

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, appointed by your honorable Court and upon the attached order directed to view and determine as to the propriety of vacating a certain piece of public road in the Township of West Carroll, said county and state; Beginning at a point where the road, a part of which is hereby sought to be vacated, connects with the brick highway leading from Bakerton to Carrolltown and ending at the line dividing the Townships of West Carroll and East Carroll at or near the intersection of the Susquehanna Branch of the P.R.R. with the road, a part of which is hereby sought to be vacated, 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 West Carroll, 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 being 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 given and posted, as aforesaid, and having gone over and carefully viewed the premises and the road in question and heard the testimony of a number of witnesses interested; we are all of the opinion that the piece of road asked to be vacated, should not, at this time, be vacated but should be left as a public road for the convenience and accommodation of those living on and along the same and various others having occasion to traverse the same and portions thereof. Accordingly we recommend that the piece of road in question; which in our opinion has not, within

the meaning and intent of the law, become useless, inconvenient and burdensome.

The piece of road sought to be vacated, a plot or draft of which is hereto attached and made a part of this report, takes the following courses and distances, viz: Beginning at the dividing line between the townships of East Carroll and West Carroll and extending thence as follows, South 74° 35' West 47 feet, North 48° 15' West 222 feet, South 81° 15' West 109.4 feet, South 77° West 325.4 feet, South 88° 30' West 355 feet, North 88° West 138.4 feet, North 70° West 486 feet, North 59° West 255 feet, North 54° 20' West 276.7 feet, North 58° 45' West 433 feet and North 46° 25' West 440.2 feet to the brick highway leading from Bakerton to Carrolltown. Said points of beginning and ending being more clearly and definitely set forth on the draft and the order of the Court hereto attached.

From our view and hearing the viewers gathered the following information, that there are now three residences along the said piece of road and a fourth at the end thereof adjacent to the brick road and a fifth has recently been destroyed by fire, and that a considerable strip of land which abutts on this piece of road is the property of the Riley Coal Company and the Bakerton Water Company, and that the Water Co., in particular, have frequent occasions to use a portion of the road to reach and look after their water supply. That in the three families living along the the road there are approximately ten adults and eleven children of school age and that the road is frequently used by the employees of the Penn Central, in attending to their transformer, and by others.

Witness our hands this 20th. day of April, A. D., 1931.

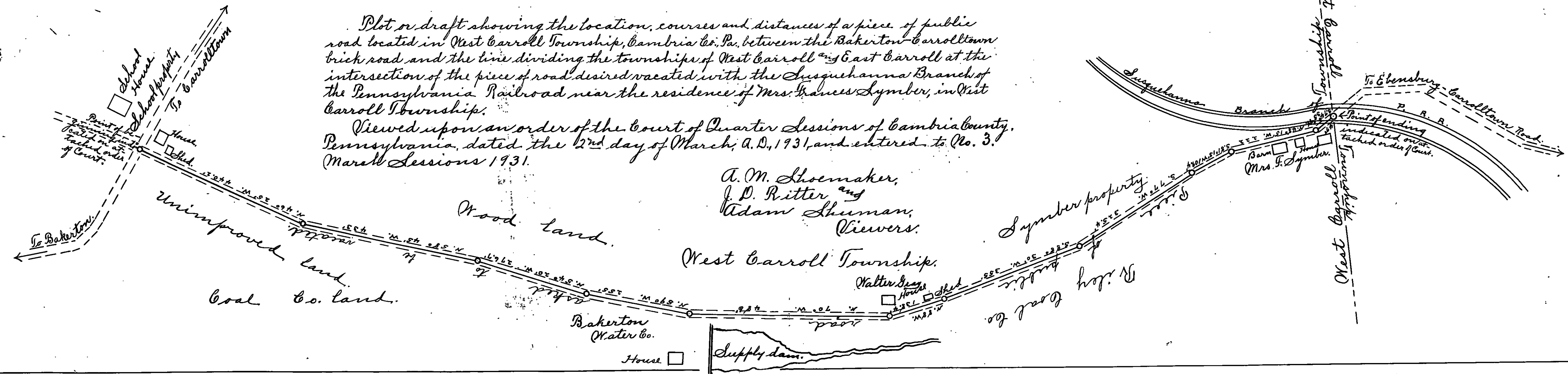
Viewers.

Plot or draft showing the location, courses and distances of a piece of public road located in West Carroll Township, Cambria Co., Pa., between the Bakerton-Carrolltown brick road and the line dividing the townships of West Carroll and East Carroll at the intersection of the piece of road desired vacated with the Susquehanna Branch of the Pennsylvania Railroad near the residence of Mrs. Frances Lymbber, in West Carroll Township.

Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania, dated the 2nd day of March, A. D., 1931, and entered to No. 3. March Sessions 1931.

A. M. Shoemaker,
J. D. Ritter and
Adam Shuman,
Viewers.

West Carroll Township.



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 as to the propriety of vacating a certain piece of public road in the Township of West Carroll, said county and state: Beginning at a point where the road, a part of which is hereby sought to be vacated, connects with the brick highway leading from Bakerton to Carrolltown; said point being 6600 feet from the borough line of the Borough of Carrolltown, measuring along said brick highway in a south westerly direction from said borough; and ending at a point on the dividing line between the townships of West Carroll and East Carroll, where the Susquehanna Branch of the P. R. R. crosses, at grade, the road, a part of which is hereby sought to be vacated; said point of ending being distant 3696 feet from the point of connection of the road, a part of which is hereby sought to be vacated, with the improved State Highway leading from Ebensburg to Carrolltown, and known as State Highway Route No. 62.:

Said viewers will meet at the point of beginning above indicated, on the improved highway leading from Carrolltown to Bakerton, on the 18th. day of April, 1931, at 9:30 o'clock a. m., for the purpose of performing the duties of their appointment.

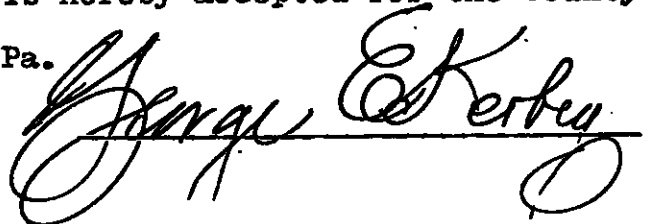
A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

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



Apr 17/31

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 as to the propriety of vacating a certain piece of public road in the Township of West Carroll, said county and state: Beginning at a point where the road, a part of which is hereby sought to be vacated, connects with the brick highway leading from Bakerton to Carrolltown; said point being 6600 feet from the borough line of the Borough of Carrolltown, measuring along said brick highway in a south westerly direction from said borough; and ending at a point on the dividing line between the townships of West Carroll and East Carroll, where the Susquehanna Branch of the P. R. R. crosses, at grade, the road, a part of which is hereby sought to be vacated; said point of ending being distant 3696 feet from the point of connection of the road, a part of which is hereby sought to be vacated, with the improved State Highway leading from Ebensburg to Carrolltown, and known as State Highway Route No. 62.:

Said viewers will meet at the point of beginning above indicated, on the improved highway leading from Carrolltown to Bakerton, on the 18th. day of April, 1931, at 9:30 o'clock a. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Service of the above notice is hereby accepted by the undersigned Supervisors of the Township of West Carroll, Cambria Co., Pennsylvania.

Joseph Shero

E. D. Brawley

Supervisors.

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 as to the propriety of vacating a certain piece of public road in the Township of West Carroll, Cambria County, Pa.,

beginning at a point where the road, a part of which is hereby sought to be vacated, connects with the brick highway leading from Bakerton to Carrolltown; said point being 6600 feet from the borough line of the Borough of Carrolltown, measuring along said brick highway in a south westerly direction from said borough; and ending at a point on the dividing line between the townships of West Carroll and East Carroll, where the Susquehanna Branch of the P. R.R. crosses, at grade, the road, a part of which is hereby sought to be vacated; said point being distant 3696 feet from the point of connection of the road, a part of which is hereby sought to be vacated, with the improved highway leading from Ebensburg to Carrolltown, and known as route NO. 62.

Said viewers will meet at the point of beginning above indicated, on the improved highway leading from Carrolltown to Bakerton, on the 10th day of April, 1931, at 9:30 o'clock a. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

State of Pennsylvania,
County of Cambria

SS.

Before me, James McClune, Deputy Con -
troller, personally came A. M. Shoemaker, one of the viewers ~~ma~~
named on the within order of view, who being duly sworn accord-
ing to law deposes and says that the items contained in the bill
hereto attached; relative to time of employment, auto hire, sten-
ographer and stationery, &c., are correct and the expense of
auto hire, stenographer, stationery, help &c. are paid and satis-
fied as he verily believes.

A. M. Shoemaker

Sworn and subscribed to before
me this 27th day of April, A. D.,
1931.

James McClune
Deputy Controller

West Carroll Td No 3, 2/1931

Cost of View.

A. M. Shoemaker

Preparing, posting and serving notices of view upon the Supervisors & Comms.	18 ⁰⁰
Stenographer & stationery	2 ⁶⁵
Auto hire	2 ⁰⁰
Day on view hearing and consultation	12 ⁰⁰
20 mi @ 10¢	2 ⁰⁰
Survey, plotting drafting help & transportation	32 ⁷⁵
Preparing, having signed, assembling and filing report of viewers	18 ⁰⁰
Stenographer & stationery	2 ⁰⁰
	<u>\$89⁶⁵</u>

J. D. Ritter

Day on view, hearing & consultation	12 ⁰⁰
auto hire	3 ⁰⁰
	<u>\$15⁰⁰</u>

Adam Shuman

Day on view hearing & consult.	12 ⁰⁰
42 mi @ 10¢	4 ²⁰
	<u>\$16²⁰</u>

89⁶⁵
15⁰⁰
16²⁰
20⁸⁵

W. B. Booker
Arthur Griffith

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 2nd day of March A. D. 1921, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of West Carroll, in the said County, setting forth that ~~they take under license~~

~~reference for want of~~ ~~book of proceedings to be read~~
many years ago a public road was laid out in what was then the Township of Carroll, beginning at a point on the road then known as the plank Road from Ebensburg to Carrolltown distant three thousand on hundred sixty-eight feet northward of a point on said Plank Road known as Strittmatter's Corner, and ending at a point near the present Village of Bakerton on the road leading from Carrolltown to a public road from the Village of Nicktown to the above mentioned Plank Road at a point near the present railroad tunnel under said Plank Road.

That the portion of said public road which lies within the said Township of West Carroll, and which has become useless, inconvenient and burdensome is described as follows: Beginning at a point where the road, a part of which is sought to be hereby vacated, connects with the brick highway leading from Bakerton to Carrolltown, said point being distant sixty-six hundred feet from the Borough line of the Borough of Carrolltown measured along said brick highway in a southwesterly direction from said Borough, and ending at a point on the dividing line between the Townships of West Carroll and East Carroll where the Susquehanna Branch of the Pennsylvania Railroad crosses, at grade, the road, a part of which is hereby sought to be vacated, said point being distant three thousand six hundred ninety-six feet from the point of connection of the road, a part of which is hereby sought to be vacated, with the improved state highway leading from Ebensburg to Carrolltown, and known as Route 62.

and therefore praying the Court to appoint proper persons to view and ~~locate~~ ^{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 view the same, and shall agree that there is occasion for such ~~road~~ ^{vacation}, they shall proceed to ~~locate~~ ^{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 L. Robb, Clerk.

No. 3, March _____ SESSIONS, 1921

Order to view and vacate road

in West Carroll Township

and
Report of Viewers.

Filed 27 April 1931

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk _____ 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."

8 June 1931 Approved

By the Court
Ernest P. ...

7 April 1931 Informally

James E. Ritter
to book

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

NO. _____ MARCH SESSIONS, 1931.

RE: VACATION OF ROAD IN WEST CARROLL TOWNSHIP.

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

The petition of the undersigned inhabitants of the Township of West Carroll, in the County of Cambria and State of Pennsylvania, respectfully represents:

That many years ago a public road was laid out in what was then the Township of Carroll, beginning at a point on the road then known as the Plank Road from Ebensburg to Carrolltown distant three thousand one hundred sixty-eight feet northward of a point on said Plank Road known as Strittmatter's Corner, and ending at a point near the present Village of Bakerton on the road leading from Carrolltown to a public road from the Village of Nicktown to the above mentioned Plank Road at a point near the present railroad tunnel under said Plank Road.

That several years since, the Township of Carroll was divided and now comprises two townships known respectively as West Carroll and East Carroll Townships.

That a portion of said public road which is situate within the Township of West Carroll has become useless, inconvenient and burdensome to the inhabitants of said Township by reason of the difficulty in keeping the same in repair for travel, and particularly by reason of the fact that the public has ceased to use the same.

That the portion of said public road which lies within said Township of West Carroll, and which has become useless, inconvenient and burdensome is described as follows:

Beginning at a point where the road, a part of which is sought to be hereby vacated, connects with the brick highway leading from Bakerton to Carrolltown, said point being distant sixty-six hundred feet from the Borough line of the Borough of Carrolltown measured along said brick highway in a south

westerly direction from said Borough, and ending at a point on the dividing line between the Townships of West Carroll and East Carroll where the Susquehanna Branch of the Pennsylvania Railroad crosses, at grade, the road, a part of which is hereby sought to be vacated, said point being distant three thousand six hundred ninety-six feet from the point of connection of the road, a part of which is hereby sought to be vacated, with the improved state highway leading from Ebensburg to Carrolltown, and known as Route 62.

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 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.

Your petitioners further represent that a petition of inhabitants of the Township of East Carroll will be presented to this Court simultaneously with the presentation of this petition asking for the vacation of that part of the public road above described which lies within the present limits of the Township of East Carroll, and this petition, and said petition of the inhabitants of the Township of East Carroll comprise the application for the vacation of the entire public road laid out as aforesaid.

Your petitioners therefore pray the Court to appoint three persons as viewers to inquire into the matters averred in this petition and to report to the Court on the expediency of vacating that portion of the above mentioned public road which lies within the Township of West Carroll and which is herein above described.

Ed Libuarchik	Farming
William Bertson	Farming
L. Bertson	" "
Ernest A Miller	Farmer
W. Peter Shew	Farmer
Henry Volk	Farmer
Clarence Volk	Labor
Stefan Stora	Farmer
George Fox	Farmer
O. P. Hoch	Garage
John A. Rostron	store keeper
Frank Venaro	minor
A. J. Lippell	Clerk
Mike Grieb	auto Dealer
Geo Sample	Business
Vince Madinger	Janitor
Ernest Powell	Box collector
Bernard J. Shew	Minor

State of Pennsylvania

County of Cambria

SS:

Bernard J. Shero

being duly sworn

according to law says that he is one of the petitioners within named, and that the matters set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me

this 27th day of February, 1931.

Helew E. McClure

Notary Public

My com. expires Feb. 2, 1933.

Bernard J. Shero

NOTICE.

To the Commissioners of Cambria County:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, the 2nd day of March 1931, asking for the appointment of viewers to vacate the road in said petition described.

Shettig & Nelson
Attorneys for Petitioners.

And now, March 7 1931, service of the above notice, together with a copy of the petition, accepted.

J. R. Dehman
Chief Clerk.
Asst.

NOTICE.

To the Supervisors of West Carroll Township:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, the _____ day of _____ 1931, asking for the appointment of viewers to vacate the road in said petition described.

Shetty & Nelson
Attorneys for Petitioners.

And now, February 28th 1931, service of the above notice, together with a copy of the petition, accepted.

Joseph Shero
James West
E. D. Brainerd
Supervisors of West Carroll Township.

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

Re: Vacation of Road in West
Carroll Township.

PETITION FOR APPOINTMENT OF VIEWERS.

*Ordered, March 2, 1931, with
petition read and considered
and App Shuman, Esq.,
Adam Shuman and
J. D. Ketter, appointed
viewers*

*By the Court
Evans*

Filed 2 March 1931

SHETTIG & NELSON
ATTORNEYS AT LAW
EBENSBURG, PA.