

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

IN RE: Vacating Road in Blacklick     |  
Township, Cambria County, Pennsyl-     :  
vania.                                     |

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

The petition of the undersigned inhabitants of the Township of Blacklick, Cambria County, Pennsylvania, respectfully sheweth:

First

That a public road has long since been laid out between Ebensburg, Cambria County, Pennsylvania, and Indiana, Indiana County, Pennsylvania, known as the Cambria and Indiana Turnpike and also known as the Old Clay Pike.

Second

The record of the laying out and opening of said piece of public road is not contained in the Road Dockets of Cambria County.

Third

That many portions of said Clay Pike have recently been supplied by the new improved state highway known as the Benjamin Franklin Highway Route No. 422.

Fourth

That the following described portion of said turnpike or Old Clay Pike your petitioners conceive has become useless, inconvenient and burdensome by reason of the building of the new state road known as the Benjamin Franklin Highway Route No. 422:

Beginning at a point at the intersection of said Old Clay Pike with the Cambria-Blacklick Township line and extending thence in a westerly direction along said Old Clay Pike to where said pike adjoins the new Benjamin Franklin Highway at a point about seven hundred and twenty-five (725) feet eastward from the intersection of said Benjamin Franklin Highway with the C. & I. Railroad where said highway crosses under said C. & I. Railroad Span, being a point about one quarter of a mile East of the Village of Belsano.

Fifth

That the portion of said Old Clay Pike lying in Cambria Township, Cambria County, Pennsylvania, has been viewed recently by three members of the permanent Board of Viewers of Cambria County, who have recommended to your Honorable Court that the same has fallen into disuse and should be vacated.

Your petitioners therefore pray the Court to appoint three members of the permanent Board of Viewers of Cambria County as a Board of View to view and

vacate said piece of public road between the termini above described and to return their report, together with a plot or draft thereof, to your Honorable Court, as required by the Act of the General Assembly in such case made and provided.

And thus they will ever pray, etc. etc.

E. E. Goss  
Richardson  
Charles W. Goss  
Albert Frank  
P. M. King  
W. J. Maudis  
W. H. Prudeant  
Robert C. Clawson  
J. P. Mack  
J. B. McLaughlin  
Clyde Adams  
Alton Bracken  
George Langendofer  
L. J. Fisher

STATE OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF CAMBRIA )

Before me, a Notary Public, in and for the City of Johnstown, said county and state, personally appeared E. E. GOSS, who, being by me duly sworn according to law, deposes and says that the matters set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief and that the signatures to the foregoing petition are in the proper handwriting of the parties indicated thereby.

E E Goss

Sworn to and subscribed  
before me this 16<sup>th</sup>  
day of February, A. D.,  
1932.

Dorothy G. Gochmair  
Notary Public.

My commission expires March 5th, 1933.

D E C R E E

Feb 15. 1935 ✓

Upon petition of divers inhabitants of the Township of Blacklick, Cambria County, Pennsylvania, stating that the following described portion of public road known as the Cambria & Indiana Turnpike or Old Clay Pike

Beginning at a point at the intersection of said Old Clay Pike with the Cambria-Blacklick Township line and extending thence in a westerly direction along said Old Clay Pike to where said pike adjoins the new Benjamin Franklin Highway at a point about seven hundred and twenty-five (725) feet eastward from the intersection of said Benjamin Franklin Highway with the C. & I. Railroad where said highway crosses under said C. & I. Railroad Span, being a point about one quarter of a mile East of the Village of Belsano

has become useless, inconvenient and burdensome, the Court, on due consideration, do order and appoint A. M. Shaugnessy Esq. J. D. Pittman

and Louis E. Taylor

who are to view the road in said petition prayed to be vacated and to consider and judge whether it has become useless, inconvenient and burdensome and to return and file their report to the next Court of Quarter Sessions to be held for the said county, agreeably to the Act of the General Assembly in such case made and provided.

By the Court  
McKenrick - J

No. 5 - Dec - 31

IN RE: Vacating Road in Blacklick Town-  
ship, Cambria County, Pennsylvania.

PETITION TO VACATE ROAD

ORDER WITHIN

Filed - Feb. 15 - 32

MAURICE SHADDEN,  
906 Johnstown Trust Building,  
Johnstown, Pa.

REPORT OF VIEWERS.

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 and in the attached order directed to view and determine as to the propriety of vacating a certain piece of public road in Blacklick Township, Cambria County, Pa.; between the termini therein specified; respectfully report:

That having given due notice of the view and the time and place of meeting of the viewers to the Commissioners of Cambria County, and the Supervisors of the Township of Blacklick; 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 and along the route of the piece of road proposed to be vacated, and each having been 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 place appointed in accord with the notices served and posted, as aforesaid, and proceeded to view the premises and consider the necessity and non necessity for the piece of road in question and are all of the opinion that the said piece of road, known as the old Clay Pike, between the Cambria- Blacklick Township line and its intersection with the new Benjamin Franklin Highway, at a point approximately 725 feet eastward; along said highway; from where said highway is intersected by the overhead trussel of the Cambria & Indiana railroad, about one fourth of a mile eastward from the Village of Belsano, has become useless, inconvenient and burdensome and should be vacated.

Said piece of road; 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 said Cambria & Indiana Turnpike (known as the old Clay Pike) at the point where the line dividing the townships of Cambria and Blacklick intersect said Turnpike and extend-

ing thence as follows, north 61° 30' west 506 feet, north 65° west 1194 feet, north 63° west 1140 feet, north 63° west 529 feet, north 68° west 278 feet, north 79° west 474 feet, south 59° west 186 feet, north 70° west 1286 feet ( 562 feet to public road leading southward to the improved road leading from Bethel to Cardiff adjoining same near residence of Frank Mahan and continuing same course 724 feet beyond), north 75° west 287 feet, north 65° 30' west 285 feet, north 35° west 243 feet, north 33° west 464 feet, north 35° west 293 feet, north 61° west 733 feet, north 62° west 634 feet, north 69° west 528 feet, north 66° west 535 feet, north 85° west 536 feet, north 62° west 225 feet, north 55° 30' west 351 feet, north 68° west 519 feet, north 71° west 534 feet, north 85° west 470 feet, north 81° 30' west 469.5 feet, north 71° west 1174 feet, north 85° 30' west 594 feet, north 70° 30' west 566 feet, north 68° west 700 feet, north 66° 15' west 1544 feet to the westerly termini of the piece of road proposed to be vacated at the juncture of the old Clay Pike with the new Benjamin Franklin Highway.

For the convenience of the various individuals living adjacent thereto the viewers recommend that the portions of road between points indicated on the attached draft between "A" and "B", between "B" and "C", between "D" and "E" and between "F" and "G" be left to remain open as private roads.

The viewers have found that the old Clay Pike for almost the entire length of the piece of road viewed is practically paralleled by the new Benjamin Franklin Highway which now accommodated all the through traffic and thus renders the portion of said old Clay Pike viewed unnecessary for the accommodation of the general public, hence the recommendation that same be vacated as a public road.

Witness our hands this 10th day of March, A. D., 1932.

A. M. Shoemaker Y

J. D. Ritter  
H. E. Taylor  
Viewers.

N O T I C E   O F   V I E W .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria Co., Pa., to view and determine as to the propriety of vacating a certain piece of public road in Blacklick Township, said county and state: Beginning at the intersection of the line dividing the townships of Cambria and Blacklick with the Cambria and Indiana Turnpike (locally known as the old Clay Pike), and vacating that portion of said old Clay Pike between the point of beginning indicated and the point where said Clay Pike adjoins the Benjamin Franklin Highway, approximately 725 feet eastward from the intersection of said last mentioned highway with the Cambria and Indiana Railroad; where said highway passes under said railroad about one fourth mile eastward from the Village of Belsano:

The Viewers will meet on said old Clay Pike, at the point of beginning above indicated, in the Township of Blacklick, Cambria Co., Pa., February 27th. <sup>1932</sup> at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,  
J. D. Ritter and  
Louis E. Kaylor,  
Viewers.

Service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.



  
Clerk.



N O T I C E   O F   V I E W .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria Co., Pa., to view and determine as to the propriety of vacating a certain piece of public road in Blacklick Township, said county and state: Beginning at the intersection of the line dividing the townships of Cambria and Blacklick with the Cambria - Indiana Turnpike (locally known as the old Clay Pike)?, and vacating that portion of said old Clay Pike between the point of beginning indicated and the point where said Clay Pike adjoins the Benjamin Franklin Highway, approximately 725 feet eastward from the intersection of said last mentioned highway with the Cambria & Indiana railroad; where said highway passes under said railroad about one fourth mile eastward from the Village of Belsano:

The Viewers will meet on said old Clay Pike, at the point of beginning above indicated, in the Township of Blacklick, Cambria Co., Pa., February 27th., 1932, at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,  
J. D. Ritter and  
Louis E. Kaylor,  
Viewers.

Service of the above notice is hereby accepted By the undersigned Supervisor of the Township of Blacklick, Cambria County, Pa.

E. E. Goss

*Please sign, return to me  
on or before day of Jan.  
A 2115*

N O T I C E O F V I E W .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria Co., Pa., to view and determine as to the propriety of vacating a certain piece of public road in Blacklick Township, said county and state: Beginning at the intersection of the line dividing the townships of Cambria and Blacklick with the Cambria - Indiana Turnpike (locally known as the old Clay Pike)?, and vacating that portion of said old Clay Pike between the point of beginning indicated and the point where said Clay Pike adjoins the Benjamin Franklin Highway, approximately 725 feet eastward from the intersection of said last mentioned highway with the Cambria & Indiana railroad; where said highway passes under said railroad about one fourth mile eastward from the Village of Belsano:

The Viewers will meet on said old Clay Pike, at the point of beginning above indicated, in the Township of Blacklick, Cambria Co., Pa., February 27th., 1932, at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

J. D. Ritter and

Louis E. Kaylor,

Viewers.

Service of the above notice is hereby accepted By the undersigned Supervisor of the Township of Blacklick, Cambria County, Pa.

J. T. Rimmer

Please sign & return true or  
before day of view. A. J. S.

# NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria Co., Pa., to view and determine as to the propriety of vacating a certain piece of public road in Blacklick Township, said county and state: Beginning at the intersection of the line dividing the townships of Cambria and Blacklick with the Cambria - Indiana Turnpike (locally known as the old Clay Pike); and vacating that portion of said old Clay Pike between the point of beginning indicated and the point where said Clay Pike adjoins the Benjamin Franklin Highway, approximately 725 feet eastward from the intersection of said last mentioned highway with the Cambria & Indiana railroad; where said highway passes under said railroad about one fourth mile eastward from the Village of Belsano:

The Viewers will meet on said old Clay Pike, at the point of beginning above indicated, in the Township of Blacklick, Cambria Co., Pa., February 27th., 1932, at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,  
J. D. Ritter and  
Louis E. Kaylor,  
Viewers.

Service of the above notice is hereby accepted By the undersigned Supervisor of the Township of Blacklick, Cambria County, Pa.

*Lelet L. L. L.*

*Please sign return to me on or before 2/27/32 -*

*A. M. S.*

## NOTICE OF VIEW.

The viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of public road in Blacklick Township, said county and state: Beginning at the intersection of the line dividing the townships of Cambria and Blacklick with the Cambria and Indiana Turnpike ( locally known as the "Clay Pike" ) and vacating that portion of said Clay Pike between said point of beginning and the point where said Clay Pike adjoins the Benjamin Franklin Highway about 725 ft. eastward from the intersection of said last mentioned highway with the Cambria & Indiana railroad; where said railroad crosses the Benjamin Franklin Highway by an overhead trestle, about one fourth of a mile eastward from the Village of Belsano: said viewers will meet on said old Clay Pike, at the point of beginning above indicated, in the Township of Blacklick, Cambria Co., Pa., February 27th. at 9:30 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

J. D. Ritter and

Louis E. Kaylor,

Viewers.

## Costs of View.

Preparing, posting and serving notices of view & notifying viewers	\$24.00
16 miles @ 10¢ per miles	1.60
Stenographer & stationery	2.18
View of road 1 1/2 days	18.00
32 miles - two trips	3.20
Survey, plotting & drafting by helpers, tracing cloth &c (16,977.5 ft of road)	67.35
Preparing, having signed assembling & filing report of viewers	24.00
Stenographer & stationery	2.45
	\$142.78
1/13/32 Ad 26326 Less 164 @ 10¢	16.40
J. D. Ritter	\$126.38 ✓
1 1/2 Days	\$18.00
84 miles	8.40
	\$26.40 ✓

L. E. Kaylor

1 1/2 Days on view	\$18.00
32 miles at 10¢	3.20
	\$21.20 ✓

APPROVED FOR PAYMENT

L. M. Keller

John M. Sherman Jr.

Frank T. Hollenbeck  
COMMISSIONER

The mileage of A. M. Sherman  
J. D. Ritter & L. E. Kaylor deducted  
from A. M. Sherman's acct.  
waiting decisions

State of Pennsylvania

SS.

County of Cambria

Before me, James McClune, Deputy Controller, personally came A. M. Shoemaker, one of the viewers named on the attached order of Court, who being duly sworn according to law deposes and says that the items contained in the attached bill relative to time of employment milage stenographer stationery postage &c. are true and correct and the expense of milage help stenpgrapher stationery &c. paid and settled for as he varily believes.

A. M. Shoemaker.

Sworn and subscribed to this  
14th. day of March, A. D., 1932.

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 15th. day of February A. D. 192<sup>3</sup>, be-  
fore the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township  
of Blacklick, in the said County, setting forth that they ~~XXXXXX~~

~~XXXXXX~~  
the following described portion of public road, known as the Cambria  
& Indiana Turnpike or Old Clay Pike

Beginning at a point at the intersection of said old Clay Pike  
with the Cambria-Blacklick Township line and extending thence in a  
westerly direction along said Old Clay Pike to where said pike adjoins  
the new Benjamin Franklin Highway at a point about seven hundred and  
twenty five (725) feet eastward from the intersection of said Benjamin  
Franklin Highway with the C. & I. Railroad where said highway crosses  
under said C. & I. Railroad Span, being a point about one quarter mile  
East of the Village of Belsano has become useless, inconvenient and  
burdensome

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

A. M. Shoemaker, Esq., surveyor, and

J. D. Ritter, and Louis E. Kaylor.

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~~ <sup>vacate</sup> 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.  
McKenrick

Attest:

Judge

*James M. Jones*, Clerk.

No. 5 Dec SESSIONS, 1932

Order to view and determine as to  
the propriety of vacating a portion  
of the old Cambria-Indiana Turnpike;  
known as the Clay Pike.

and  
Report of Viewers.

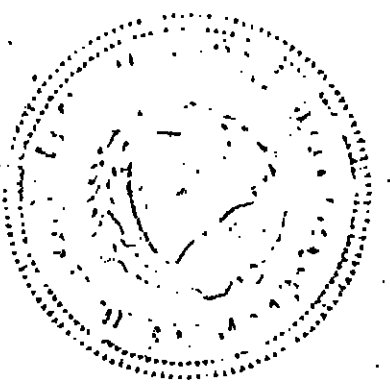
Filed Mar-14-1932

A. M. Shoemaker  
J. D. Ritter  
Louis E. Kaylor  
Viewers  
Jimmie M. Jones  
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 and 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."



13 June - 1932 Agreed  
By the Court  
Attest  
12 Sept. 1932  
Confirmed absolutely  
per Jones  
Clay



Blacklick  
dymanos

[illegible]