

No 6 Dec. 1941 Granted

PETITION OF CITIZENS  
OF CAMERIA TOWNSHIP

To Vacate a section  
of State Highway, Route  
II026, between Ebensburg  
and Wilmore, at the  
Howell Bridge,

*Filed Feb. 9. 1942*

February 3d., 1942

*Viewers Report*

L. H. KAYLOR,  
JAMES McCAFFIN,  
S. H. JENCKS,  
Viewers

*Approved by the  
Court this 9<sup>th</sup> of March  
1942*

*By the Court  
McKenrick  
Judge*

*Copied*

*A.M.D.*

In Re:- Petition of Citizens  
of Cambria Township, Cambria  
County and State of Pennsylvania,  
for Viewers to view the location  
and report on advisability of  
vacating relocated section of  
highway between Ebensburg and  
Wilmore, at Howells Bridge.

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

No 6 , December Sessions,  
1941.

REPORT of VIEWERS

We, the VIEWERS appointed by the above named Court to view the location and report as to the advisability of vacating a section of Highway on Route No. 11026, between the Village of Ebensburg and the Village of Wilmore, respectfully Report.

That we have advertised the time place and purpose of our meeting by printed notices posted along said Highway and at the place of the road to be vacated, also by personal notice to the supervisors of Cambria Township and also to the Commissioners of Cambria County, as per copies of said notices properly signed and made a part of this report,

That we have carefully inspected the location and extent of the relocated section of highway, which is located at Howell's Bridge. The road has been straightened at the point in question and a dangerous curve and narrow bridge have been eliminated and a modern cement bridge erected to replace it.

The replaced bit of roadway is useless and a source of danger and expense to the taxpayers of the township and in the judgment of the Viewers should be vacated.

Therefore we have complied with the desire of the petitioners and we hereby make an order and declare the bit of highway between Stations 387 and 391 to be vacated as of this date, 2/3/1942, and the new highway to be adopted in its stead.

Respectfully submitted this Sixth Day of February, 1942.

L. E. Taylor  
James M. Ham  
J. H. Jones

Viewers,

In Re: Petition of Citizens of Cambria Township, Cambria County, and State of Pennsylvania, for Viewers to report on the advisability of vacating a section of relocated Highway on Route 11026 between Ebersburg and Wilmore

In the Court of Quarter Sessions of Cambria County, and State of Pennsylvania.  
No. 6 December Sessions, 1941.

Statements of Viewers

County of Cambria to L. E. Kaylor, Dr.

January 24th.	To preparing Notices, Posting and advertising,	\$12.00
" "	" mileage both ways, six miles,	60
February 3d.,	To day on View,	12.00
" "	" mileage,	60
" "	" Stationery, typing and postage, maps etc.,	3.00
" 6th.,	" preparing and filing Report of View	12.00
		<u>\$ 40.20</u>

FEB 17 1941 CERTIFIED

County of Cambria to James McCann Dr.

February 24th.,	To one day on view,	\$12.00
2 24th.,	" mileage, Conemaug to View and return,	3.60
	36 miles,	<u>15.60</u>

FEB 17 1941 CERTIFIED

County of Cambria to S. H. Jencks, Dr.

February 24th.,	To one day on view,	12.00
" "	To mileage and return, 6 miles,	60
		<u>\$ 12.60</u>

FEB 17 1941 CERTIFIED

I hereby certify that this is an exact copy of similar bills filed with the Commissioners office.

L. E. Kaylor.

In Re:- Petition of Citizens of  
Cambria Township, Cambria County,  
Pennsylvania, for Vacation of  
a relocated part of State Highway,  
Route, No. 11026, between Wilmore  
and Ebensburg, in Cambria County, Pa.

# IN THE COURT OF QUARTER  
# SESSIONS, OF CAMBRIA COUNTY  
# STATE OF PENNSYLVANIA.  
# No. 6 December Term 1941  
#  
#

Notice of View.

We, the viewers appointed by the abova named Court to View the place and report on the advisability of vacating a section of Route No. 11026, State Highway, at Stations No. 387 and 391, We should say Between Stations. between the Villages of Wilmore and Ebensburg, Will meet at ~~EBENSBURG~~ TUESDAY morning, February Third, 1942, at Ten O'Clock to attend to the duties of our appointment when all who are interested should be present to be heard if they so desire

L. E. KAYLOR,  
S. H. JENCKS,  
JAMES McCANN, Viewers

Notice to Supervisors of Cambria Township  
accepted by ,

x E. A. Illig.

Supervisor of Cambria Township,

Date, January, 8 1942

In Re:- Petition of Citizens of  
Cambria Township, Cambria County,  
Pennsylvania, for Vacation of  
a relocated part of State Highway,  
Route, No. 11026, between Wilmore  
and Ebensburg, in Cambria County.

# IN THE COURT OF QUARTER  
# SESSIONS, OF CAMBRIA COUNTY  
# STATE OF PENNSYLVANIA,  
# No. 6 December Term 1941  
#

Notice of View.

we, the viewers appointed by the above named Court to view the place  
and report on the advisability of vacating a section of Route No. 11026,  
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between the Villages of Wilmore and Ebensburg,  
will meet at Ebensburg TUESDAY morning, February Third, 1942, at  
Ten O'Clock to attend to the duties of our appointment when all  
who are interested should be present to be heard if they so desire

L. E. KAYLOR,  
S. H. JEMCKS,  
JAMES McCANN, Viewers

Notice to Commissioners of Cambria County accepted by,

✓ A. J. Dow Chief Clerk, January,

1942



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."

3 My files  
Raper  
NO 6  
Dec. SESSIONS, 1941

Order to view and vacate a

portion of public highway

in Cambria Township, Cambria  
County, Pennsylvania

Viewers

L.E. Kaylor

James McCain

S.H. Jencks

Cl. Joseph C. Wess

90 cts.

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 12 day of January A. D. 1942, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Cambria, in the said County, setting forth that they labor under inconvenience for ~~XXXXXX~~ vacating a portion of road or highway, to lead from

beginning at a point on the center of State Highway Route No. 11026 leading from the Borough of Wilmore to the Borough of Ebensburg, Cambria County, Pennsylvania, and abandon all highway lying northwest of the present Route between Stations 387 and 391, as shown on State Highway Drawing approved March 31, 1938 by Governor George H. Earl, a copy which is filed in the Clerk of Courts Office.

The citizens of Cambria Township has presented this petition to have the portion of highway vacated.

and therefore praying the Court to appoint proper persons to view and ~~vacate~~ vacate the same according to law. The Court, upon due consideration had of the premises, do order and appoint

L. E. Kaylor, James McCann surveyor, and S. H. Jencks

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~~ vacating 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 ~~XXXXXX~~ vacating 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.  
McCann, P.J.

Attest: Joseph C. Wass Clerk.

No 6 Dec No 6 1944

IN THE COURT OF QUARTER SESSIONS  
OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE PROCEEDINGS TO ABANDON  
A ROADWAY SITUATE IN CAMBRIA  
TOWNSHIP.

*Ebensburg - Welmore Road*

PETITION TO APPOINT VIEWERS

*Filed Jan. 16, 1944*

C. RANDOLPH MYERS  
ATTORNEY AT LAW  
EBENSBURG, PENNSYLVANIA

*Welmore Road*

AND NOW, January 9, 1942, we hereby acknowledge receipt of a copy of the within petition for the appointment of Viewers and waive the issuance of a rule as provided in Rule 301 $\frac{1}{2}$  of the Rules of the Court of Common Pleas of Cambria County, and I hereby agree to the appointment of Viewers as prayed for in said petition.

Commissioners of Cambria County

By                     *A. F. Dew*                      
Chief Clerk

11/22/38

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned citizens and tax payers of the Township of Cambria, in the County of Cambria and State of Pennsylvania, respectfully represents:

That by reason of the improvement of the State Highway between Ebensburg and Wilmore, and the relocation of a portion thereof, the following described roadway has become useless, inconvenient and burdensome:

Beginning at a point on the center of State Highway Route No. 11026 leading from the Borough of Wilmore to the Borough of Ebensburg, Cambria County, Pennsylvania, and abandon all highway lying northwest of the present Route between Stations 387 and 391, as shown on State Highway Drawing approved March 31, 1938, by Governor George H. Earle, a copy of which is hereto attached and made a part hereof.

WHEREFORE your petitioners pray the Court to inquire of and vacate said road and for that purpose to appoint three members of the permanent Board of Viewers of Cambria County to view said road and inquire of the premises and make return of their proceedings according to law.

Lido Siroachin  
Supervisor of Cambria Township

Albert Finnan  
Supervisor of Cambria Township

E. A. Illig  
Supervisor of Cambria Township

W. Roberts

F. F. Creuse

Robert J. Spahly

C. Hester H. Noel

Harvey Roberts

Pho Boughlin

Arvid T. Dickson

Nella Potts

Seth Stephens

Harry Roush

James W. Brown

Alice Anderson

John Sunderland

John McCallister

Clare Marshall

State of Pennsylvania :  
County of Cambria : SS.

Albert Kinnear, being duly sworn according to law, did  
depose and say that he is one of the signers of the within petition and that  
the statements contained therein are true and correct to the best of his know-  
ledge, information and belief.

Albert Kinnear

Sworn and subscribed before  
me this 9 day of January,  
A. D., 1942

John L. Hite  
Pro.

D E C R E E

And Now Jan. 12 1942, 1941, the foregoing petition having been read and considered, it is ordered that L. P. Naylor, James W. [unclear], J. A. [unclear] and \_\_\_\_\_, three members of the permanent Board of Viewers of Cambria County, be, and hereby are appointed to view said road and inquire of the premises and make a return of their proceedings according to law.

[Signature]  
[Signature]  
[Signature]

Rats Microfilmed

RD #6 Dec. 1941

map #2

