

Gause
IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY.

June
us.
Reck Top Rd

To Prothonotary of said County. }

No. *4*, Dec Term, 190*6*
Debt
Interest from
Issue *rule for defendant*
Returnable for *Expenses J. B. Hamilton*
Gause
Attorney for Plaintiff
4

No. 4, *October Term*, 1906

R. Beck Inc.

versus

Præcipe for *remedy*

Filed *3 April*, 1908

In re Review to lay out a public road in the Township of Richland,
County of Cambria and State of Pennsylvania.

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

No. 4 December Term, 1906. R. D.

Exceptions by Richard B. Bannister

on behalf of the Reviewers

First: The said report does not state whether the road desired
be necessary as a public or private road.

Second: That no plot or draft of the road surveyed and reported
on by the Reviewers accompanies their return; the annexed draft being
treated in said report as identical with the draft returned by the first
view.

*Reviewers failed to observe the order of Court as to disclosure
and character of ground according to their own report
in which is stated a more feasible route could be found in close proximity
to the one shown.*

Third: No damages were assessed nor any attempt made to obtain
releases thereof; the report being entirely silent on the question of
damages.

Fourth: That the said report is ambiguous, consisting merely of
comparisons with the road as originally viewed and suggestions as to the
most practicable grades, but without any conclusion whatsoever and not in
conformity with the order of the Court directing such review.

Fifth: That no written notice was given to the Supervisors of the
territory thru which the said road is designed to be laid out, of the time
and place of the review nor was a copy of any such written notice, duly at-
tested, filed among the records of the Court having cognizance of the
matter, as provided by Act of Assembly.

Sixth: That no written notice of the application of the review was
given to the Supervisors of the territory thru which the proposed public
road is designed to be laid out and constructed, of the time and place of
such application and of the time and place of the meeting of the reviewers,
nor was a copy of said written notice, properly attested, filed among the
records of the Court having cognizance of the matter, as provided by Act of
Assembly.

Seventh: No written notice of the review was given to the County Commissioners or their Clerk, of the time and place of holding such review, nor was a copy of such written notice, properly attested, filed with said review, as provided by Act of Assembly.

Eighth: That the said report is irregular and not as required by law in above particulars and should therefore be set aside.

Charles C. ...
atty. gen.

Andrew Baumgardner

State of Pennsylvania :
County of Cambria : SS:

On this 21st day of December, A. D. 1907, personally appeared before me, the undersigned authority, Andrew Baumgardner, one of the petitioners in the original view and a resident of Richland Township, and interested in the foregoing proceeding, who having been duly affirmed, according to law, doth depose and say that the statements of fact in the within exceptions are true, to the best of his knowledge and belief, and that the said exceptions are not taken for the purpose of delay but in good faith.

Andrew Baumgardner

Affirmed and subscribed to before me, the day and year aforesaid.

Jessie Cooper (SEAL)
Notary public.

My Commission Expires Jan. 16, 1909.

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

No. 4 Dec. Term, 1906 R. D.

In re Review to lay out a
public road in the Township
of Richland, County of Cam-
bria and State of Pennsylva-
nia.

Exceptions to Report of
Reviewers.

Filed 23 Dec 1907

Charles C. Greer
Johnstown, Pa.

CHARLES C. GREER,
LAWYER,
JOHNSTOWN, - PA.

Baltimore Office Supply Co., Balto., Md.

TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF THE COURT
OF QUARTER SESSIONS OF CAMBRIA COUNTY.

The petition of the undersigned inhabitants of the township of Richland, county of Cambria, and State of Pennsylvania, respectfully represents:

That a road has been laid out lately for public use by order of Court, dated the seventh day of January, A. D. 1907, (the proceedings covering the same being entered to No. 4, December Term, 1906): Beginning at a post on the East side of the Johnstown and Scalp Level Turn Pike in the township of Richland, county and State aforesaid, by the several courses and distances thereof to a post on the West side of the Wingard road in said township, said post being South ten (10) degrees, West seventeen (17) feet from the corner of the properties of Solomon Yoder and Levi P. Wingard, a public highway, and said post being on the said Wingard road close to its junction to the Bedford road and public highway, running from Geistown to Elton, said post being the ending of the proposed road, which said road if confirmed by the Court will be injurious to your petitioners and burthensome to the inhabitants of the township through which the same will pass.

Your petitioners, therefore, showing that they are persons interested, respectfully pray your Honorable Court to appoint three persons properly qualified to review the ground proposed for said road and make report of their proceedings at the next term of Court.

J. M. Harsberger

Henry Sparker

J. A. Blough

Elias Shaffer

Josiah Hoff

James Weaver

D. H. Yoder

J B Herthys

John Wingard

S. S. Hummel

J. D. Keefer

A. R. Miller

Leonard Bloomer

J A Bangardner

W. J. Hoffman

Feranda Orris

Jacob Kingard

R. M. Luther

Garvin. Lewis

W. G. Coater

S. J. Hershberger

John D. Geyman

L. M. McLean

Geo. McBurn

H. D. Zimmerman

Joseph H. Smith

Joseph Rose

Daniel J. Bannoyardner
Johnathan Bannoyardner
Wm Lindström

L. A. Core

O. W. Baker

Bob Lindström

Samuel Hill

Jacob Kowach

Gyrene Weaver

John A. Reed

Wm H. Paul

J. H. Heraberg

Gavin Wolf

Gas J. Wisinger

Wm Christy

L. J. Wongard

Peter Speicher

D. D. Still

H. Heraberg

Geo J. Orris

STATE OF PENNSYLVANIA)
(SS:
COUNTY OF CAMBRIA)

On the first day of June, A. D. 1907, before me, the subscriber, a Notary Public in and for said county, personally came Percy Allen Rose, attorney for the within petitioners, who being by me duly sworn according to law did depose and say that he is cognizant of the matters contained in the within petition; that he makes this affidavit owing to his inability to reach any of the petitioners within named in time to secure their affidavit for presentation to the Court on June 3d, A. D. 1907, and that the matters contained in said petition are true and correct to the best of his knowledge, information and belief.

Percy Allen Rose

Sworn and subscribed to before me, the day and year aforesaid, as witness my hand and notarial seal.

W. C. Munnich
Notary Public.

Commission Expires Feby. 2nd, 1910.

In the Court of Quarter
Sessions of Cambria County.

No. 4, December Term, 1906

Petition of inhabitants of
Richland Township, Cambria
County, Pennsylvania, for
review of proposed road in
Richland Township aforesaid.

Proposed Road in Richland
Township, Cambria County.

Filed 3 June 1907,

And now, June 3d, A. D.
1907, the within petition
read and considered, and the
view is hereby ordered and
the Court do hereby appoint
S. C. Parker, M. J. Hoffmann
and C. F. Collins,
to review the said road.

B. C. Court

FOREST & PERCY ALLEN ROSE,
ATTORNEYS & COUNSELORS AT LAW,
JOHNSTOWN, PA.
FISHER BLDG. 607 MAIN STREET.

Renew Ad Book For
Water to 6

Tr-143

Receipts

Can be no renew - until ref. name

Failure to note improvements or draft

To damage one assumed
not as claimed nor means filed

Report is ambiguous

Ref. release no new rule but some

reproducible the right one

Ref. copy not no rule but right one

Effect of right is of to red tape and

which runs out the bag of 7 years

see also - 20902 -

No notice of collection to apply for a new
in case of such as 29 Mar '05 1869

Paradise 164R 953

24 164

July 4 from release on Mar 14/74

(see 187)

May 20th 1874 & 20th Feb 1875 \$150
no over 2000 - note in 1874

To the Honorable Francis J. O'Connor, President Judge of the Court of Quarter Sessions of Cambria County, Penn'a.

The petition of the undersigned, inhabitants of Richland Township, in said County, respectfully represents:

That they labor under great inconvenience for the want of a public road or highway beginning at a point on the Johnstown & Scalp Level Turnpike, between the Mennonite Church and the School House in said Township, near the intersection of a public highway leading to Krings Station and the said Johnstown & Scalp Level Turnpike, and ending on a public highway, known as the Wingard road, close to its junction with the Bedford Road (a public highway running from Geistown to Elton) and said ending being also at or near the line dividing the land of Levi P. Wingard and Solomon Yoder, where the same intersects the said Wingard road).

The petitioners therefore pray the Court to appoint three disinterested persons to view the ground proposed for such road and if they see occasion to lay out the same and make return of their findings at the next term of Court.

<u>Levi P. Wingard</u>	:	<u>Stephen Hostetter</u>
<u>Josiah Wingard</u>	:	<u>Hiram Weaver</u>
<u>Peter Wingard</u>	:	<u>Lewis Hostetter</u>
<u>John Wingard</u>	:	<u>Henry Hostetter</u>
<u>Levi Wingard</u>	:	<u>John F. Harshberger</u>
<u>George L. Wingard</u>	:	<u>Hiram Hostetter</u>
<u>Andrew Baumgardner</u>	:	<u>Joseph Fry</u>
<u>Levi P. Wingard</u>	:	<u>W. F. Schuster</u>
<u>Curtis Fry</u>	:	<u>A. B. Weaver</u>
<u>J. H. Fryock</u>	:	<u>John Grover</u>
<u>L. H. Weaver</u>	:	
<u>Henry Belong</u>	:	

State of Pennsylvania :
County of Cambria : SS:

On this twenty-ninth day of December, A. D. 1906, personally appeared before me, the undersigned authority, the above-named Daniel S. Yoder, who being duly affirmed according to law, doth depose and say that the statements made in the foregoing petition are true and correct to the best of his knowledge and belief.

Daniel S. Yoder

Affirmed and subscribed to before me, the day and year aforesaid.

Jessie Cooper (SEAL).
Notary Public.

My Commission Expires Jan. 16, 1909.

To the Board of Supervisors of Richland Township, Cambria
County, Pennsylvania.

You are hereby notified that on the *Seventh* day of *January*
A. D. 1907, there will be presented to the Court of Quarter Sessions
of the Peace of the County of Cambria held at Ebensburg, in the said
County, the petition of divers inhabitants of the Township of Richland
in said County, setting forth that they labor under inconvenience for
want of a public road or highway beginning at a point on the Johnstown
& Scalp Level Turnpike, between the Mennonite Church and the School
House in said Township, near the intersection of a public highway lead-
ing to Krings Station and the said Johnstown & Scalp Level Turnpike,
and ending on a public highway, known as the Wingard road, close to
its junction with the Bedford Road (a public highway running from
Geistown to Elton) and said ending being also at or near the line di-
viding the land of Levi P. Wingard and Solomon Yoder, where the same
intersects the said Wingard road).

Charles Ober
Attorney for Petitioners.

We accept service of the within notice.

Abram Hostetter
L. D. Still
Ed. Kinsinger
Supervisors of Richland Township.

104 Dec 1898 1906 RD.

Road Petition.

Richland Township.

*Secretary of the
Richland Township
to the Board of*

Filed 7 January, 1907.

*Ordered 9th day of Jan'y 1907
When petition had been
do appoint Jacob C. Arner,
Alex Meerritt, Frank D. Park
James A. Hill and
make report thereon according
to Law.*

By the Court

CHARLES C. GREER,
LAWYER,
JOHNSTOWN, - PA.

Baltimore Office Supply Co., Balto., Md.

To the Honorable, F. J. O'Connor, President Judge of the
Court of Quarter Sessions of Cambria County, Penna.

We, the undersigned, appointed by the annexed order do report:

That pursuant thereto, after having been severally affirmed, we viewed the ground for the proposed road and do agree that there is occasion for a road as desired by petitioners and that the same is necessary for a public road. And having had respect to the shortest distance and best ground for such road, we have laid it out in such manner as shall do the least injury to private property and as far as practicable agreeably to the desire of petitioners, and do return for public use, the following described public road, to-wit: Beginning at a post on the East side of the Johnstown and Soapy Level Turnpike, in the Township of Richland, County of Cambria and State of Pennsylvania, said post being North 66° West 81' from the northwest corner of Church Grove School-house; thence thru land of the Mennonite Church north 68° East 260' to post; thence thru land of Richland Cemetery North 61° East 158' to post; thence thru land of Andrew Baumgardner, Annie Weaver and Levi P. Wingard, North 79° East 2470' to post; thence thru land of R. M. Louthier North 46 1/2° East 172' to post; thence thru same North 79° East 50' to post; thence thru land of Solomon Yoder South 16° East 80' to post; thence thru land of Levi P. Wingard the following five courses and distances: South 36° West 100' to post; South 22° West 100' to post; South 68° East 50' to post; North 45° East 300' to post; North 79° East 286' to a post on the West side of the Wingard Road in said Township, said post is South 10° West 17' from the corner of the properties of Solomon Yoder and Levi P. Wingard, a public highway, and said post being on the said Wingard road close to its junction with the Bedford Road, a public highway running from Geistown to Elton, said post being the ending of the proposed road.

Said road being at an elevation not exceeding 5° at any point.
The undersigned further report that they endeavoured to procure re-

leases from the owners of land over which the said road passes, but failed to secure the same; and therefore having taken into consideration the advantages to be derived to the several persons from the roads passing thru their lands have assessed the damages sustained by them as follows: Church property and Richland Cemetery no damages; Mrs. Annie Weaver One Hundred Dollars (\$100.00); Levi P. Wingard Seventy-five (\$75.00) Dollars; Solomon Yoder Ten (\$10.00) Dollars; R. M. Louth Ten (\$10.00) Dollars; Andrew Baumgardner Ten (\$10.00) Dollars.

And further report that before the said view ten days notice of the time and place of the meeting of viewers was given by advertisement put up at the termini of the said road and at other points along the proposed route in the most public places in the vicinity; notices also having been given of the proposed petition to view, prior to its presentation to the Board of Supervisors of said Township and also notice of the time and place of holding the said view was given to the said Board of Supervisors and to the County Commissioners as well. Hereunto also is annexed a plot or draft of said road as laid out, stating the courses and distances and noting briefly the improvements thru which the same passes. Copies of the foregoing notices are hereunto annexed and made part of this report.

Witness our hands this Second day of March, A. D. 1907.

Frank D. Baker
J. C. Varner
Alexander Weaver

Viewers.

Bill of Costs.

Frank D. Baker	, Surveyor and Viewer.	3 days.	\$12.00
" " "	12 Miles		1.20
Jacob C. Varner	Viewer	2 days	4.00
" " "	5 Miles		.50
Alex. Weaver	Viewer	2 days	4.00
" " "	2 Miles		.20
Leroy Ling	Chairman		2.00

March 8/07 cert to com

Notice, of View.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view the ground for a public road, beginning at a point on the Johnstown and Scalp Level Turnpike, between the Mennonite Church and the School House in the Township of Richland, near the intersection of a public highway leading to Krings Station and the said Johnstown & Scalp Level Turnpike, and ending on a public highway, known as the Wingard Road, close to its junction with the Bedford Road (a public highway running from Geistown to Elton) and said ending being also at or near the line dividing the land of Levi P. Wingard and Solomon Yoder, where the same intersects the said Wingard road, will meet at the Mennonite Church on the Johnstown and Scalp Level Turnpike, at or near a certain point on the beginning of said proposed road, on the First day of March A. D. 1907 at 10 o'clock A. M. for the purpose of viewing the ground aforesaid.

February 18, 1907.

Frank H. Baker
J. B. Warner
Alexander Weaver

We, the undersigned, Commissioners of Cambria County, hereby accept service of the above notice.

2/27/06.
County Commissioners,
Wm. J. B. Schwan
Clerk.

Notice, of View.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view the ground for a public road, beginning at a point on the Johnstown and Scalp Level Turnpike, between the Mennonite Church and the School House in the Township of Richland, near the intersection of a public highway leading to Krings Station and the said Johnstown & Scalp Level Turnpike, and ending on a public highway, known as the Wingard Road, close to its junction with the Bedford Road (a public highway running from Geistown to Elton) and said ending being also at or near the line dividing the land of Levi P. Wingard and Solomon Yoder, where the same intersects the said Wingard road, will meet at the Mennonite Church on the Johnstown and Scalp Level Turnpike, at or near a certain point on the beginning of said proposed road, on the First day of March A. D. 1907 at 10 o'clock A. M. for the purpose of viewing the ground aforesaid.

February 18, 1907.

Frank W. Baker.

J. G. Warner

Alexander Weaver

We accept service of the within notice.

Abram Hostetler

L. D. Still

Ed. Kissinger
Supervisors of Richland Township.

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 Seventh.....day of January.....A. D. 1907 , before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Richland....., in the said County, setting forth that they labor under inconvenience for want of a.....public.....road or highway, to lead from a point on the Johnstown & Scalp Level Turnpike, between the Mennonite Church and the School House in said Township, near the intersection of a public highway leading to Krings Station and the said Johnstown & Scalp Level Turnpike and ending on a public highway known as the Wingard road, close to its junction with the Bedford Road (a public highway running from Geistown to Elton) and said ending being also at or near the line dividing the land of Levi P. Wingard and Solomon Yoder where the same intersects the said Wingard road).

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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 Frank B. Baker..... surveyor, and Jacob C. Warner and Alex. Weaver..... 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:

C. C. Trappell, 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."

Cambria County, ss:

On this *twenty sixth* day of *February* A. D. 1907, personally appeared before me, the undersigned authority, Frank D. Baker, Surveyor and Alexander Weaver and Jacob Varner, Viewers, the persons named in the annexed order of Court, who having been duly severally sworn or affirmed according to law do depose and say that they will impartially and according to the best of their judgment perform the duties of their said appointment and a report made thereon according to law.

Frank D. Baker

Alexander Weaver

J. C. Varner

Sworn or affirmed to before me the day and year aforesaid.

Jessie Cooper (SEAL)

 Notary Public.

My Commission Expires Jan. 18, 1909.

NO. 4, December Session, 1906

Order to view road in Rich-
 land Township.

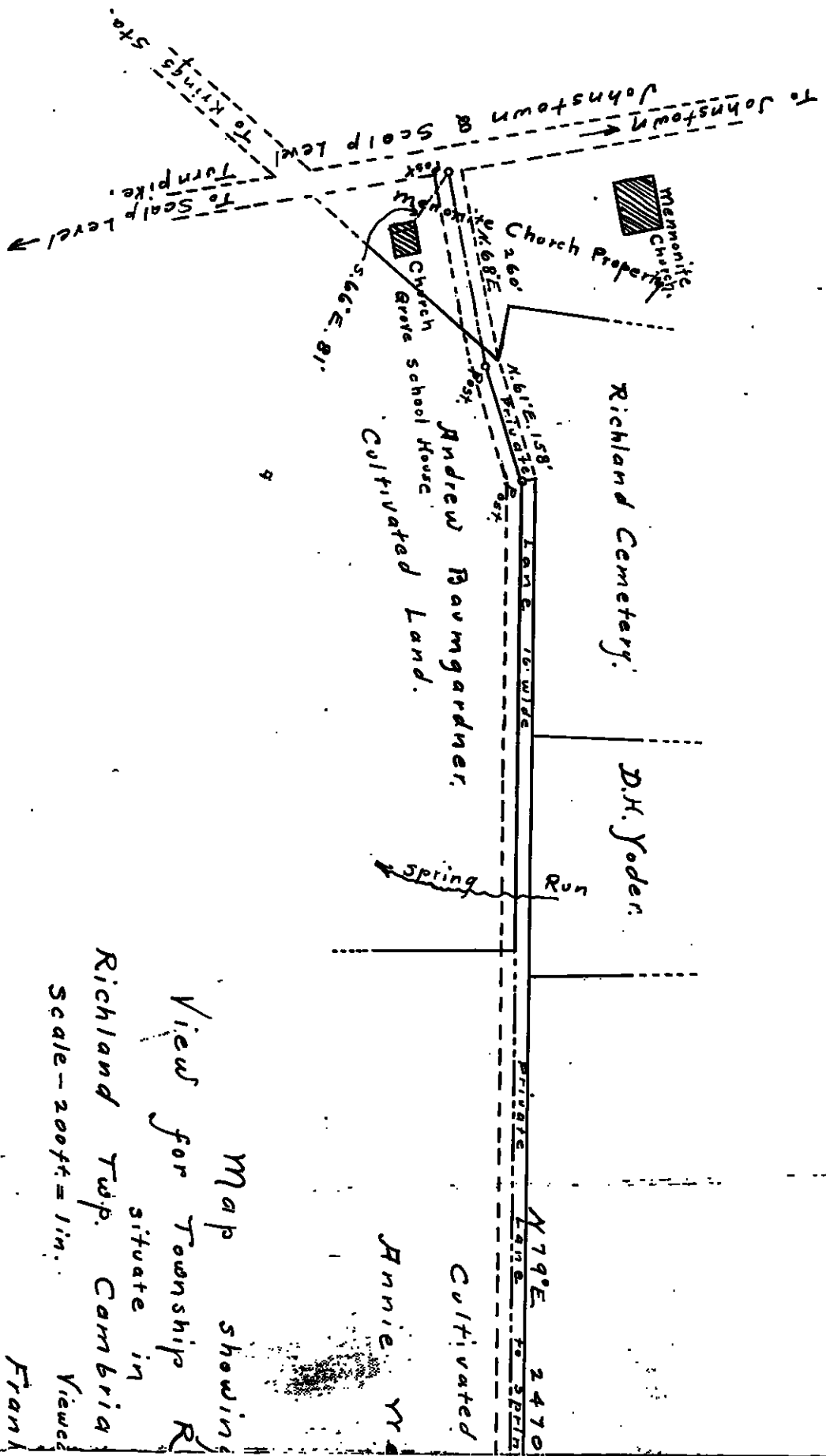
Viewers.

Frank D. Baker
 Jacob C. Varner
 Alex. Weaver

Clerk Troxell 90 cts.

Greer

REINFORCED MOUNTAIN-HEAD ELECTRIC CO.



R. M. Luther

Grade not to exceed 5 Deg.

Spring Run

470' Spring Run 12' wide

sted Land

Weaver

Wing Road

ria Co. Pa.

Viewed Mar 1-1907.

Frank D. Baker. Sur.

Jacob C. Varner.

Alex. Weaver.

Viewers.



Levi P. Wingard

Soi. Yoder

W. 67.5' Postmarked Land.

Woodland

Cultivated Land

Post 568' E. Post 568' E.

N. 10° E 17' Property Corner Post.

To Bedford Road

Wingard

To Scalp Level

Length of Road - 3/4 miles @ 4 Rods.

In the Court of Quarter
Sessions of Cambria Co.
No. 4th Dec. Term Sessions, 1906.

In re Opening of proposed
new road in the Township of
Richland, County aforesaid.

Report of Viewers.

Filed 4 March, 1907.

*March 19, 1908 this report
confirmed. actual
By the Court*

W.C.V.

CHARLES C. GERRITT,
LAWYER,
JOHNSTOWN, - PA.

Baltimore Office Supply Co., Balto., Md.

April 23, 1907, approved and breadth fixed at 24 feet,
By the Court.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENN'A.
To the Hon. Francis J. O'Connor, President Judge of said Court:

We, the subscribers, appointed by the within order to review the road herein mentioned, do report that, in pursuance of the said order, due and legal notice of the time and place of meeting was given, and, having been all present, and severally sworn, according to law, we met on the sixteenth day of November, A. D. 1907, on the Johnstown and Scalp Level Turnpike at or near the Church Grove School, in Richland Township, Cambria County, Pennsylvania, at ten o'clock A. M. and reviewed the road following the lines and distances shown on the accompanying map.

Referring to the above map, we found after careful examination, that the road can be constructed with an easy grade from the place of beginning on the Johnstown and Scalp Level Turnpike to the property of Levi Wingard.

At the last mentioned point in order to realize a feasible grade, it will be necessary to make a cut of about six feet for three hundred feet, more or less, of the intervening distance to the point No. 7, shown on the accompanying map.

At point No. 7 it will be necessary to switch back, that an excessive cut may be avoided.

The grade around the "switch back" will be about $3\frac{1}{2}\%$ which will reach the summit at or near point No. 14.

From the last mentioned point to the "Wingard Road", the grade will not be excessive.

Between the points No. 7 and "A" shown on said map, covering a distance of 816 feet, it will require a side hill excavation and embankment around the curves.

The "switch back" is the objectional feature of the road as far as alignment and grade are concerned, and in view of this

fact we feel that a more feasible route can be found in those
proximity to the one herein shown.

Very respectfully,

C. P. Collins.

H. C. Parker

W. J. Hoffman

Viewers.

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 third day of June A. D. 1907, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Richland, in the said County, setting forth that they labor under incon-

~~venience for want of a road or highway, to lead from~~
 A road has been laid out lately for public use by order of of court, dated the seventh day of January, A. D. 1907, (the proceedings concerning the same being entered to No. 4 December T. 1906): Beginning at a post on the east side of the Johnstown and Sealb Creek Turnpike in the township of Richland, county and State aforesaid, by the several courses and distances thereof to a post on the West side of the Kingard road in said township, said post being South 70 degrees West Seventeen (17) feet from the corner of the properties of Solomon Godes and Saml P. Kingard, a public highway, and said post being on the said Kingard road close to its junction to the Bedford road and public highway, running from Gristown to Elton, said post being the end of the proposed road which said road if confirmed by the court will be injurious to your petitioners and burdensome to the inhabitants of the township through which the same will pass

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

H. L. Parken surveyor, and
N. J. Hoffmann and L. P. Collins

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:

C. E. Lytle, 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. 4, December SESSION, 1906

Order to re view proposed road.
in Richard Township.

Viewers.
H. G. Parker
F. J. Hoffmann
L. P. Leathers

Clerk 90 cts.

J. + P. A. Rows

STATE OF PENNSYLVANIA,)
)SS:
COUNTY OF CAMBRIA.)

On the 15th day of November, A. D., 1907, before me, the subscriber, a *Notary Public* in and for said County, personally appeared *W. J. Hoffman*, one of the reviewers appointed to review a public road beginning at a point on the Johnstown and Scalp Level Turnpike between the Minnonite Church and School House in Richland Township and ending on a public highway, known as the Wingard road, close to its junction with the Bedford Road, who being by me duly sworn according to law, did depose and say that he would impartially and in accordance with his best judgment perform the duties of his appointment.

W. J. Hoffman

Sworn and subscribed to before
me, the day and year aforesaid, as
witness my hand and official seal.

Myrtle P. Johnston
Notary Public
My commission expires *Feb. 27, 1909.*

STATE OF PENNSYLVANIA,)
)SS:
COUNTY OF CAMBRIA.)

On the 16th day of November, A. D., 1907, before me,
the subscriber, a *H. C. Parker* in and for said County, person-
ally appeared *H. C. Parker*, one of the reviewers appointed
to review a public road beginning at a point on the Johnstown and
Scalp Level Turnpike between the Minnonite Church and School House
in Richland Township and ending on a public highway, known as the
Wingard road, close to its junction with the Bedford Road, who being
by me duly sworn according to law, did depose and say that he would
impartially and in accordance with his best judgment perform the
duties of his appointment.

H. C. Parker

Sworn and subscribed to before
me, the day and year aforesaid, as
witness my hand and official seal.

D. F. Smith

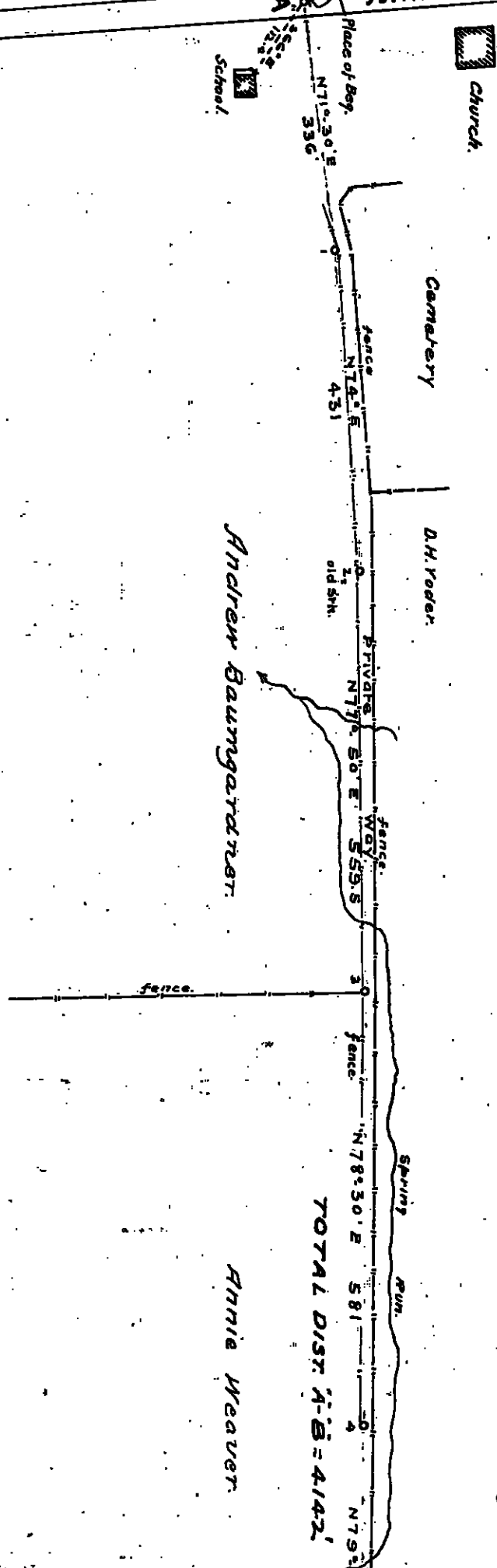
My commission expires

*My Commission Expires First
Monday of May, 1908*

Wilmore Coal Co. formerly Jac. Holsopple.

To Johnstown →

JOHNSTOWN AND SCALP LEVEL PIKE



TOTAL DIST A-B = 4142'

Robert Louher

Annie Weaver

Andren Baumgardner

Cemetery

Church

D.H. Roder

old sh.

PRIVATE WAY

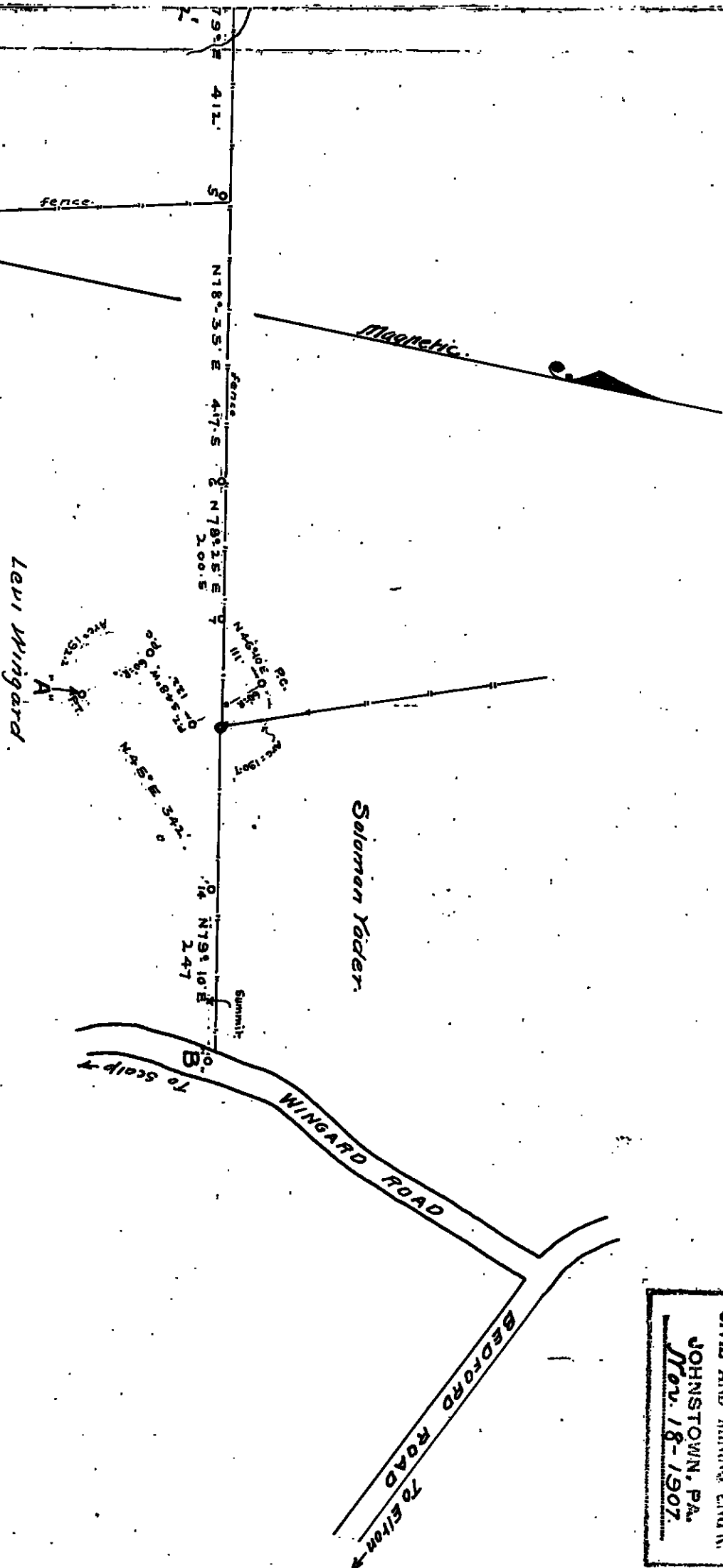
fence

Spring run

fence

C. P. Gillins
 H. C. Parker
 J. J. Hoffman
 Viewers

C. P. COLLINS,
 CIVIL AND MINING ENG'R.
 JOHNSTOWN, PA.
 Nov. 18-1907.



MAP OF ROAD

Laid out by order of Court dated Jan. 7, 1907
 FROM JOHNSTOWN AND SCALP LEVEL PIKE TO WINGARD RD.
 Situate in Richland Twp. Cambria Co. Pa.
 Reviewed and Surveyed, Nov. 16-1907
 By order of Court of Quarter Sessions, dated June 3-1907

Scale $1\frac{1}{2}$ 200 Ft.
 Johnstown Pa. Nov. 18-1907 C.P.C. P.A.S.

DRAWN BY _____
 SHEET 174.

20 No. 4 Dec. 3, 1906

REPORT

REVIEW OF ROAD

NO. 12

RICHLAND TWP. CAMBRIA CO.

PENNA.

FROM JOHNSTOWN ²/₁₆ SCALP LEVEL PINE

TO WINGARD ROAD

VIEWERS { **N. J. Hoffmatt,**
H. C. Patket,
C. P. Collins

Filed 7 Dec 1907

C. P. COLLINS
Civil & Mining Engineer,
JOHNSTOWN, PA.

Baltimore Office Supply Co., Balto., Md.