

State of Pennsylvania :
County of Cambria : SS:

C. Randolph Myers, being duly sworn according to law, deposes and says that the facts set forth in the above petition are true and correct, as he verily believes; that this petition is made by deponent as attorney for the petitioners for the reason that it is inconvenient for them to sign and make affidavit to it.

C. Randolph Myers

Sworn and subscribed before me
this 16th day of April, A. D.,
1931.

Geo. W. Williams
Prothonotary.

D E C R E E .

Now, April 20, 1931, the foregoing petition having been read and considered, it is ordered that the amendment prayed for be allowed and that the petition aforesaid be and hereby is made a part of the original proceedings, nunc pro tunc.

By the Court
McKenrick

No. 2 June Sessions, 1930

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY

PETITION TO AMEND PETITION
OF CITIZENS OF MUNSTER TOWN-
SHIP TO VACATE ROAD

Filed 20 April 1931

C. RANDOLPH MYERS
ATTORNEY AT LAW
EHENSHURG, PENNSYLVANIA

No. 2 June Sessions, 1930, R.D.

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY.

IN RE:

Petition of Inhabitants of
Munster Township to Vacate
Portion of a Public Highway
in Munster Township, Cambria
County, Pa.

Opinion of the Court over-
ruling exceptions to report
of viewers.

Filed 15 May 1931

CLAIR W. LUTHER
OFFICIAL STENOGRAPHER
FOR THE
FORTY-SEVENTH JUDICIAL DISTRICT
PENNSYLVANIA

IN RE:
Petition of Inhabitants of
Munster Township to Vacate
Portion of a Public Highway
in Munster Township, Cambria
County, Pennsylvania.

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY.

No. 2 June Sessions, 1930, R.D.

Exceptions to report of viewers.

* OPINION OF THE COURT *

Heard before Evans, P.J., McCann, J., McKenrick, J. and
Reed, P.J., O.C., S.P.

EVANS, P.J.:

The first complaint made by the exceptants is that the petition violates Rule No. 308 of the Rules of Court of this county, in that it does not contain a reference to the proceeding laying out the road originally. This question has been raised in a number of cases recently, but subsequent to the filing of the exceptions in this case, and it is the opinion of this court and it is so decided that the provisions of Rule 308 are for convenience only and an omission to comply with it is not a jurisdictional defect, nor is the right of any person interfered with by allowing an amendment to the petition so as to cover the situation. It has been the practice for many years in this county where it is impossible to locate the record of the original road because of lack of proper records and indexing to allege in the petition that an effort has been made to locate such a record but the record could not be found, and this has been received as a proper excuse for not complying with the rule. In the present case, the petition has been amended by setting up an averment that after careful search the record of the original proceeding of the laying out of the road in question could not be found. This is permissible, as is indicated in Dickinson Township Road, 23 Pa. Superior Ct. 34.

The second complaint is to the same effect as the first.

The third complaint is that the petition does not describe the road, a part of which is sought to be vacated. An examination of the petition/^{shows that it}~~shows that it~~ describes the road as leading from a public highway at the village of Munster and terminating on the road leading from Ebersburg to Portage by way of O'Hara's Mills, and also describes the portion of the highway which the petitioners ask to have vacated.

The fourth complaint is that the report of the viewers was not filed in conformity with Rule 307 of our Rules of Court, which provides that the report of the viewers shall be returned and filed within the first week of the term to which it is returnable. The fact is that the report of the viewers was returnable to the September Term of court, 1930 and was filed by the viewers on the 4th day of August, 1930. The purpose of this rule is to fix the final time during which the report may be filed as the first week of the term to which it is returnable. It is perfectly proper to file the report any time prior to the final period fixed. Mead Township Road, 66 Pa. 185.

The fifth exception complains that the vacation of the portion of the public highway prayed for will leave one of the termini of the present road/ⁱⁿa cul de sac. While there was an impression for some time that a public highway might not be vacated so as to leave one or the termini of the road in a cul de sac, yet it is now the settled law of this state that it is not fatal to a vacation proceeding that the vacating of a part of the road may leave one or both of the termini at a point which is not a public place. See Schuylkill River Road, 19 Pa. Superior Ct. 376.

The sixth exception complains that the court has no authority to vacate a part of a public highway and leave open as a public highway a part of said road for the convenience of a person owning property adjoining said highway. We assume that this ex-

ception is raising the same question as is raised in the fifth, that the terminus of the road as vacated is at the drive-way entering a private farm. What is said as to the fifth exception applies to the sixth.

The seventh exception is, the report of the viewers showing that in their opinion the said road should be continued open for those who choose to travel it, the court would have no authority to approve that part of the report which suggests a vacation of the road as a public highway. We find nothing in the report which we believe is inconsistent with the finding of the viewers that the portion of the road complained about should be vacated for the reason that it has ceased to be used by the public.

The eighth exception complains that the petition is defective in that it does not set forth clearly and distinctly a situation which would warrant the court in vacating the highway. The petition avers specifically that the portion of the road complained about has fallen into disuse and disrepair, and is burdensome to the taxpayers of the township. This is a sufficient allegation to warrant the appointment of viewers in a proceeding to vacate.

The ninth exception is to the same effect as the eighth and it is only necessary to point out that the petition does aver that the road is burdensome and that it is not used by the public, both of which are sufficient reasons for proceeding to vacate the same.

The tenth exception is practically the same as the first, second and third exceptions, and what has been said as to those exceptions applies to the tenth.

The eleventh exception is substantially the same as the eighth and ninth.

The twelfth exception is merely a summary of what is covered by the preceding exceptions, which has been fully discussed above.

In view of what has already been said, we are of the opinion that the exceptions should be dismissed and the report of the viewers confirmed.

DECREE

AND NOW, ^{May 15}~~April 27~~, 1931, after due consideration, the exceptions to the report of viewers are dismissed and the report of viewers confirmed.

BY THE COURT:

Evans

P.J.

EXCEPTION

To all of which counsel for exceptants excepts and prays that an exception be noted and bill sealed; all of which is, the day and year aforesaid, accordingly done.

John E. Evans, P.J. (Seal).

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

IN THE MATTER

Of ---

No. 2 June Term, 1930.

THE PETITION TO VACATE PART
OF A TOWNSHIP ROAD IN MUNSTER
TOWNSHIP, CAMBRIA COUNTY,
PENNSYLVANIA.

EXCEPTIONS TO REPORT OF VIEWERS

NOW, September 1st, 1930, the undersigned, being taxpayers of Munster Township, Cambria County, Pennsylvania, hereby file Exceptions to the Report of Viewers in the above entitled matter, said Exceptions being as follows:

1. The petition for the vacation is not in conformity with Rule 308 of the rules for the Courts of Oyer and Terminer and Quarter Sessions of the Peace of Cambria County, Pennsylvania, for the reason that it does not contain a reference to the number and term of the original case, or to the number and page of the docket containing the record thereof.
2. The petition for the vacation of the said road does not contain a reference to the number and term of the original case or to the number and page of the docket containing the record of any change of said road, nor does it contain any reference to former proceedings with reference to said road, or any part thereof.
3. The petition is defective in that it does not describe the road, a part of which is sought to be vacated.
4. The Report of the Viewers was not filed in conformity with Rule 307 of the Rules for the Courts of Oyer and Terminer and Quarter Sessions of the Peace providing that said report "shall be returned and filed within the first week of the term to which it is returnable."
5. The proceeding is defective in that the petition asks for the vacation of a road fixing one of the terminus at a point which is not a public highway or place of public resort, and the return shows a suggested vacation of said highway to a point at the terminus thereof, which point is not a public highway or place of public resort.
6. The Court has no authority to vacate a part of a public highway and leave open as a public highway a part of said road for the convenience of a person owning property adjoining said highway.
7. The Report of the Viewers showing that in their opinion the said road should be continued open for those who choose to travel it, the Court would have no authority to approve that part of the report which suggests a vacation of the road as a public highway.

8. The application to vacate as filed in the above proceeding is defective for the reason that the application did not set forth in a clear and distinct manner the situation and other circumstances of such road or highway, or of the part thereof which the applicants desired to have vacated as required by the Act of Assembly in such case made and provided.

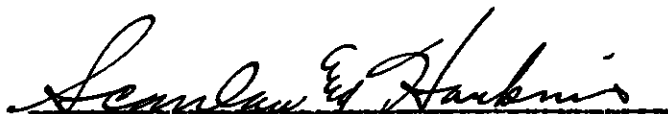
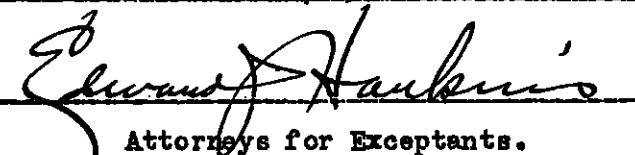
9. The application by petition as filed in the above proceeding is defective in that the said application by petition sets forth no fact whatever as to why the said road, or part of road, had become useless, inconvenient or burthensome.

10. The proceeding is irregular in that the petition and the return fail to show the road by proper description, of which road it was sought to vacate a part.

11. The application fails to contain statements of fact which are sufficient to give the Court jurisdiction.

12. The exceptants are advised, believe and therefore aver that the Court is without jurisdiction to vacate a part of said road unless the application and view describe a public highway and furnishes to the Court all facts necessary with respect to the location, the termini, etc., of said highway of which any part is proposed to be vacated.

And the exceptants have authorized their attorneys, Scanlan & Harkins to sign these Exceptions.


By 
Attorneys for Exceptants.

Filed September 1st, 1930.

Edward Willebran
Julia Willebran

Joseph Willebrand	Leo Durbin
Elnor Willebran	Mrs James Noel
James Bargent	Mr Larry J. Noel
W. H. Bargent	Ralph J. Noel
L. H. Bonrad	Ch. P. Sanderson
Mary Bonrad	Catherine Mullen
John H. Lamo	Walter Boons
Ella Lamo	Sherman Glass
Joe Lamer	Sara Glass
Bernadette Lamer	Martha Glass
J. B. Beiter	John Eldridge
Rettie Beiter	Margaret Eldridge
Annie Beiter	George Kosabe
J. P. Beiter	Worula Kosabe
John Forster	Mr Lute
T. Makovosinski	P. A. Lute
J. L. Stephens	Guys Spiner
Mrs. J. L. Stephens	Celia Spiner
Mrs W. J. Glass	G. H. Farabaugh
J. A. Goss	J. F. Toahy
	Mary M. Toahy

STATE OF PENNSYLVANIA

COUNTY OF CAMBRIA

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(

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SS:

Edward Willebran Personally appeared before me, the undersigned authority, who, being by me first duly sworn, deposes and says that he is one of the exceptants in the above proceeding; that all of the statements of fact contained in the foregoing Exceptions are true and correct, as he verily believes; that all of the conclusions therein stated are correct, to the best of his knowledge, information and belief; and that these Exceptions are not filed for the purpose of delay, but because deponent believes that an injustice has been done to him and to the others who have signed the Exceptions.

Edward Willebran

Sworn and subscribed to
before me, this 1st day
of Sept, A. D. 1930.

Geo. B. Williams
pro

My Commission Expires _____

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

No. 2 June Sessions 1930.

IN THE MATTER *7-187*

OF

THE PETITION TO VACATE PART
OF A TOWNSHIP ROAD IN MUNSTER
TOWNSHIP, CAMBRIA COUNTY,
PENNA.

EXCEPTIONS TO REPORT OF
VIEWERS .

Filed 1 Sept. 1930.

Scanlan & Harkins

JOHNSTOWN, PENNA.