IN THE COURT OF QUARTER SESSIONS, CAMBRIA COUNTY, PENNSYLVANIA.
NO. 8 JUNE SESSIONS, 1931.

IN RE VIEW TO ESTABLISH
PUBLIC ROAD IN WEST TAYLOR
TOWNSHIP, CAMBRIA COUNTY, PA.

PETITION ASKING FOR THE
' SUBSTITUTION OF A VIEWER.

Julia 3 August 1931.

MAHLON J. BAUMGARDNER
ATTORNEY AT LAW
JOHNSTOWN, PENNA.

SWANK BLDG.

, ed. . .)

IN RE VIEW TO ESTABLISH PUBLIC ROAD IN WEST TAYLOR TOWNSHIP, CAMBRIA COUNTY, PA. | NO. 8 JUNE SESSIONS, 1931.

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

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your petitioner, one of the Viewers appointed in the above entitled proceedings, respectfully represents:-

That on July 20, 1931, a petition was presented, asking for the appointment of Viewers, and that his Honor, Judge McKenrick, appointed Dixon Tomb, your petitioner, and Philip Caulfield as Viewers to determine upon the width and grade of said road outlined in said petition.

Your petitioner avers that Philip E. Caulfield, one of the Viewers appointed in said proceedings, is physically unable to serve as a Viewer, and further that he has been in constant touch with $\frac{k}{r}$. Caulfield in regards to his health, and that at this time Mr. Caulfield is unable to serve as a Viewer.

Your petitioner, therefore, prays your Honorable Court to substitute another Viewer for Philip E. Caulfield.

And he will ever pray, etc.

Mahlor Brann partes

Martin & Banga

CAMBRIA COUNTY, SS:

Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County, MAHLON J. BAUMGARDNER, who having first been duly sworn according to law, doth depose and say that he is the petitioner above named, and that the facts set forth in the above petition are true and correct.

Sworn to and subscribed Before me this 25th day of July, A. D. 1931.

ORDER

AND NOW, this twenty seventh by of huly, A. D. 1931, the foregoins petition having been read and considered, the Court does appoint place of Philip E. Caulfield, who is ill and unable to perform his duties as a Viewer.

By the Court

No. Section Term, 1931
In The Court of Quarter Sessions
of Cambria County, Pennsylvania

In Re Road in West Taylor Township

Petition for View to Establish
Public Road

Tuled 20 July 1981.

J. Don O'Connor - Attorney at Law First National Bank Building Johnstown, Pa. IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

In Re Road in September Term, 1931

West Taylor Township

Petition for View to Establish Public Road

To the Honorable Judges of the Above named Court:

The Petition of the undersigned Citizens of West Taylor Township Respectfully Represents:

- 1. That they are all taxpayers and landholders in the said Township, and are residents therein.
- 2. That their lands adjoin a road, now unimproved and almost unimpassable, which the Township Road Officers have refused or neglected to maintain on the ground that it has never been designated or accepted as a public road.
- 3. That the said way or road has been in general use by the undersigned and other memebrs of the public for more than twenty-one years, and there is not now, and has not been any objection to this usage.
- 4. The present way or road commences at a point on the road leading from Tannersville to route 314, about one thousand feet south of the Laurel Run Reservoir, or the paved section of said route; it extends for a course of about One and one-half miles to an Oak Tree on the land of Seve Kushnack, at or about the line of Jackson Township. The course of the road is due North from the starting point on the said Tannersville to Route 314 road.
- 5. That this way or raod described is the only means of ingress or egress to and from their lands available to the undersigned, and there is no other route possible on account of the mountainous terrain.

Your petitioners therefore pray the Court to provide for an establishment of this road as a public road, in order to give authority to the Township Road Officers of West Taylor Township, Cambria County, Pennsylvania, to properly maintain it, and to provide for a view of the said route or way, in order that its route shall be determined, and to provide am appoint viewers.

And they will ever pray.

~ 0
alongo Cameron
74 m Cameron
alvin bameron
Goray B. Cameron
Parred Bresett
and the second s
Attent M. Wantin
Thomas Honartin
Thomas & Pharling
Garl Martin
Joseph & Wishong
1 Page 5 Star 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
The same of the sa
EB Carreran
8 B Conneron
John Sylvis
John Sylvis
John Spilvis Wik Kunnyak
John Sylvis
John Splinis Wik Kunnyak Jor. J. Holboy
John Splinis Wik Kurmyak Jor. J. Holbory

State of Pennsylvania) County of Cambria) SS:

Before me, appeared personally the State of the foregoing petition, who being duly sworn according to law, says that the facts set forth in the said petition are ture and correct to the best of his knowledge, information and belief. Paral 8 Pis

GOION EXPIRES

1. 1783

Order

And Now, July 1931, The within Petition read and approved and a view is ordered on the road described within, and Dixon Tomb, Mahlon Baumgardner and Philip Caulfield are appointed a board of viewers to determine upon the width, course and grade of the said road.

NO. 8 JUNE SESSIONS, 1931. IN RE: VIEW TO ESTABLISH PUBLIC ROAD IN WEST TAYLOR TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA. REPORT OF VIEWERS: Juled 12 August 1931 MARLON J. BAUMGARDNER ATTORNEY AT LAW JOHNSTOWN, PENNA. SWANK BLDG.

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

IN RE: VIEW TO ESTABLISH PUBLIC ROAD IN WEST TAYLOR TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

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

NO. 8 JUNE SESSIONS, 1931.

REPORT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned Viewers, appointed by the annexed order of Court to view the above premises for the purpose of supplying a public highway, beginning at a point on road leading from Tannersville to Route 314, about one thousand feet south of the Laurel Run Reservoir, or the paved section of said route, and extending for a course of about one and one-half miles to an Oak Tree on the land of Steve Kushnack, at or about the line of Jackson Township; the course of the road being due north from the starting point on the said Tannersville to Route 314 Road, all in the Township of West Taylor, Cambria County, Pennsylvania, respectfully report:-

That on the third day of August, 1931, S. E. Dickey was substituted to take the place of Philip E. Caulfield, who was one of the Viewers appointed; said substitution having been made for the reason that Philip E. Caulfield is ill and unable to perform his duties as a Viewer.

That we were duly sworn or affirmed as members of the Permanent Board of Viewers of Cambria County, as shown by the records filed in said Court; that we gave due public notice of the time and place of said meeting of the Viewers by hand bills posted upon the premises and notice served upon the Commissioners of Cambria County and upon A. M. Adams, Secretary of the Board of Supervisors of West Taylor Township, and upon J. Don O'Connor, Esq., Attorney for the Petitioners, all of whom accepted service at least ten days prior to the time of the 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 the notice given, at the place of beginning at point near the Laurel Run Reservoir, on the fourth day of August, 1931, at eight thirty o'clock A. M., Eastern Standard Time, and proceeded with the duties of our appointment.

We viewed the site and locality of the road of the road proposed to be laid out, making a personal inspection of the ground between the points designated in the petition and order. There were present at said view a large number of citizens interested in having the road laid out, together with J. Don O'Connor, Esq., who represented the Petitioners; the Supervisors of the Township of West Taylor; and all of the members of the Board of Viewers. After spending considerable time in going over the road proposed to be laid out, from its place of beginning to its point of ending, the Supervisors requested that the hearing be continued until a later date, for the purpose of showing the Board of Viewers that said road was not a necessity. Pursuant to said request it was mutually agreed by and between all of the parties that said view be continued until Friday, August 7, 1931, at one thirty o'clock P. M., Eastern Daylight Savings Time, at the offices of the County,

in the First National Bank Building, corner of Main and Franklin Streets, Johnstown, Cambria County, Pennsylvania, for the purpose of taking testimony.

Pursuant to said continuance had thereto, we met in the County Rooms, in the First National Bank Building aforesaid, on Friday, August 7, 1931, at one thirty o'clock P. M., Eastern Daylight Savings Time, for the purpose of hearing all testimony. The Supervisors withdrew their objections to the laying out of said road, if the petitioners did not insist that the road be laid out any further than is shown in green on a blue print hereto attached and made a part of this report. The petition asked that the road continue for a considerable distance beyong the said point, as indicated in green on said blue print. The petitioners being satisfied with the request of the Board of Supervisors, we accordingly laid off a public highway, as is indicated in green on a blue print hereto attached and made a part of this report.

We, therefore, lay off, for the use of the public, a highway beginning at a point at intersection of a public highway known as the Tannersville Road, leading from Johnstown to Chickaree School, and known as the Brick Road, westwardly 400 feet from the intersection of the dirt road leading from the end of the brick road to Chickaree School; thence from said point north 30° 35' West 267 feet to Station 1; thence North 36° 10' West 205.26 feet to Station 2; thence North 30° 36' West 528.73 feet to Station 3; thence North 17° 11' West 1194.2 feet to Station 5; ending at a private lane and intersecting with a private lane, said last mentioned private lane being a portion of the road petitioners had petitioned should be laid out as a public highway.

There is hereto attached and made a part of this report, a Release of Damages executed by all property owners abutting on the hereinabove described proposed public highway. All of the parties thus affected having executed the release of damages except one, Nelson Berkebile. The Board of Viewers assess no damages to Nelson Berkebile for the reason that said road greatly benefits the said Nelson Berkebile and far exceeds any damages which may accrue to him. The Board of Viewers have taken into consideration all of the facts involved in the case, and believe that this compromise is fair and equitable to the Board of Supervisors of the Township of West Taylor, as well as the petitioners.

We, therefore, lay off for public use the road hereinabove described, and as is shown on a blue print hereto attached and indicated by green.

WITNESS our hands and seals this eleventh day of August, A. D. 1931.

> (SEAL) (SEAL)

STATE OF PENNSYLVANIA:

: \$5:

COUNTY OF CAMBRIA :

Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County, MAHLON J. BAUMGARDNER, S. E. DICKEY and DIXON TOMB, who having first been duly sworn according to law, do depose and say that they are members of the Permanent Board of Viewers of Cambria County; and further that their respective expense accounts, attached to the within report, are true and correct.

Sworn to and subscribed Before me this J. day of August, A. D. 1931.

Alter Hostile

IN RE: VIEW TO ESTABLISH PUBLIC ROAD IN WEST TAYLOR TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

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

NO. 8 JUNE SESSIONS, 1931.

TO MAHLON J. BAUMGARDNER, S. E. DICKEY AND DIXON TOMB, VIEWERS.

Mahlon J. Baumgardner, Dr.

Data and preparing notices to view, and posting same	\$18.00	
Mileage Stenographer_and stationery	•60 3•50	
Obtaining acceptance of service on notices to view	12.00	
Making view	12.00	
Mileage	•60	
Taking testimony	12.00	
Data and preparing Report of Viewers	12.00	
Stenographer and stationery	3.00	\$ 73.70 C

Dixon Tomb, Dr.

Making View	\$ 12.00
Mileage	•60
Taking testimony	<u>12.00</u> \$ 24.60

S. E. Dickey, Dr.

(See statement attached.)

\$ 68.75

Alice A. Paessler, Notary Public

To taking affidavits of Mahlon J. Baumgardner, S. E. Dickey and Dixon Tomb, on attached report \$1.00

To taking affidavit of Mahlon J. Baumgardner on petition for substitution of Viewer _____.50 \$ 1.50

ودي دريد دري و موسود و موسود و ورود و

PEK-BIEGHKIEP管

IN RE: VIEW TO ESTABLISH IN THE COURT OF QUARTER SESSIONS
PUBLIC ROAD IN WEST TAYLOR CAMBRIA COUNTY, PENNSYLVANIA
TOWNSHIP, CAMBRIA COUNTY, PA. NO. 8, JUNE SESSIONS, 1931

To S. E. DICKEY Dr.

Making View Mileage	\$ 12.00 .60
Making survey	25.00
Expenses, Mileage, Stakes and	-,,,,,
Iron pins	1.70
Making draft	15.00
Tracing cloth	.80
Blue prints	1.65
Taking testimony	12.00
	\$ 68. 75

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

IN RE ROAD IN

No. 8 June Sessions, 1931.

WEST TAYLOR TOWNSHIP :

PETITION FOR VIEW TO ESTABLISH PUBLIC ROAD.

To the Honorable Judges of the above named Court:

The Petition of the undersigned Citizens of West Taylor Township,
respectfully represents:

- 1. That they are all taxpayers and landholders in the said Township, and are residents therein.
- 2. That their lands adjoin a road, now unimproved and almost unimpassable, which the Township Road Officers have refused or neglected to maintain on the ground that it has never been designated or accepted as a public road.
- 3. That the said way or road has been in general use by the undersigned and other members of the public for more than twenty-one years, and there is not now, and has not been any objection to this usage.
- 4. The present way or road commences at a point on the road leading from Tannersville to route 314, about one thousand feet south of the Laurel Run Reservoir, or the paved section of said route; it extends for a course of about one and one-half miles to an Oak Tree on the land of Save Kushnack, at or about the line of Jackson Township. The course of the road is due North from the starting point on the said Tannersville to Route 314 Road.
- 5/ That this way or road described is the only means of ingress or egress to and from their lands available to the undersigned, and there is no other route passable on account of the mountainous terrain.

Your petitioners therefore pray the Court to provide for an establishment of this road as a public road, in order to give authority to the Township Road Officers of West Taylor Township, Cambria County, Pennsylvania, to properly maintain it, and to provide for a view of the said route or way, in order that its route shall be determined, and to provide and appoint viewers.

And they will ever pray.

ORDER.

And now, July 20, 1931, the within petition read and approved and a view is ordered on the road described within, and Dixon Tomb, Mahlon Baumgardner and Philip Caulfield are appointed a board of viewers to determine upon the width, course and grade of the said road.

By the Court,

McKenrick, J.

Extract from the Record.

Certified this 21st day of July, A. D. 1931.

Clerk of the Court of Quarter Sessions.

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

IN RE VIEW TO ESTABLISH

No. 8 June Sessions, 1931

PUBLIC ROAD IN WEST TAYLOR

TOWNSHIP, CAMBRIA CO., PA.

ORDER.

AND NOW, this third day of August, A. D., 1931, the foregoing petition having been read and considered, the Court does appoint S. E. Dickey, as Viewer, to take the place of Philip E. Caulfield, who is ill and unable to perform his duties as a Viewer.

By the Court,

McKenrick, J.

Extract from the Record.

Certified this 3rd day of August, A. D. 1931.

Clerk of the Court of Quarter Sessions.

IN RE VIEW TO ESTABLISH

PUBLIC ROAD IN WEST TAYLOR

TOWNSHIP, CAMBRIA COUNTY, PA.

IN THE COURT OF QUARTER SESSIONS, CAMBRIA COUNTY, PENNSYLVANIA. NO. 8 JUNE SESSIONS, 1931.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the annexed order of Court upon petition of inhabitants of the Township of West Taylor, County of Cambria and State of Pennsylvania, setting forth that their lands adjoin the road now unimproved and almost unimpassable, and that the Supervisors have refused or neglected to maintain same on the ground that it has never been designated or accepted as a public road, but that the road has been in general use by the petitioners and other members of the public for more than twenty-one years and that said road begins at a point on the road leading from Tannersville to Route 314, about one thousand feet south of the Laurel Run Reservoir, or the paved section of said route, and extending for a course of about one and one-half miles to an Oak Tree on the land of Steve Kushnack, at or about the line of Jackson Township; the course of said road being due North from the starting point on the said Tannersville Road to Route 314, will meet at the place of beginning on Tuesday, August 4, 1931, at eight thirty o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment, and the taking of testimony.

> MAHLON J. BAUMGARDNER, PHILIP CAULFIELD, DIXON TOMB.

Dated July 24, 1931.

AND NOW, this 2.5.4. day of July, A. D. 1931, I hereby accept service of the above Notice to View, as Counsel for the Petitioners.

Counsel for Petitioners

IN RE VIEW TO ESTABLISH

PUBLIC ROAD IN WEST TAYLOR

TOWNSHIP, CAMBRIA COUNTY, PA.

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA:
NO. 8 JUNE SESSIONS, 1931.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the annexed order of Court upon petition of inhabitants of the Township of West Taylor, County of Cambria and State of Pennsylvania, setting forth that their lands adjoin the road now unimproved and almost unimpassable, and that the Supervisors have refused or neglected to maintain same on the ground that it has never been designated or accepted as a public road, but that the road has been in general use by the petitioners and other members of the public for more than twenty-one years and that said road begins at a point on the road leading from Tannersville to Route 314, about one thousand feet south of the Laurel Run Reservoir, or the paved section of said route, and extending for a course of about one and one-half miles to an Oak Tree on the land of Steve Kushnack, at or about the line of Jackson Township; the course of said road being due North from the starting point on the said Tannersville Road to Route 314, will meet at the place of beginning on Tuesday, August 4, 1931, at eight thirty o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment, and the taking of testimony.

> MAHLON J. BAUMGARDNER, PHILIP CAULFIELD, DIXON TOMB. Viewers.

Dated July 24, 1931.

AND NOW, this day of July, A. D. 1931, I hereby accept service of the above Notice to View, as Supervisors of the Township of West Taylor, Cambria County, Pennsylvania.

Counsel for Supervisors.

IN RE VIEW TO ESTABLISH

PUBLIC ROAD IN WEST TAYLOR

TOWNSHIP, CAMBRIA COUNTY, PA.

IN THE COURT OF QUARTER SESSIONS,

CAMBRIA COUNTY, PENNSYLVANIA.

NO. 8 JUNE SESSIONS, 1931.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the annexed order of Court upon petition of inhabitants of the Township of West Taylor, County of Cambria and State of Pennsylvania, setting forth that their lands adjoin the road now unimproved and almost unimpassable, and that the Supervisors have refused or neglected to maintain same on the ground that it has never been designated or accepted as a public road, but that the road has been in general use by the petitioners and other members of the public for more than twenty-one years and that said road begins at a point on the road leading from Tannersville to Route 314, about one thousand feet south of the Laurel Run Reservoir, or the paved section of said route, and extending for a course of about one and one-half miles to an Cak Tree on the land of Steve Kushnack, at or about the line of Jackson Township; the course of said road being due North from the starting point on the said Tannersville Road to Route 314, will meet at the place of beginning on Tuesday, August 4, 1931, at eight thirty o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment, and the taking of testimony.

> MAHLON J. BAUMGARDNER, PHILIP CAULFIELD, DIXON TOMB.

Viewers.

Dated July 24, 1931.

AND NOW, this 2722 day of July, A. D. 1931, I hereby accept service of the above Notice to View, as Counsel for the Commissioners of Cambria County.

Counsel for the County Commissioners.



PUBLIC ROLD IN WEST TAYLOR
TOWNSHIP, CAMERIA COUNTY, PA.

IN THE COURT OF QUARTER SESSIONS, O LERIA COURTY, I BRUSTLYMILS.

RO. 8 JUNE SESSIONS, 1991.

NOTICE TO VIEW.

to, the undersigned Viewers, appointed by the annexed order of Court upon petition of inhabitants of the Township of West Taylor, County of Cambria and State of Pennsylvania, setting forth that their lands adjoin the road now unimproved and almost unimpascable, and that the Supervisors have refused or neglocted to maintain some on the ground that it has never boon designated or accepted us a public road, but that the road has been in General use by the patitioners and other members of the public for more than twenty-one years and that said read begins at a point on the read leading from Tannersville to Route 314, about one thousand feet couth of the Laurel Run Reservoir, or the paved section of said reste, and extending for a course of about one and enc-half miles to an Cak Tree on the land of Steve Rushnack, ut or about the line of Jackson Township; the course of said read being due North from the sturting point on the cold Tammersville Road to Route 314, will most at the place of beginning on Tuesday, august 4, 1931, at pinht thirty o'clock A. L., Bastorn Standard Time, for the purpose of performing the duties of our appointment, and the tolding of testimony:.

Dated DIRON TOTAL July 24, 1931.

CHILON J. BAUMARDHER, PHILIP CAULFIELD, DIXON TOWN. Viouvre. STATE OF PENNSYLVANIA)

SS:
COUNTY OF CAMBRIA)

To Adam Satsinger, Henry Dishong and A.M. Adams read, supervisors of the Township of West Taylor in the County of Cambria, Greetings:

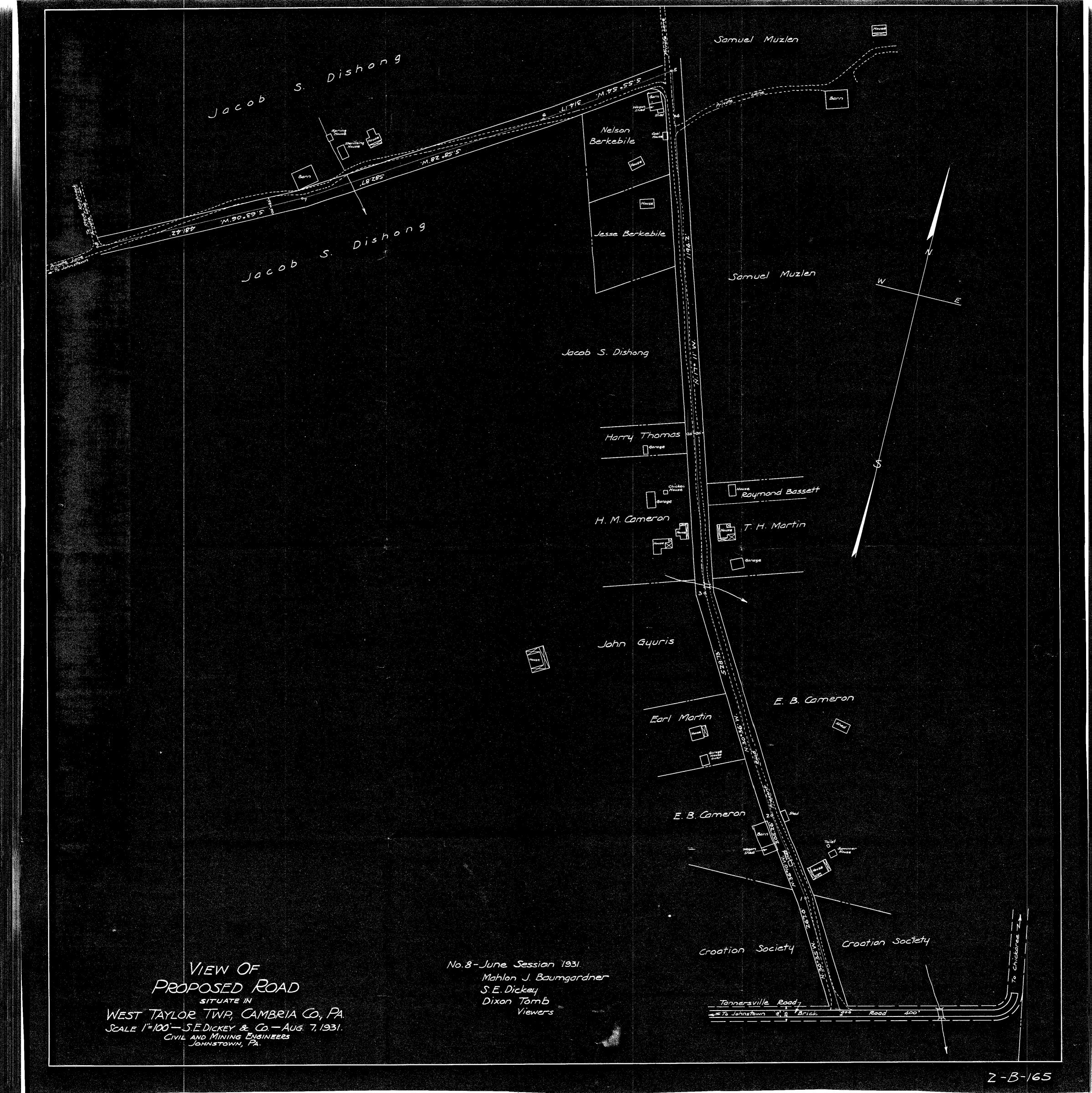
Whereas, at a Court of Quarter Sessions of the Peace held at Ebensburg in and for the County of Cambria on the 14th day of September, 1931, the said Court did approve and confirm for public use a certain road theretofore reported, and directed the same to be opened to the width of forty feet, which said raod begins at the Tannessville Road and runs North 30 degrees 35 minutes West; North 36 degrees ten minutes West; North 30 degrees 36 minutes West; and North 17 degrees 11 minutes West; these courses along lands of Croatian Society, Earl Martin, E.B. Cameron, John Gyuris, T.H. Martin, H.M. Cameron, Harry Thomas, Samuel Muzlen and Jacob Dishong; and which said road was on the 14th day of December, 1931, ordered and directed by the said Court to be entered of record, and thenceforth to be taken deemed and allowed to be a lawful public road or highway:

Now this is to authorize, empower and command and require you, the said supervisors aforesaid, in which district the said road lies, as soon as may be practicable, effectually to open the said road set forth by the courses and distances aforesaid, within the width of forty feet, as ordered and directed by the said Court; and you are hereby further required to make return of this order to the next stated Court of Quarter Sessions on or before the first Monday of March, 1932, and the manner of its execution by you, verified by the affidavit of one or more of you, setting forth that you have effectually opened the said road of the width of forth feet or less, upon the line hereinbefore directed.

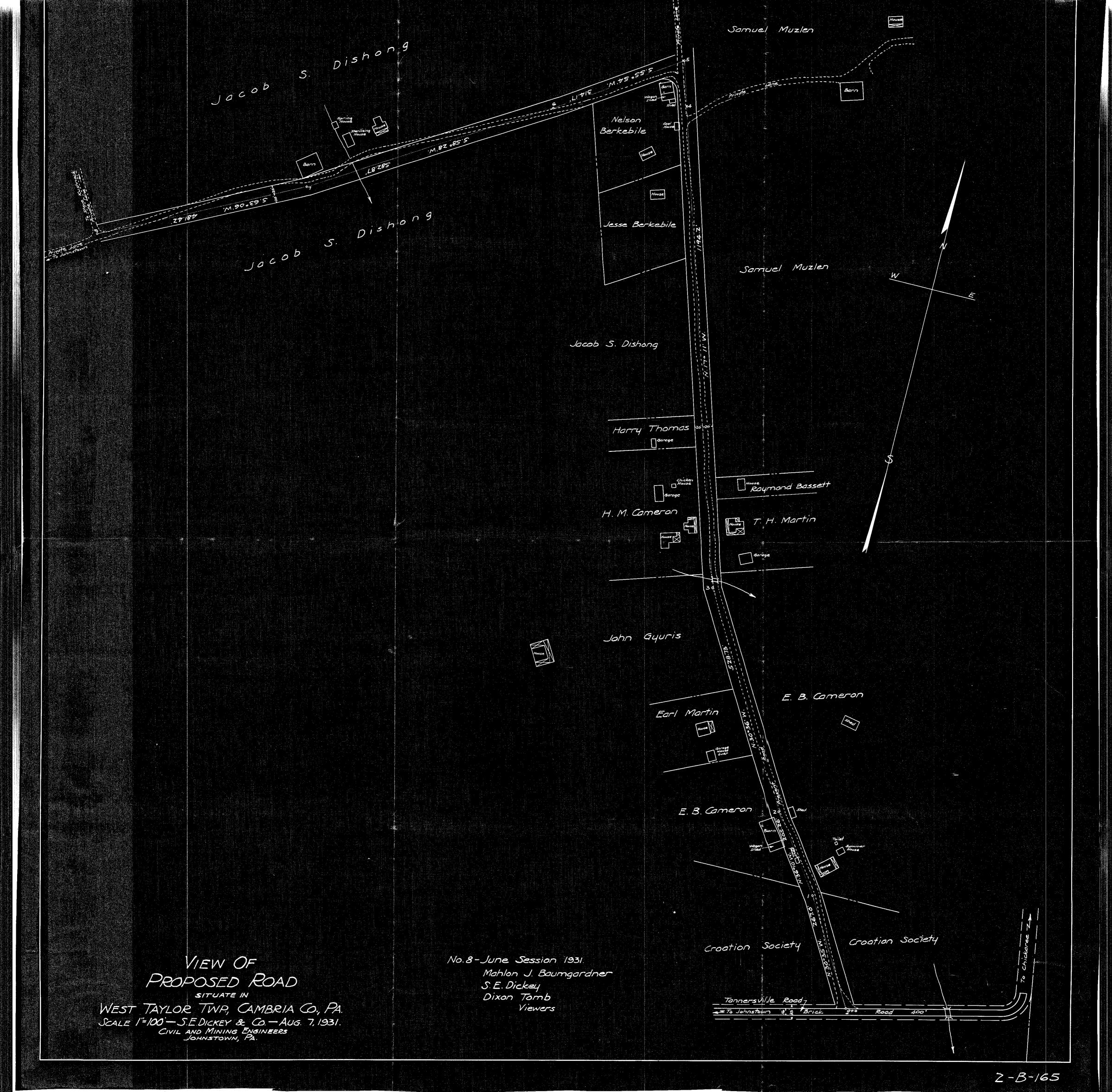
Witness the Honorable Ivan J. McKenrick, Judge of our said Court at Ebensburg the 8th day of January, 1932.

BY THE COURT

Clerk



Bd#8 June 1931 Rat Micrafilmed



In the Court of Quarter Sessions, Cambria County, Pennsylvania, No. 8 June Sessions, 1931. In Re. View to Establish Public Road in Vest Saylow Tourship, Cambria County, Kennsylvania Blue Print Nat Micrafilmed