

REPORT OF VIEWERS.

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

We, the undersigned members of the board of viewers of Cambria county, appointed by your honorable court, upon the attached order; and therein directed to view and determine as to the propriety of changing the location of a private road or driveway; respectfully report:-

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners and the supervisors of the township of Clearfield by having them accept service of notices hereto attached and to the public by printed hand bills posted in public and conspicuous places along the piece of road to be viewed; and having been first duly qualified according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability; all of us met at the time and place appointed in accordance with the notices so given and having carefully viewed the premises are all of the opinion that there is occasion for a change in the location of said private road or driveway, and recommend as follows:-

That the private road or driveway leading from a point on the public road, leading from St. Augustine to Condron, just opposite the residence of Mrs. Mary McGee, in Clearfield township, South 48° West past in front of the house and between the house and barn of Raymundus Shoffner should be vacated and that Thomas Baker and Charles Burgoon should have a right of way or private road thru and over the premises of Raymundus Shoffner and Lawrence Burgoon along the easterly side of the westerly line of said Schoffner and thru the point of land of said Lawrence Burgoon as indicated on the attached draft. and we assess no damages to either party.

Witness our hands this 31st.

day of May A.D., 1917.

Adam Sherman
A. M. Shoffner
J. D. Ritter
Viewers.

Cost of View
J. D. Witter

1 1/2 Day	7 50
75 mi	3 75
	<hr/>

Adam Shuman

1 1/2 days	7 50
71 mi	3 55
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A. M. Shoemaker

Lifting Order	90
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4 1/2 Days	22 50
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2 Prints	1 00
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51 miles	2 55
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26.95

ROAD NOTICE

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 private road from a point on the public road leading from Condron to St. Augustine, to a point on the line between the farms of Raymundus Shoffner and Thomas Baker; or of vacating said described private road and supplying another road from the premises of said Thomas Baker either to the public road leading from Condron to St. Augustine or the public road leading from Dysart to St. Augustine:

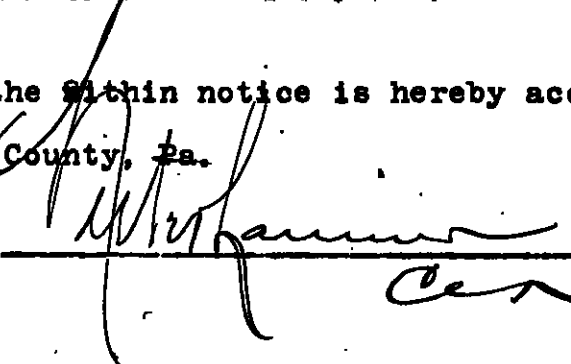
will meet at termin on Condron - St. Augustine road in the township of Clearfield aforesaid, on the 28th. day of May 1917, at 10:30 o'clock a. m. for the purpose of performing the duties of their appointment.

A. E. Shoemaker,
J. D. Ritter and
Adam Shuman,

Ebensburg, Pa. 5/16/1917.

Viewers.

Now, May 16th. 1917, service of the within notice is hereby accepted
for the Commissioners of Cambria County, Pa.



010

010

ROAD NOTICE

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 private road from a point on the public road leading from Condon to St. Augustine, to a point on the line between the farms of ~~Byrd and~~ Hoffer and Herman ~~and~~; or of vacating said ~~concerned~~ private road and supplying another road from the premises of said ~~landowner~~ either to the public road leading from Condon to St. Augustine or the public road leading from ~~Condon~~ to St. Augustine:

will meet at ~~terminal~~ on Condon - St. Augustine road in the township of Clearfield aforesaid, on the 20th day of May 1917 at 10:30 o'clock A. M. for the purpose of performing the duties of their appointment.

A. B. Schoemaker,
J. D. Ritter and
Adam ~~Thuman~~,

Densburg, Pa. 5/16/17.

Viewers.

Now, May 1917, Service of the
within notice is hereby ac-
cepted by the undersigned
Supervisors of the township
of Clearfield, County of Cambria,
State of Pennsylvania.

J. S. Sprout
H. J. Nagle
R. A. Campbell
Supervisors

ROAD NOTICE

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 private road from a point on the public road leading from Condron to St. Augustine, to a point on the line between the farms of Raymondus Shoffner and Thomas Baker: or of vacating said described private road and supplying another road from the premises of said Thomas Baker either to the public road leading from Condron to St. Augustine or the public road leading from Lysart to St. Augustine;

will meet _____ at the termini on the Condron - St. Augustine road, in the _____ township _____ of _____ Clearfield _____ aforesaid, on the _____ 28th. day of _____ May _____ 1917, at 10:30 o'clock a. m. for the purpose of performing the duties of their appointment.

A. L. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Pennsburg, Pa. 5/16/1917.

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 8th day of May A. D. 1917, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Clearfield, in the said County, setting forth that they labor under incon-

venience for want of a Private road or highway, to lead from to be vacated or changed

a point on the public road from Condron to St Augustine to a point on the line between the farm of your petitioner and that of Thomas Baker, a distance of about eighty four rods, which is to way lane or private road over the lands of petitioner in to his dwelling barn and other farm buildings, but which the said Thomas Baker and perhaps others owning lands or farms adjoining and back of those of said Thomas Baker, by reason of having used the said way or private for t twenty-one years and upwards, claim the right to use on the ground that the same exists by prescription or lapse of time, which claim or right your petitioner is unable to gainsay.

That the said way, lane or private road has become useless, inconvenient and burdensome, in that it runs through the barn-yards of petitioner, where his livestock are kept for purpose of housing, exercising and getting water and it is necessary to maintain and keep up and closed three gates across the said private road, to prevent escaping and trespassing of his said stock, and entering and trespassing of the stock of others, which said gates are constantly broken and left open by others using said private road, to the great and intolerable injury and annoyance of your petitioner and his said property and premises, on account of facts and circumstances stated.

That the said Thomas Baker, and others adjoining and back of his lands, have a good and convenient way out in the opposite direction from their premises to the public road from Dysart to St Augustine, and the said private road over petitioners premises can be vacated without injury to said Thomas Baker and others, and the same can be changed by vacating the present private road as aforesaid, and substituting therefore another private road from the line or premises of said Thomas Baker, along the line between lands of Charles Burgoon and Lawrence Burgoon and land of petitioner, to said public road from Condron to St Augustine, if such substituted or private road be desired and necessary for said Thomas Baker and others, which will of better grade than the present road, and in every way as good and convenient for them, and without injury or burden to your petitioner.

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 surveyor, and

Adam Shuman, J. D. Ritter,
vacation or change

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, 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 C. Robb 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. 6, March SESSION, 1917

Order to view vacate or change

Petition of Raymondus Shoffner

to vacate or change a Private

Road from a point on Public

Road from Condron to St Augustin

Point on Line between the Lands

of Petitioner and Thomas Baker

in Clearfield Township.

BEFORE ME CERTIFIED

Viewers.

A. M. Shoemaker

Adam Shuman

J. D. Ritter,

Clerk Robb90 cts.

Filed 7 June 1917 in Open Court
Frank L. Robb, Clerk

Handwritten initials

7 June 1917

Approved and Breadth fixed at fifteen feet.

29 September 1917 Confirmed Absolutely
Frank L. Robb, Clerk

Ref to Court

RD # 6

Mar 1917

Map # 1

W. J. Hoffmann



Location of present boundary of





W. J. Hoffmann

20

10


5

Township

Mrs. Mary  Mrs. Guss.  House

road to Condron

R. Schoffner.

House 

Location of present driveway of Thomas Baker

Gate

Barn 


Gate

Gate

Driveway


Raymundus Schoffner

Gate

Barn 

Thomas Baker

Gate

House 

Private Lane

Property line of R. Schoffner. Location of suggested new road

L. Burgon.

C. Burgon.

TO THE HONORABLE THE JUDGES OF THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA:

THE PETITION of Raymundus Shoffner, of Clearfield Township, in said County, respectfully represents:

That your petitioner is the owner of farm in said Township of Clearfield, over which runs a way or private road from a point on the public road from Condron to St. Augustine, to a point on the line between the farm of your petitioner and that of Thomas Baker, a distance of *about eighty-four* rods, which is the way, lane or private road over the lands of petitioner in to his dwelling, barn and other farm buildings, but which the said Thomas Baker, and perhaps others owning lands or farms adjoining and back of those of said Thomas Baker, by reason of having used the said way or private for twenty-one years and upwards, claim the right to use on the ground that the same exists by prescription or lapse of time, which claim or right your petitioner is unable to gainsay.

~~That the said way, lane or private road has become useless, inconvenient and burdensome, in that it runs through the barn-yard of petitioner, where his live-stock are kept for purposes of housing, exercising and getting water, and it is necessary to maintain and keep up and closed three gates across said private road, to prevent escaping and trespassing of his said stock, and entering and trespassing of the stock of others, which said gates are constantly broken down and left open by others using said private road, to the great and intolerable injury and annoyance of your petitioner and his said property and premises, on account of facts and circumstances stated.~~

That the said Thomas Baker, and others adjoining and back of his lands, have a good and convenient way out in the opposite direction, from their premises to the public road from *Dyers* to *St. Augustine*, and the said private road over petitioner's premises can be vacated without injury to said Thomas Baker and others, and the same can be changed by vacating the present private road as aforesaid, and substituting therefor another private road from the line or premises of said Thomas Baker, along the line between lands of Charles Burgoon and Lawrence Burgoon and land of petitioner, to said public

road from Condron to St. Augustine, if such substitute or private road be desired and necessary for said Thomas Baker and others, which will be of better grade than the present road, and in every way as good and convenient for them, and without injury or burden to your petitioner.

Wherefore your petitioner prays the Court to appoint three persons, qualified according to law, to view said private road, and the ground for said change, and inquire of the premises, and determine whether or not said road shall be vacated, or changed by vacating and supplying the same, and make report of their proceedings at the next term of court.

And he will ever pray, &c.

Raymundus Shoffner

Cambria County, SS:

Before me personally came Raymundus Shoffner, above-named petitioner, who, being duly sworn according to law, deposes and says that the matters and facts set forth in the foregoing petition are true and correct, as he verily believes.

Sworn and subscribed before me)

this 5th day of May, 1917.

R. E. Peterson

Justice of the Peace.

My Com. expires the 1st Mond Jan 1920

Raymundus Shoffner

O R D E R .

And now, May 8th, 1917, the foregoing petition read and considered, and R. M. Shoemaker, Adam Shuman, and J. A. Ritter are appointed viewers, as prayed for in said petition.

By the Court

Shoemaker
Shuman
Ritter



QUARTER SESSIONS.
NO. 6 *Mar.* Sessions, 1917,
Road Docket.

PETITION
of
Raymundus Shoffner for the Ap-
pointment of Viewers to Va-
cate or change a Private Road
from Point on Public Road from
Condron to St. Augustine, to
Point on Line between Lands
of Petitioner and Thomas Bak-
er, in Clearfield Township.

*Filed 8 May 1917
J. C. Robb Clerk*

LEECH & LEECH
ATTORNEYS AT LAW
EBENSBURG, PENNSYLVANIA
ROLAND.

PIERCE-FENNER & SMITH CO., SHADY AVE., PITTSBURGH, PA.