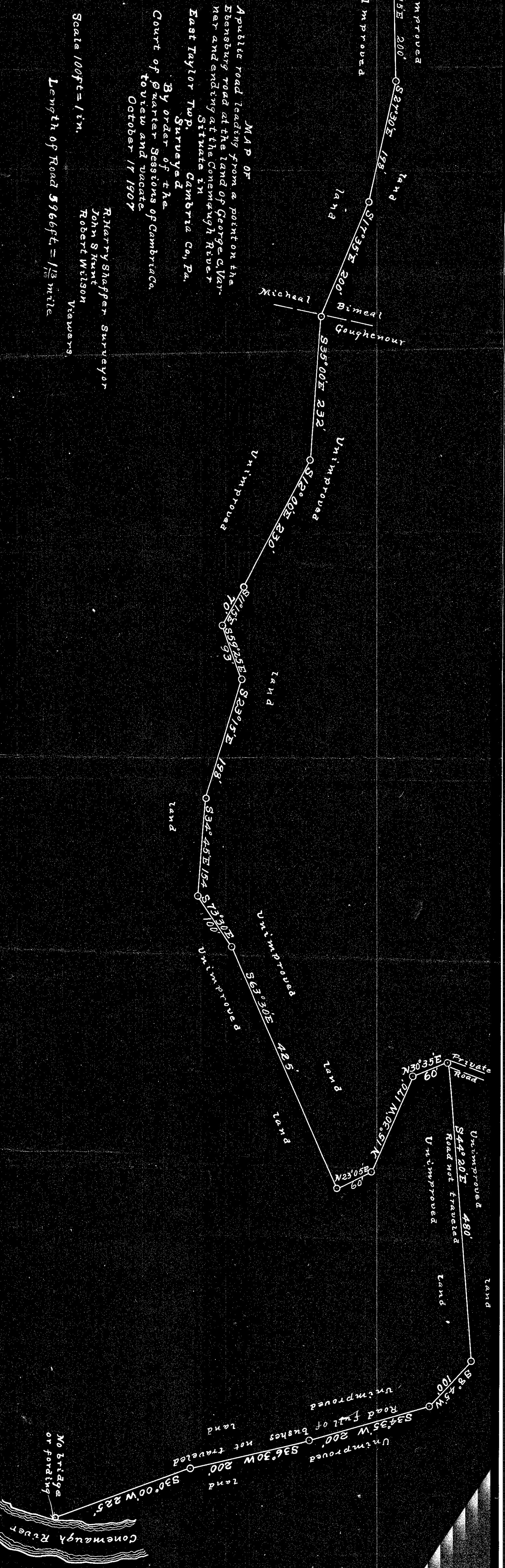
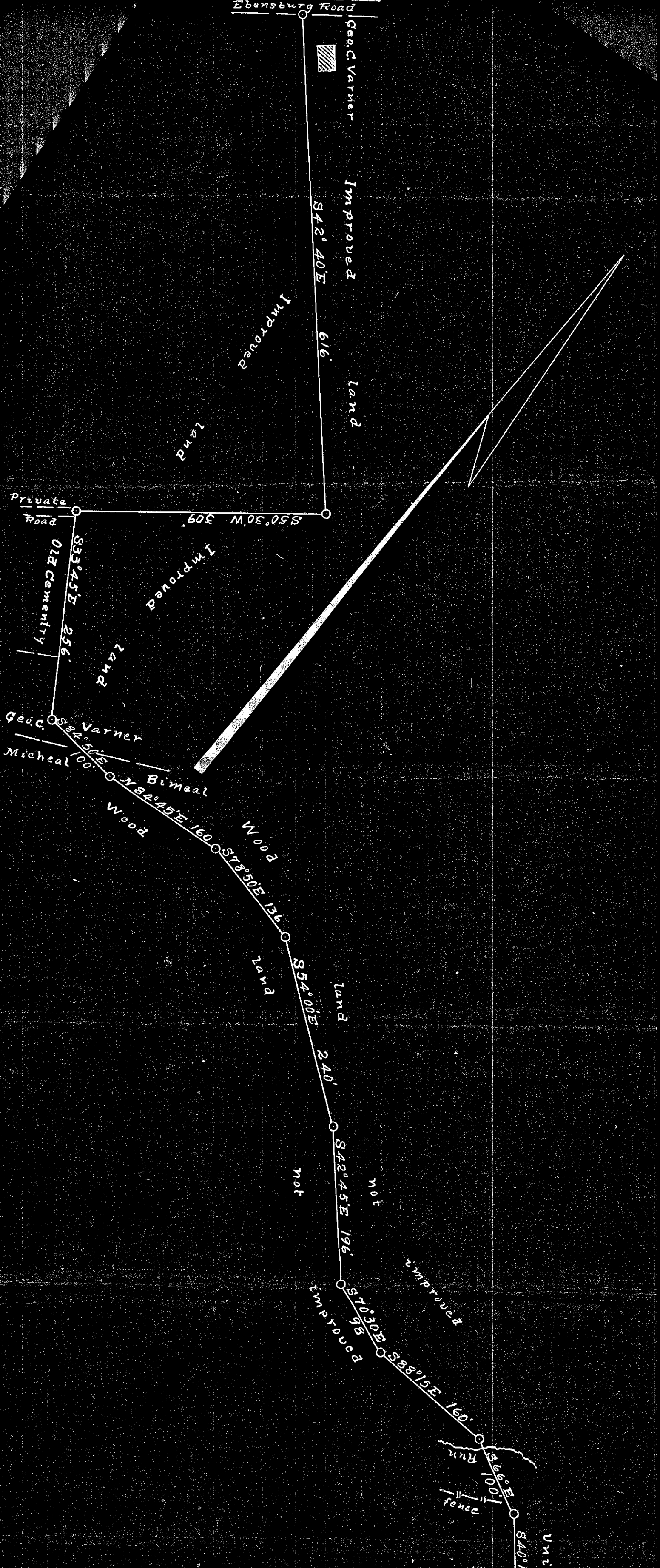


R.D.H. Sept. 1907

Not Microfilmed



MAP OF
 A public road leading from a point on the
 Ebensburg road at the land of George C. Var-
 ner and ending at the Conemaugh River
 Situate in
 East Taylor Twp.
 Cambria Co., Pa.
 Surveyed
 By order of the
 Court of Quarter Sessions of Cambria Co.
 to view and vacate
 October 17 1907

R. Harry Stauffer Surveyor
 John S Hunt
 Robert Wilson
 Viewers

Scale 100ft = 1 in.
 Length of Road 5966ft = 1 1/3 mile

Conemaugh River
 No bridges
 or fording

ROAD NOTICE

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria Co. to view and vacate a public road or highway in East Taylor Twp. from a point on the public road leading from the City of Johnstown in said County to the Philadelphia and Pittsburg stone pike known as the "Ebensburg Road" at or near the land of Geo. C. Varner formerly lands of William, Herbert, and Levi Berkey in East Taylor Twp. Cambria Co., Pa. and ending at the Conemaugh river near the land of Frank and the Black Diamond Coal Co. in the Twp. aforesaid, will meet at the starting point of said road on the Ebensburg road in East Taylor Twp. on the seventeenth day of October 1907 at ten o'clock A.M. for the purpose of viewing and vacating said road

John S. Hunt }
Robt. Wilson } Viewers
R. Harry Shaffer }

FILED
IN COMMR.
OFFICE
OCT 3 1907.

J. B. Sherman
CLERK.

Service on enclosed,
accepted as above.

J. B. Sherman
Commer's Clerk.

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY.

No. 2, Sept Term Term, 1907

Debt

Le R. Vaccaro
vs
Ed. E. Fay, Jr

Interest from

Issue due for Defendant

Returnable for so called F.B. Humeless
Crown
6650

To Prothonotary of said County. }

Attorney for Plaintiff
Sp

No. 2 Sept 1907

E. Taylor

VERSUS

Præcipe for use of

Filed 3 Am, 1908



Johnstown Pa Nov 9 ¹⁹⁰⁷ 1897

Cambria County

To R. Harry Shaffer, John A. Hunt Dr.
and Robert Wilson

1907 TERMS

Oct	2	1 day printing and posting notices	\$4 00
"	17	1 " viewing Road	\$4 00
Nov	6	1 " Mapping	4 00
"	9	1 " Making Report	4 00
4 days			\$16 00
John A Hunt views two day			4 00
Robert Wilson " two day			4 00
			<u>24 00</u>

Supplemental Caution Petition Sept Term 1907

To the Honorable Francis J. O'Connor:-

President Judge of the Court of Quarter Sessions of Cambria County.

Your petitioners respectfully represent, that they are citizens of East Taylor Township, Cambria County; that viewers have been appointed by the Court to view and vacate a public road or highway in said Township from a point on the public Road leading from the City of Johnstown in said County, to the stone pike, at or near the land of George C. Varner in said East Taylor Township, and ending at the Conemaugh river near the land of Frank and the Black Diamond Coal Company; that the said public road is the only public road leading from the Ebensburg Road down to the Right-of-way of the Southern Cambria Railroad Company, and will be the only public highway, that people living along the Ebensburg Road between Conemaugh and the Mineral Point Road will have for reaching the said Southern Cambria Railroad, which Railroad we believe will be built (it is now building) and open for traffic early next year. Therefore the closing of this public highway upon which the viewers have been appointed as aforesaid, will work to the disadvantage of many citizens in East Taylor, Township, causing them to take a very roundabout way to reach this rapid and convenient way, over the Southern Cambria Railroad, to Conemaugh and the City of Johnstown and points to the Eastward as well.

Your petitioners object to the vacating of the said road, and request your Honor not to approve of the proposed vacation, and we will ever pray.

<i>Michael Binical</i>	<i>Charles Hagrich</i>
<i>Geo. H. Angus</i>	<i>A. M. Snyder</i>
<i>Hiram Gochnour</i>	<i>G. E. Varner</i>
<i>James Caldwell</i>	<i>H. R. Gochnour</i>
<i>H. A. Garland</i>	<i>Norman Warner</i>
<i>Alex. Garland</i>	<i>C. E. Varner</i>

<i>B. Varner</i>	<i>John S. Snyder</i>
<i>J. H. Edwards</i>	<i>D. D. Goughman</i>
<i>H. W. Schaffer</i>	<i>J. D. Goughman</i>
<i>A. J. Reager</i>	<i>S. C. Bole</i>
<i>Joseph Binical</i>	<i>Anna Leidy</i>
<i>G. Hunt</i>	<i>Wm. Gochnour</i>
	<i>Thomas W. Agner</i>

State of Pennsylvania: ss.
 County of Cambria
 On this 19th day of Oct. 1907, before me, a Notary Public in and for said state and county personally came, Hiram Gochnour, one of the signers of the foregoing petition, who upon oath duly administered according to law deposes and says that the statements made in said petition are true and correct

Sworn to and subscribed to before me the day and year aforesaid
Hiram Gochnour
 Notary Public
 Commission expires Feb 8th 1911

No 2 apt Sec 07
In Re Road
E. Taylor Twp.

Remonstrance

Filed 2 March 1908

Lucy

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

No. 2 September Term, 1907.

In re road in East Taylor Township.

Petition for Review.

To the Honorable F. J. O'Connor, President Judge of said Court:

The petition of the undersigned, residents of East Taylor Township, Cambria County, Pennsylvania, respectfully represents:

That a petition has lately been presented for the vacation of a public road beginning at a point on a public road leading from the City of Johnstown, in said County, to the Philadelphia and Pittsburg Stone Pike in said County, known as the "Ebensburg Road", and at or near land of George C. Varner, formerly lands of William Herbert and Levi Berkey, and ending at the Conemaugh River, near land of the heirs of _____ frank and the Black Diamond Coal Company, in said County; the Report of Viewers having recommended this vacation and such report having been marked approved on January 21, 1908;

That these proceedings, if confirmed by the Court, will be very injurious to your petitioners and burdensome to the inhabitants of the said Township and will entail great hardship upon the several persons living along the line of the said present highway, who for years have there resided and depended upon the said highway as their only outlet, the necessity for which owing to the improvements in the neighborhood is now greater than ever before and said highway having existed time out of mind.

Wherefore your petitioners pray your honor to appoint proper persons to review the vacation of said highway and the ground proposed to be vacated and make report to the Court thereon, according to law, and they will ever pray, etc.

<u>Michael Binnal</u>	:	<u>Andrew Biggs</u>
<u>or M Snyder</u>	:	<u>A. G. Garland</u>
<u>Hiram Cochran</u>	:	<u>Chas. Garland</u>
<u>J. J. Snyder</u>	:	<u>Wm. H. Fitzgerald</u>
<u>J. H. Edwards</u>	:	<u>Joe Binnal</u>

Henry Colburn
Geo H Page
D D Langford
E D Langford
C M Richmond
W B Holt
W M Lockman

James Colburn
C C James
Geo K Angus
Henry Sell
J M Post
J Garret

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State of Pennsylvania :

SS:

County of Cambria :

On this 29th day of Feb. A. D.

1908 personally appeared before me, the undersigned authority, Michael Bimeal, one of the petitioners above, who being duly affirmed, according to law, deposes and says that the statements made in the foregoing Petition are true and correct, to the best of his knowledge and belief.

Michael Bimeal

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

J. E. M. Burdick (SEAL)
Notary Public.
Comm. Expires Jan 28 - 1911.

Re Funds Collected
No 2 Sept Term 1908

In re Road in
E. Jay low slope.
Petition for Rehears

Filed 2 March 1908

Not Noted for rehearing
but for amendment on Court do
afford

Yours to view new trial
and report them accordingly
A Law

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

In the Court of Quarter Sessions of Cambria County, Penna.
No. 2 September Sessions, 1907.
Road Docket.

In re Order to View and Vacate a public road in
East Taylor Township.
Exceptions to Report of Viewers.

H. R. Gochnow, ^{accidental owner} by his attorney, Charles C. Greer, hereby
excepts to the Report of Viewers in the aforesaid proceedings, for the
following reasons:

First: The petition fails to set forth how the road desired to
be vacated became a public road or highway.

Second: The said petition does not definitely state the termini
of the road proposed to be vacated.

Third: The said petition does not show that William H. Killen
who makes the affidavit, was one of the petitioners.

Fourth: That the said proposed vacation is inequitable in that
it would leave your petitioner and others without access to any highway.

Fifth: That the said road has existed continuously as a public
highway time out of mind, and that the necessity for its future existence
is now greater than ever before, owing to the improvements contemplated
and now existing in the neighborhood and to the increase of population
certainly to follow.

Sixth: The petition does not set forth in a clear and distinct
manner the situation and other circumstances of said road, nor does any
thing appear therein which would warrant the changing of the status quo.

Seventh: The Report of Viewers sets forth nothing to support
its conclusions, nor any reason for changing the status quo.

Eighth: The Order to View and Return do not agree, in that the
Order did not call for the noting of any improvements.

Ninth: The Petition does not state whether the road was opened
at all or whether it was opened wholly or in part. H. R. Gochnow

State of Pennsylvania :
County of Cambria : SS:

On this twenty-fourth day of February
A. D. 1908, personally appeared before me, the undersigned author-
ity, H. R. Gochmou Exceptant above-named, who being
duly sworn, according to law, doth depose and say that the state-
ments made in the Foregoing Exceptions are true and correct, to
the best of his knowledge and belief.

H. R. Gochmou

Sworn and subscribed to before me, the day and year afore-
said.

Jessie Cooper (SEAL)

My Commission Expires Jan. 18, 1909.

In the Court of Quarter
Sessions of Cambria County, Pa.
No. 2 Sept. Term, 1907. R. D.

In re Order to View and Va-
cate a public road in East
Taylor Township.

Exceptions to Report of
Viewers.

Filed 25 February, 1908.

CHARLES C. GREER
LAWYER
JOHNSTOWN, Pa.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

To the Honorable Francis J. O'Connor, President Judge of said Court:-

The petition of the undersigned inhabitants of the Township of East Taylor, in the County of Cambria and State of Pennsylvania, respectfully represents:-

That a public road has long since been laid out, beginning at a point on the public road leading from the city of Johnstown, in said county, to the Philadelphia and Pittsburg Stone Pike, in said county, known as the "Ebensburg Road", and at or near the land of George C. Varner, formerly lands of William..... Herbert and Levi Berkey, and ending at the Conemaugh River near the land of heirs of..... Frank and the Black Diamond Coal Company, in said County, has become useless; inconvenient and burdensome; the south eastern end of this road in Conemaugh Township has heretofore been vacated.

Your petitioners, therefore, pray the Court to inquire of and vacate said road, and for that purpose to appoint three persons qualified according to law to view the said road and inquire of the premises, and make a return of their proceedings at the next term of this Court.

And they will ever pray, etc.,

<u>John H. Agnew</u>	<u>W. A. Riblett</u>
<u>Aaron Goughman</u>	<u>Wm. H. Bowler</u>
<u>W. S. Hendrick</u>	<u>Ed. Rosabel</u>
<u>G. P. Zetter</u>	<u>W. B. Arnold</u>
<u>W. H. Miller</u>	<u>J. W. Schanley</u>
<u>H. C. Amigh</u>	

B. H. Rice	W. H. Sourdell
J. M. Rice	H. P. Schneider
J. W. G. Wilson	John Stanton
Harry Wilson	Chas. J. Beckman
Chas. Page	John Pearson
E. B. Seinebaugh	John H. Herald
David S. Good	E. C. Herald
J. A. Plummer	W. B. Herald
Ephraim Isaac	
B. F. Meighard	
J. A. A. Page	
J. W. Kieper	

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

Personally appeared before me, the subscriber,
a Notary Public..... in and for the said
County of Cambria, ... William H. Killen.....,
who being duly sworn according to law deposes and says that
the facts set forth in the foregoing petition are true and
correct to the best of his knowledge and belief.

William H. Killen

Sworn and subscribed to before me this 7th day
of September, A.D., 1907.

Jessie N. Helsel (SEAL)
Notary Public
My com. expires 16 Jan 1909

Nov 29. Delivered to Division 1917

In the Order of Quarters
Records of Business Eng.

Re

Parties of the Substantive
of East Bay in Councils
for the education of a
Public work

John P. Stephenson 1907

Nov 28 1907

Parties, records and evidence
of John P. Stephenson, 1907
The West of the West
an organized union
as proposed for in the
written substance
Stephenson

JOHN H. STEPHENS,
ATTORNEY AT LAW,
JOHNSTOWN, - PA.

Baltimore Office Supply Co., Balto., Md.

John H. Stephenson
John H. Stephenson
Mary Stephenson

Commonwealth of Pennsylvania, }
County of Cambria. as

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the Ninth day of September A. D. 1907, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of East Taylor, in the said County, setting forth that they labor under incon-

~~venience for want of a~~.....road or highway, to lead from a public road, has long since been laid out, beginning at a point on the public road leading from the city of Johnstown, in said county, to the Philadelphia and Pittsburg Stone Pike, in said county, known as the "Ebensburg Road", and abto. near the land of George L. Harner, formerly lands of William Herbert and Levi Berkey, and ending at the Conemaugh River near the land of heirs of Frank and the Black Diamond Coal Company, in said county, has become useless, inconvenient and burdensome; the south eastern end of this road in Conemaugh Township has heretofore been vacated.

and therefore praying the Court to appoint proper persons to view and ~~lay out~~ ^{vacate} the same according to law. The Court, upon due consideration had of the premises, do order and appoint Harry Shaffer.....surveyor, and

John S. Huhlt and Robt. Wilson.....viewers, to view the ground proposed for said ^{vacation} road, and if they view the same, and shall agree that there is ^{no} occasion for such road, they shall proceed to ~~lay out~~ ^{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:

.....L. E. 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."

NO. 2, September Session, 1907.

Order to view and locate
Public Road in East
Taylor Township

Viewers.

Harry Shaffer
J. S. Hunt
Robert Wilson

Clerk 90 cts.

J. H. Stephens

TO THE HONORABLE F. J. O'CONNOR, JUDGE OF THE COURT OF
QUARTER SESSIONS OF CAMBRIA COUNTY, PENN'A.

We, the undersigned viewers, named in the within order respectfully report;-

FIRST:- That we, Harry Shaffer, John S. Hunt and Robert Wilson, all of the viewers, ^{named} in the within order, after first having been severally sworn, as evidenced by affidavits hereto attached, and made a part of this report, met at the time and place specified in the notices, to wit, on the 17th day of October, 1907, a copy of which notice is hereto attached and made also a part of this report.

The notices required by law were duly given, that is to say, ten days prior notice in writing to the Commissioners of Cambria County, evidenced by the acceptance of service noted on the copy of notice hereto attached as aforesaid, and notice to the Supervisors of East Taylor Township of the time and place at which the said viewers should meet to discharge their duties of their appointment; and also notice to the land owners and the public of the time and place of such meeting by three advertisements and notices put up in the most public places in the vicinity of the ground to be viewed ten days before the time fixed for holding the view.

That we viewed the site and locality of the road proposed to be vacated, making a personal inspection of the ground between the points designated in the petition and order on the 17th day of October, 1907.

And we are of the opinion and agree that a road between the points mentioned is useless, inconvenient and burdensome to

the inhabitants of East Taylor Township; and that the same should be vacated.

We also hereto annex a plot or draft showing the location of the road on the ground, stating the courses and distances and briefly noting the improvements.

WITNESS our hands this 16th day of November, 1907.

R Harry Shaffer
John S. Hunt
Robert Wilton
viewers.

STATE OF PENNSYLVANIA, X
XSS:
COUNTY OF CAMBRIA, X

Personally appeared before me, the subscriber, a
~~viewers~~ in and for the said County and
State, John S. Hunt, Robert Wilson and ~~R. Harry Shaffer~~,
surveyor, viewers appointed by the Court of Quarter
Sessions of Cambria County, to view and vacate a certain
township road, beginning at a point on the Ebensburg
Road near the land of George C. Varner, and ending at
the Conemaugh river, near the lands of the heirs of
..... Ffanke and the Black Diamond Coal Company,
in the Township of East Taylor, said County, who, being
by me severally duly sworn according to law depose and
say that they will perform their duties as said viewers
impartially and according to the best of their judgment.

John S. Hunt
Robert Wilson

Viewers.

Sworn (and subscribed to before me this ...17.....
day of October, A.D., 1907.

R. Harry Shaffer

STATE OF PENNSYLVANIA, X
 X
 X
COUNTY OF CAMBRIA, X

Personally appeared before me, the subscriber, a
~~Justice of the Peace~~ ^{viewer} and for the said County and
State, ~~John H. Hunt, Robert [unclear]~~ and R. Harry Shaffer,
surveyor, viewers appointed by the Court of Quarter
Sessions of Cambria County, to view and vacate a certain
township road, beginning at a point on the Ebensburg
Road near the land of George C. Verner, and ending at
the Conemaugh river, near the lands of the heirs of
..... Pfanke and the Black Diamond Coal company,
in the Township of East Taylor, said County, who, being
by me severally duly sworn according to law depose and
say that they will perform their duties as said viewers
impartially and according to the best of their judgment.

R. Harry Shaffer

Viewers.

Sworn and subscribed to before me this ...17.....
day of October, A.D., 1907.

John S. Hunt

21 No 9. S.M.S. 1907

Duke County & District
Assessors & Comptroller
County of

In re Order to view
and locate Public
Road in East Taylor
Township

Filed December, 1907.

Report of Viewers

~~True Dec. 1907 the within
Report read and~~

May 19 1908 report of
Viewers is set and
By the Court

John M. Stephens
M. B. STEPHENS,

ATTORNEY AND COUNSELLOR AT LAW
JOHNSTOWN, PA.

DISTRICT ATTORNEY

JEWELL & COMPANY, PHILADELPHIA

Jan'y 21, 1908, Approved.

By the Court