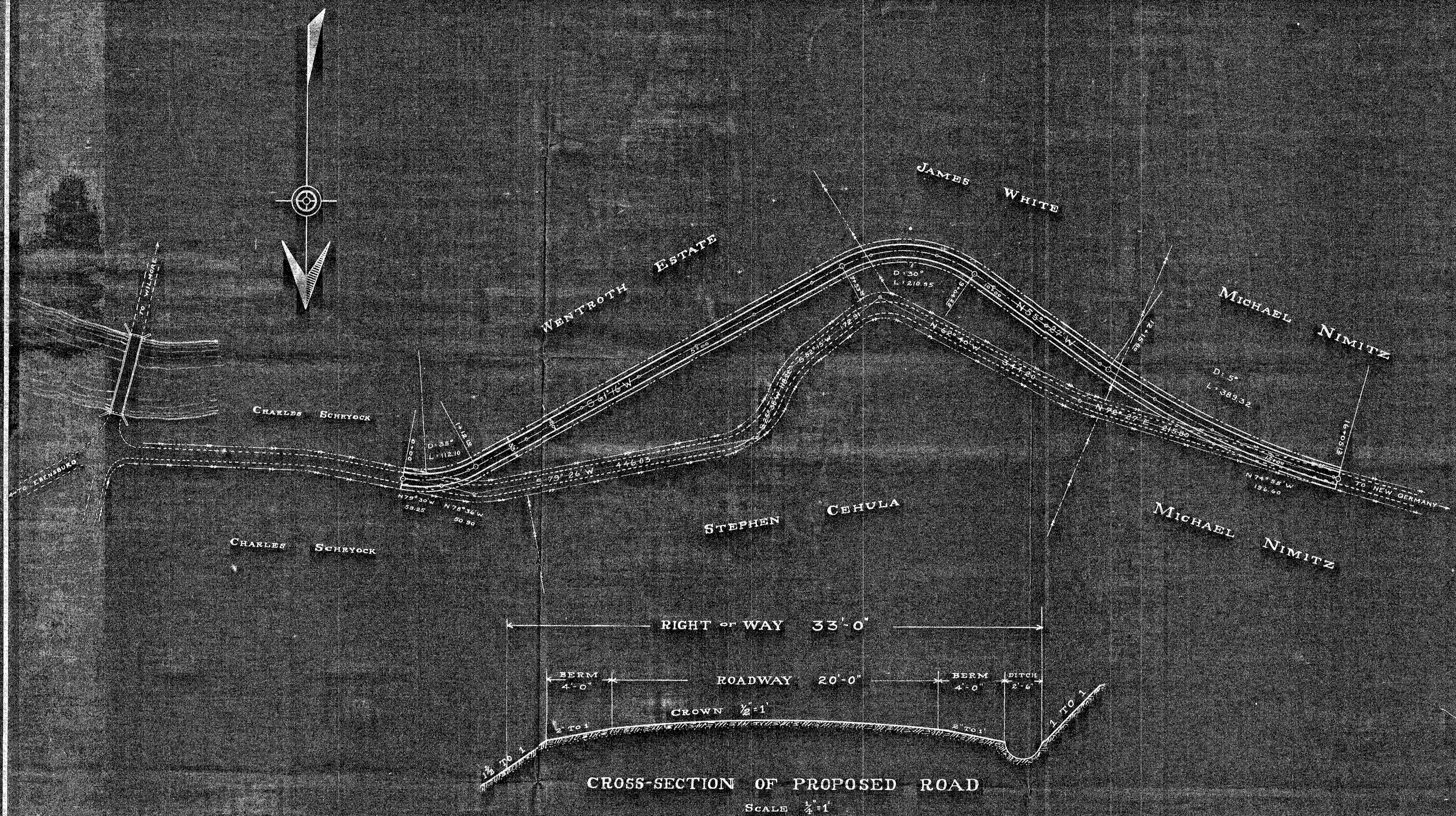


Rat Microfilm

RP#1

Dec 1920

Map#1



PROPOSED CHANGE IN TOWNSHIP ROAD  
LEADING FROM  
WILMORE TOWARD NEW GERMANY  
IN

SUMMERHILL TOWNSHIP, CAMBRIA CO., PA.

JANUARY 6, 1921.

SCALE 1" = 100'

JOHNSTOWN, PA.

OWEN & PLUMMER

INCORPORATED

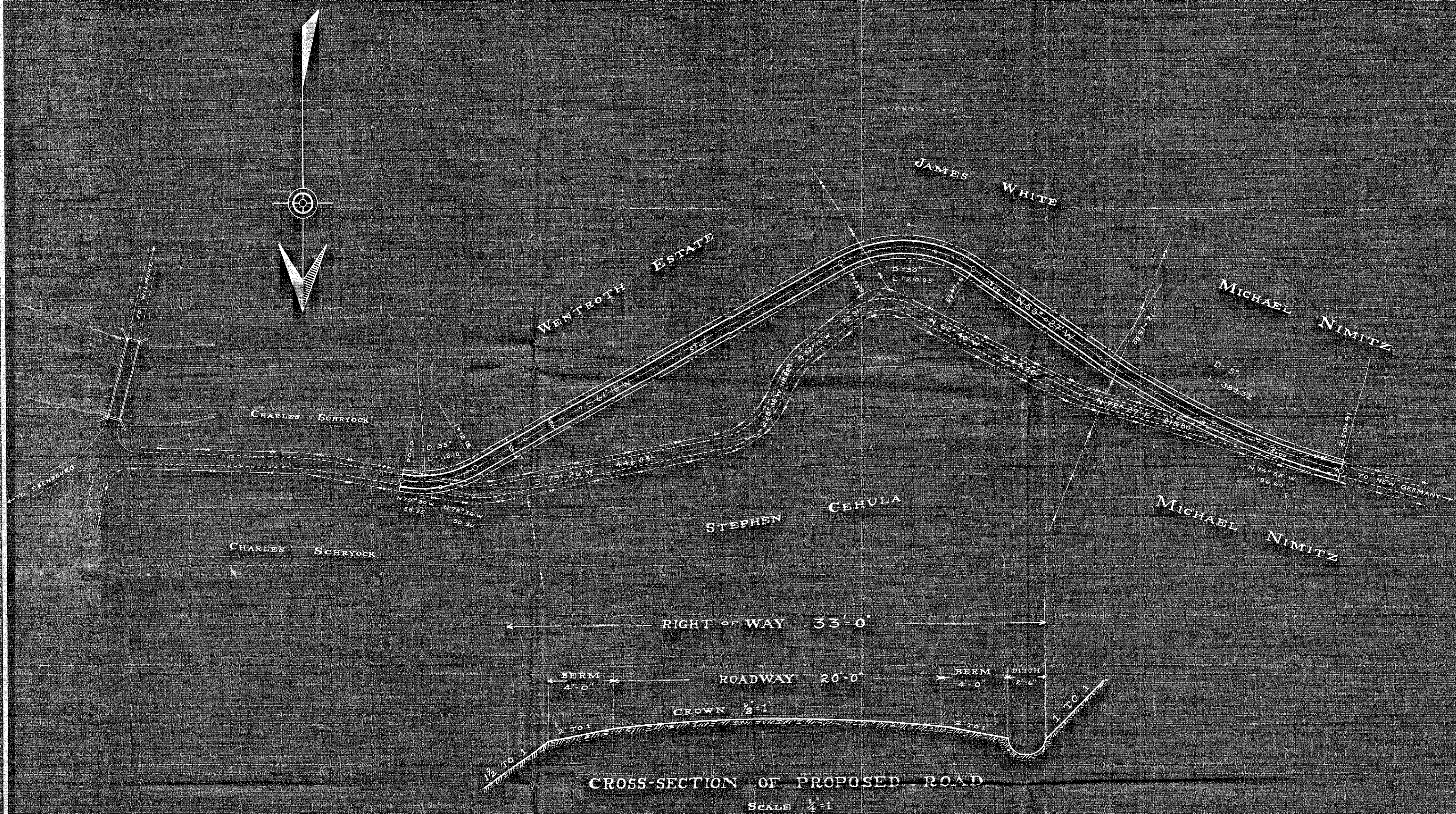
ENGINEERS

Rot Microfilm

~~RD-1~~

Dec 1952

map #2



**PROPOSED CHANGE IN TOWNSHIP ROAD**

LEADING FROM  
**WILMORE TOWARD NEW GERMANY**

IN

**SUMMERHILL TOWNSHIP, CAMBRIA CO., PA.**

JANUARY 6, 1921.

SCALE 1"=100'

JOHNSTOWN, PA.

**OWEN & PLUMMER**

INCORPORATED

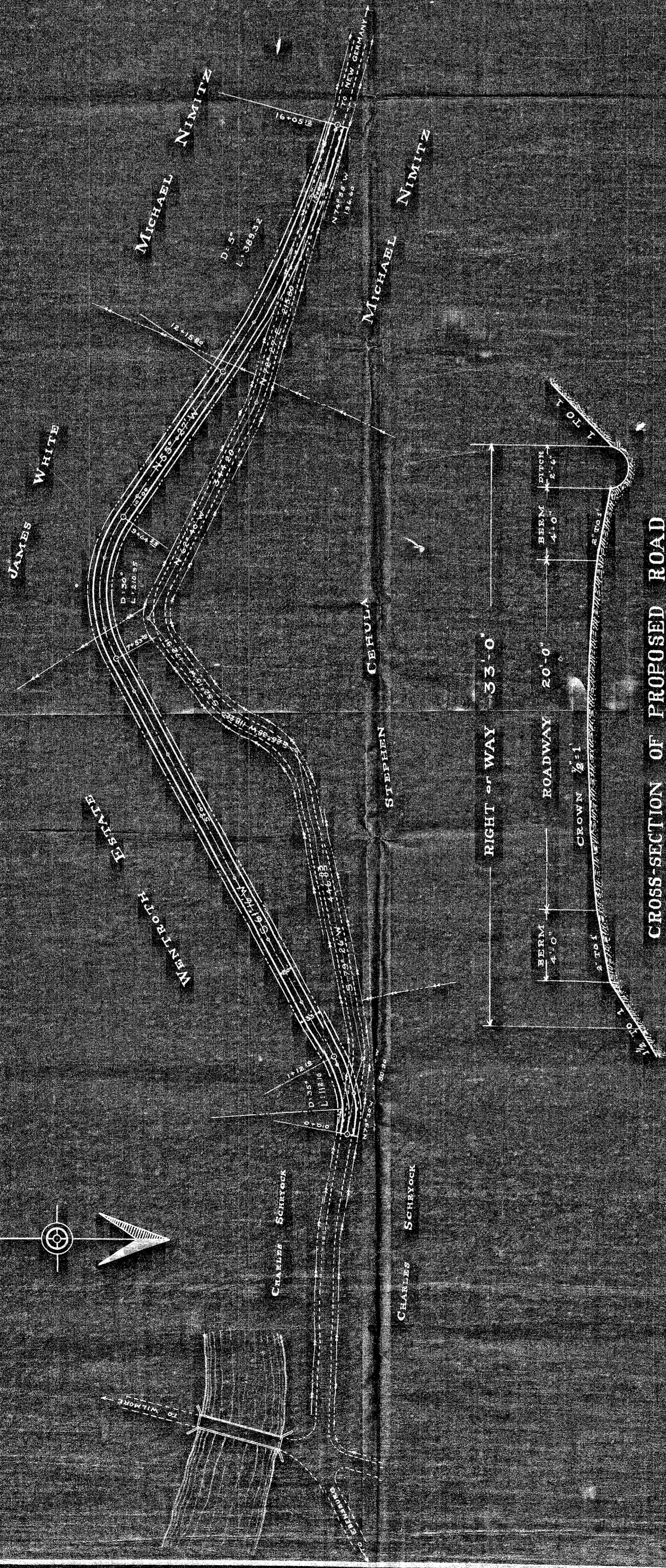
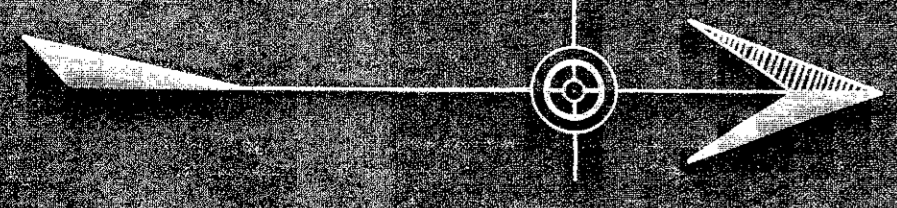
ENGINEERS

Rat Microfilmed

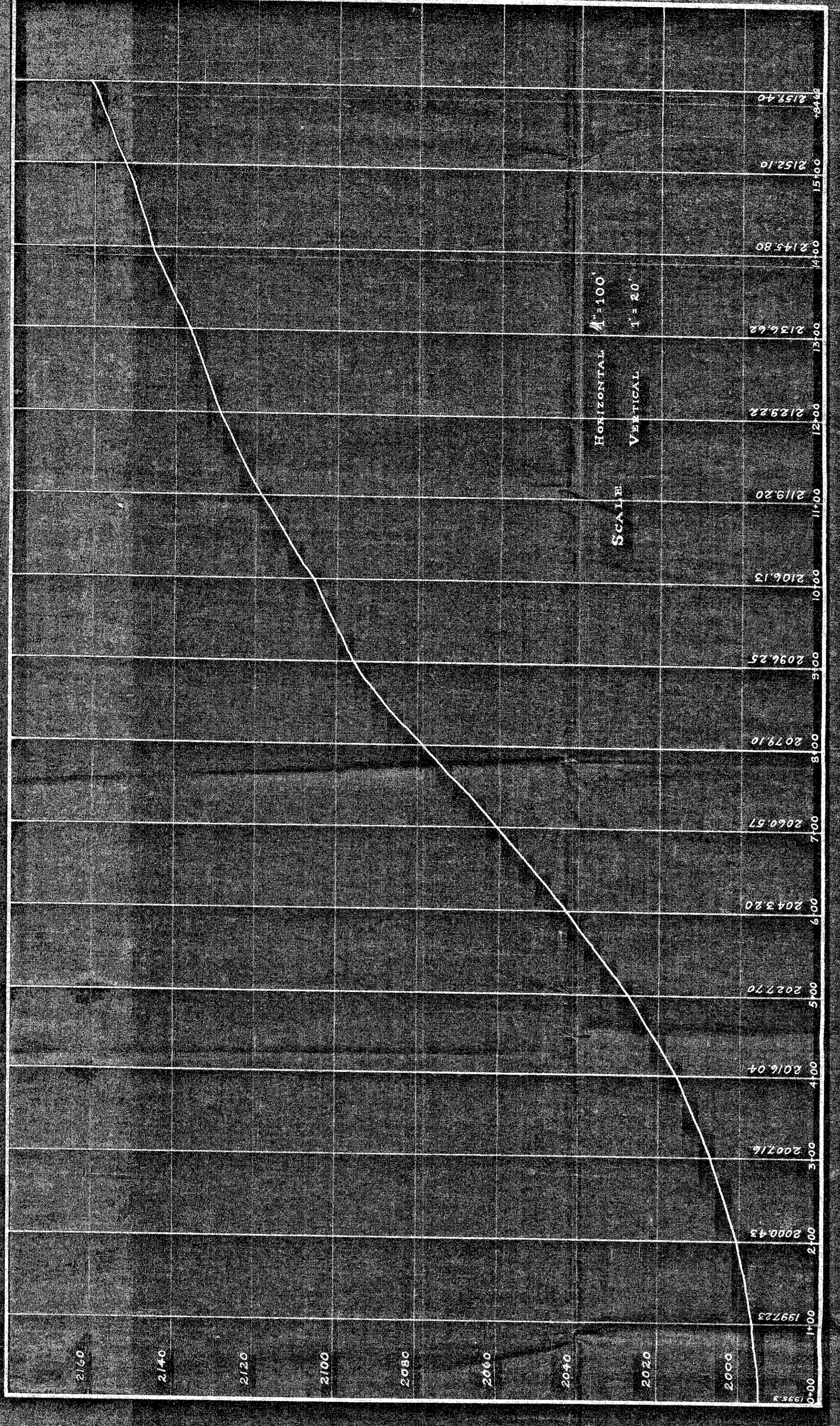
RD#1

Dec. 1920

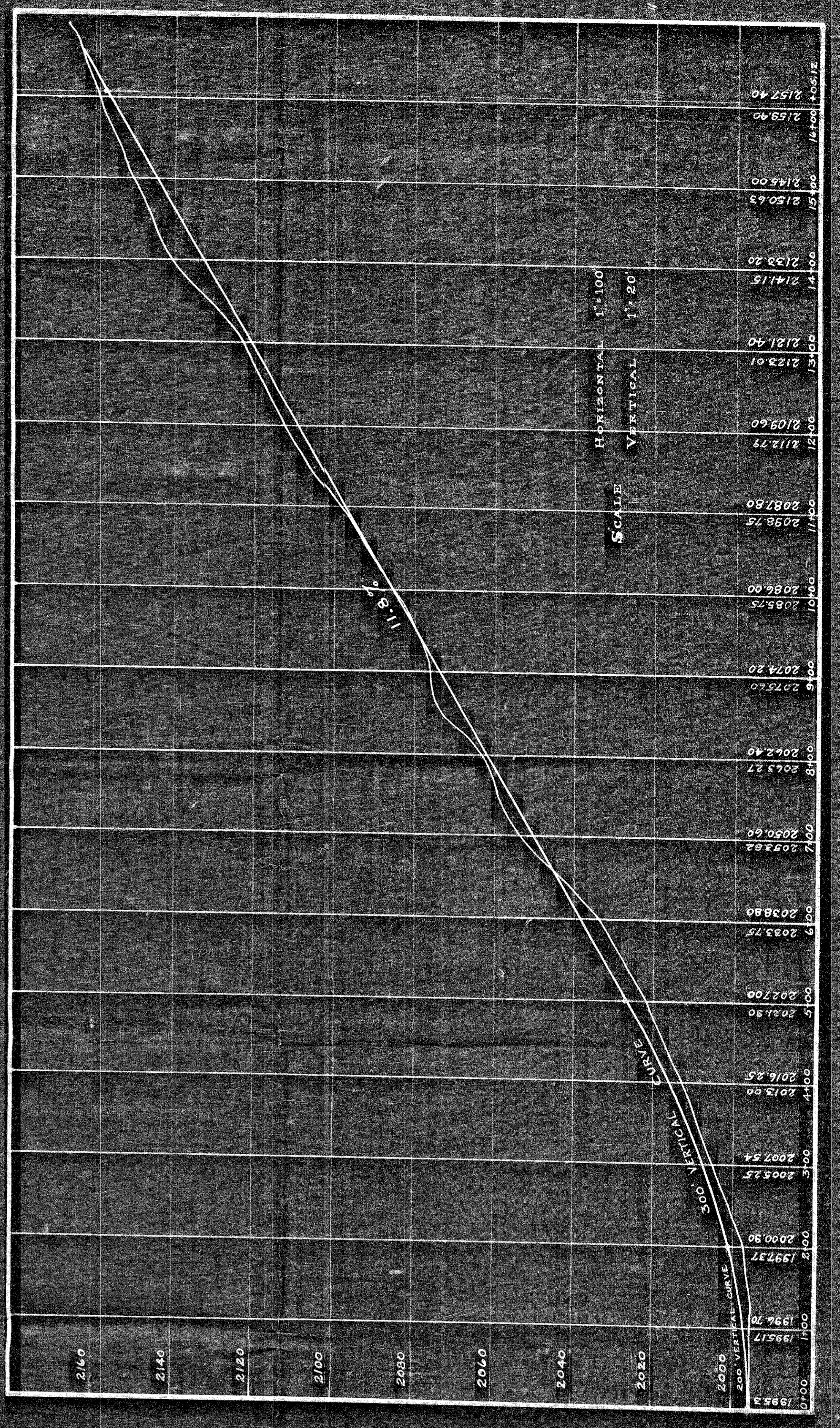
map #3



PROFILE OF PRESENT ROAD



PROFILE OF PROPOSED ROAD



**PROPOSED CHANGE IN TOWNSHIP ROAD  
LEADING FROM  
WILMORE TOWARD NEW GERMANY  
IN  
SUMMERHILL TOWNSHIP, CAMBRIA CO., PA.**

**OWEN & PLUMMER**  
INCORPORATED  
ENGINEERS

JANUARY 6, 1921.  
SCALE 1" = 100'  
JOHNSTOWN, PA.

Rot Microfilm

RD#

Dec. 1920

Map # 4



PROPOSED CHANGE IN TOWNSHIP ROAD

LEADING FROM

WILMORE TOWARD NEW GERMANY

IN

SUMMERHILL TOWNSHIP, CAMBRIA CO., PA.

JANUARY 6, 1921.

OWEN & PLUMMER

SCALE 1"=100'

INCORPORATED

JOHNSTOWN, PA.

ENGINEERS

TO THE COMMISSIONERS OF CAMBRIA COUNTY

AND THE SUPERVISORS OF ROADS OF THE TOWNSHIP

OF SUMMERHILL, IN SAID COUNTY OF CAMBRIA.

GENTLEMEN:

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, Nov 6th, A. D., 1920, asking for the appointment of viewers to vacate a part of the road leading from the Borough of Wilmore, Cambria County, Pennsylvania, to the Village of New Germany, Cambria County, Pennsylvania, which portion of said road they desire to vacate from the point where the said road is intersected by the plank road leading from Ebensburg to Wilmore, which said intersection is at the iron bridge across the North branch of the little Conemaugh River, and is at the line between Wilmore Borough and Summerhill Township, to a point in said road two miles Southeast from New Germany; all of which portion of said road is in the Township of Summerhill, Cambria County, Pennsylvania; and a new road laid out from same point to point at a proper grade and curvature, and thus eliminate the dangerous and inconvenient part of the present road.

Chas. S. Evans  
Attorney for Petitioners.

Nov 30, A. D., 1920, we, the undersigned, Supervisors of Summerhill Township, do hereby accept service of the above and foregoing notice.

Amos J. Jones  
John G. Brown  
A. W. Burtlett  
Supervisors of Summerhill Twp.

Dec 1st, A. D., 1920, service of the above and foregoing notice accepted.

COMMISSIONERS OF CAMBRIA COUNTY,

Per James W. Linn  
Clerk,

1 Dec. 1920

filed Dec 6, 1920

Order to View :  
 To vacate and  
 Supply road from the Borough  
 of Wilmore to the village of  
 New Germany, both in the  
 County of Cambria, State of  
 Pennsylvania.

))  
 ((  
 ))  
 ((  
 ))  
 ((  
 ))

In the Court of Quarter  
 Sessions of the County of  
 Cambria, State of Pennsylvania.  
 No. 1, December Session, 1920.

STATEMENT OF SERVICES OF VIEWERS

PHILIP CAULFIELD

December 28, 1920.	View .....	\$ 7.50
	Cost of Mileage .....	1.60
	Total Due Philip Caulfield .....	\$ 9.10

L. R. OWEN

December 14, 1920.	Writing notices .....	\$ 2.00
	Postage .....	.06
	Clerk of Court Bill .....	.90
December 15, 1920.	Posting Notices .....	7.50
	Cost of Mileage .....	1.60
December 28, 1920.	View .....	7.50
	Cost of Mileage .....	1.60
January 6, 1921.	Writing Report .....	7.50
	Paper .....	.15
	Three Linen Blue Prints .....	5.25
	Postage .....	.24
	Survey of Road .....	36.00
	Expenses .....	4.32
	Drafting Map .....	30.00
	Tracing Cloth .....	1.50
	Total Due L. R. OWEN .....	\$ 106.12

JAN 11 1921

JAN 11 1921 CERTIFIED

JAN 11 1921

APPROVED FOR PAYMENT  
*[Handwritten Signature]*  
*[Handwritten Signature]*

of viewers for vacating the road for the purpose above specified.

Now, the condition of this obligation is such, that if the petitioners for the said view, if called upon by the Court, shall make payment of the costs of said view into the treasury of Cambria County, as provided by law, then this obligation shall be null and void, otherwise to be and remain in full force and virtue.

Sealed and delivered in the  
presence of

Miss Lucy Berghane  
A. B. Reynolds  
Belam Kash

Peter Wurfel (SEAL)  
Geo W. Berghane (SEAL)  
M. J. Wurfel (SEAL)

*1 Rec. Sess. 1920*

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

IN RE PETITION OF RESIDENTS  
AND CITIZENS OF SUMMERHILL  
TOWNSHIP, CAMBRIA COUNTY,  
PENNSYLVANIA, TO VACATE AND  
SUPPLY ROAD.

B O N D.

*filed Dec. 6, 1920*

LAW OFFICES  
EVANS & EVANS  
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENN'A.

TO THE HONORABLE THE JUDGES OF SAID COURT:

The petition of the undersigned, residents and citizens of the Township of Summerhill, in said County of Cambria and vicinity, respectfully represents:

That they labor under great inconvenience by reason of steep grades and sharp curves in a portion of the public road leading from the Borough of Wilmore, in the County of Cambria and State of Pennsylvania, to the Village of New Germany, in the County of Cambria and State of Pennsylvania, which portion of said road they desire to vacate and have another road laid out in its stead.

They, therefore, pray that that part of the public road which leads from the Borough of Wilmore, Cambria County, Pennsylvania, to the Village of New Germany, Cambria County, Pennsylvania, should be vacated from the point where the said road is intersected by the plank road leading from Ebensburg to Wilmore, which said intersection is at the iron bridge across the North branch of the little Conemaugh River and is at the line between Wilmore Borough and Summerhill Township, to a point in said road two miles Southeast from New Germany; all of which portion of said road is within the Township of Summerhill, Cambria County, Pennsylvania.

And, further pray that a new road be laid out between the said points above mentioned at a proper grade and curvature, and thus eliminate the dangerous and inconvenient part of the present road.

They, therefore, pray that this Honorable Court appoint viewers for vacating the road for the purpose above specified.

And they will ever pray, &c.

Ben [unclear]	Wilmore
Chas [unclear]	"
John [unclear]	"
J. M. [unclear]	"
[unclear]	"
[unclear]	"
J. H. Diamond	"
Geo. J. Diamond	"
J. W. [unclear]	"
Over J. Jones	"
Margaret Jones	"
Jane M. Jones	"
Margaret Kerfel	"
Mrs. P. A. Kerfel	"
John C. [unclear]	"
Mary E. [unclear]	"
A. K. [unclear]	Boydell Pa
R. M. Woodruff	Wilmore Pa
Geo. W. Berghane	" "
A. B. Reynolds	" "
Mrs. G. W. Berghane	" "
Adam Koh	" "
J. J. [unclear]	" "

Carl Wierfel	Wilmore
Carl Wierfel	"
Joseph Smith	"
P. M. Dunn	"
J. Wierfel	"
Wm. H. Wierfel	"
J. H. Diamond	"
Geo. J. Diamond	"
J. W. Wierfel	"
Over J. Jones	"
Margaret Jones	"
Jane M. Jones	"
Margaret Wierfel	"
Mrs. P. A. Wierfel	"
John C. Green	"
Mary E. Green	"
A. K. Nettleton	Boydell Pa
R. M. Woodruff	Wilmore Pa
Geo. W. Berghane	"
A. B. Reynolds	"
Mrs. G. W. Berghane	"
Adam Koh	"
M. J. Wierfel	"

STATE OF PENNSYLVANIA |  
COUNTY OF CAMBRIA | SS:

Before me, the subscriber, a Justice of the Peace in and for said County and State, personally came Peter A. Wenzel, one of the foregoing petitioners, who being duly sworn according to law doth depose and say that the facts, matters and things set forth in the above and foregoing petition are true and correct, to the best of his knowledge, information and belief.

Sworn and subscribed before me  
this 30 day of November  
A. D., 1920.

A. A. Kelly  
Justice of the Peace.

My commission expires first  
Monday of January 1922.

Peter A. Wenzel

*1. Dec. Sessions 1920*

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

PETITION OF RESIDENTS AND  
CITIZENS OF SUMMERHILL TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA, TO VACATE AND SUPPLY ROAD.

*Filed Dec. 6, 1920*

And now, *Dec 6th*, 1920, the within petition read and considered *Justice H. Horvick, Philip McCafferty and L. B. Owen*

are appointed viewers for the purpose therein specified.

*By the Court*  
*Crawley*

LAW OFFICES  
EVANS & EVANS  
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY,  
PENNSYLVANIA. No. 1, December Term, 1920, Road Bocket.

To the honorable Judges of said court, the petition of  
Michael Nemit of Summerhill Township, Cambria County, Pennsylvania,  
respectfully represents:

That the report of viewers vacating and supplying a road lead-  
ing from Summerhill to Wilmore was filed with your honorable Court  
March 7, 1921, and was confirmed June 7, 1921, which said supplied  
road was laid out across three pieces or parcels of land of your  
petitioner in Summerhill Township, Cambria County, Pennsylvania,  
viz:

The first piece conveyed to your petitioner by deed dated  
February 15, 1909, and recorded in Cambria County in Deed Book  
Vol. 211 at page 279.

The second piece conveyed from C. Wentroth containing one  
Acre and thirty four Perches, adjoining lands of George Wentroth  
Estate, Steve Chachula and others.

The third piece containing seven Acres Thirty eight Perches  
from George Wentroth Estate, adjoining land of C. C. Shyrock and  
George Wentroth Estate and lying between the old township road and  
the Conemaugh River.

That the viewers in laying out said road did not assess  
damages, and that your petitioner has been greatly damaged by  
reason of laying out, vacating and supplying said road.

Your petitioner therefore, prays the court to appoint three  
viewers to view and assess damages caused your petitioner by reason  
of the supplying said road.

And he will ever pray.

*his*  
Michael Nemit  
Mark

Cambria County, SS.

Michael Nemit 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.

Sworn and subscribed before me  
this 6<sup>th</sup> day of September, 1921.

*his*  
Michael Nemit  
Mark

Geo. W. Williams  
Prothonotary.

D E C R E E .

And now, to wit September 12<sup>th</sup>, 1921, the foregoing petition having been read and considered, the court do appoint  
Adam Shuman, Philip Cauffield  
Mahlan J. Baumgardner  
viewers to view the premises in the foregoing petition and assess damages, if any, to Michael Nemit caused by vacating and supplying said road.

By the Court

<sup>12.19.</sup>  
1 Rec. Sessions 1920

In re road in  
Summerhill Twp.  
Appt. of viewers to  
assess damages.

Filed Sept. 12, 1921

P. J. LITTLE  
ATTORNEY AT LAW  
EBENSBURG, PA.

BALTIMORE OFFICE SUPPLY CO., BALTIMORE

Ebensburg, Pa., April 12, 1922.

Received April 12, 1922, from the County of Cambria, the sum of Five Hundred and Fifty Dollars, being in full of damages awarded me by viewers in re change of road in Summerhill Township entered to No. 1, December Sessions, 1920, R. D. I hereby further withdraw the appeal I caused to be filed to the above number and session from the refusal of viewers to award me damages in the first proceeding I instituted.

Witness  
E. Eva Miller

Michael & Nemitz  
his  
Mark

No. 1 December 2nd 1921

Filed 17 April 1922



1 Dec. Sessions 1920  
155

Filed March 21, 1922

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

No. 1 December Term, 1920, Road Docket.

To the Honorable Judges of said Court:

The petition of Conrad Wenderoth, John C. Wenderoth, and George Wenderoth, all of Cresson, Pennsylvania, F. P. Wenderoth, Johnstown, Pennsylvania, and Charles Wenderoth, Long Island, New York, Respectfully represents:

That the report of viewers vacating and supplying a road leading from Wilmore to New Germany was filed in your Honorable Court March 7, 1921, and was confirmed June 7, 1921. That said road was supplied by laying out a new road across and over a piece or parcel of land then owned by your petitioners, situate in Summerhill Township, Cambria County, Pennsylvania, and that the viewers did not assess damages and made no reference in the report of waiver of damage by any person. That your petitioners have been greatly damaged by reason of laying out, vacating and supplying said road.

Your petitioners therefore pray the court to appoint three viewers to view and assess the damages caused your petitioners by reason of laying out said road.

And they will ever pray.

C. Wenderoth  
John C. Wenderoth  
John G. Wenderoth  
F. P. Wenderoth  
Charles Wenderoth

Cambria County, SS:

Conrad. Wenderoth 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.

Sworn and subscribed this

5th day of December, 1921.

Conrad Wenderoth

DECREE.

And now, to wit, December 14th, 1921, the foregoing petition having been read and considered, the court do appoint

Adam Shuman, J. D. Ketter, and A. M. Shuman Esq.

viewers to view the premises described in the foregoing petition and assess damages, if any, to the said petitioners, which may have been caused by vacating and supplying said road.

By the Court,  
Evans



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 the premises described in the petition and to assess the damages, if any, which may have been caused by vacating and supplying a certain piece of public road, in Summerhill township, leading from Wilmore to New Germany; respectfully report:

That having given due notice of the view and of the time and place of meeting of the viewers 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, in accord with the notices so given, and in company with Conrad Wenderoth, one of the petitioners, and Mike Nematc, the owner of the property, we carefully viewed the premises and are of the opinion that the owner of the property sustained damages by reason of the laying out and opening of the new road above referred to.

That, although the records disclose a deed for the particular property in question from Conrad Wenderoth et. al. dated March 4<sup>th</sup> 1921, and the record of the first view laying out the road over the property was filed March 7<sup>th</sup> 1921, Mr. Conrad Wenderoth stated to the viewers that whatever damages may have been sustained by reason of the laying out and opening of the new road through and over the premises should be awarded to Mike Nematc and not to the Wenderoths, as Mike Nematc had purchased the property - as evidenced by a written agreement between the parties - and had paid a portion of the purchase money to them prior to any road proceedings affecting the property and that later a deed was delivered and the balance of the purchase money paid and that if any money should be awarded the Wenderoths that they in turn would have to pay the same over to Mike Nematc.

Accordingly, we have awarded damages to Mike Nematc for the damage done him by reason of the laying out and opening of the road through and over this particular property in the sum of four hundred twenty five (\$425.00) dollars.

That in addition to the foregoing award of four hundred twenty five dollars to the said Mike Nematc , he has sustained further damages by reason of the laying out and opening of the same piece of township road through and over another piece of property adjoining that described in the petition which said damages to the second piece of property we have assessed at one hundred twenty ~~fix~~ five dollars making a total of five hundred fifty (\$550.00) dollars damages sustained by the said Mike Nematc by reason of the laying out and opening of the said road in question through and over his premises.

Witness our hands this fourth day of March A. D., 1922.

A.M. Shoemaker

Adam Sherman

J.D. Ritter

Viewers.

# Cost of View

A. W. Shoemaker

Sifting Order		\$ .90
3 1/2 days	_____	26.25
47 miles	_____	2.35
		<u>\$29.50</u>

MAR 28 1922 CERTIFIED

J. D. Ritter

1 1/2 days	_____	\$11.25
84 miles		4.20
		<u>\$15.45</u>

MAR 29 1922 CERTIFIED

Adam Shuman

1 1/2 days	_____	\$11.25
61 miles	_____	3.05
		<u>\$14.30</u>

APPROVED FOR PAYMENT  
*W. H. Roberts*  
MAR 29 1922 CERTIFIED  
*W. H. Roberts*

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.  
COMMONWEALTH OF PENNSYLVANIA, |  
COUNTY OF CAMBRIA, | SS.

At a Court of Quarter Sessions of the County of Cambria held at Ebensburg, in the said County, on the 14th. day of December, A. D. 1921, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Summerhill, in the said County setting forth that the viewers did not assess damages:

That the report of viewers vacating and supplying a road leading from Wilmore to New Germany was filed in your Honorable Court March 7, 1921, and was confirmed June 7, 1921. That said road was supplied by laying out a new road across and over a piece or parcel of land then owned by your petitioners, situate in Summerhill Township, Cambria County, Pennsylvania, and that the viewers did not assess damages and made no reference in their report of waiver of damage by any person. That your petitioners have been greatly damaged by reason of laying out, vacating and supplying said road.

Your petitioners therefore pray the court to appoint three viewers to view and assess the damages caused your petitioner by reason of laying out said road.

D E C R E E .

And now, to wit, December 14, 1921, the foregoing petition having been read and considered, the court do appoint Adam Shuman, J. D. Ritter and A. M. Shoemaker, Esq., viewers to view the premises described in the foregoing petition and assess damages, if any, to the said petitioners, which may have been caused by vacating and supplying said road.

BY THE COURT.  
Evans. J.

Extract from the Record.

Certified this 21st. day of  
December, A. D. 1921.

*Frank B. Coff*  
Clerk of Quarter Sessions.

1920

No. 1 December Sessions 1920

In re road leading from  
Wilmore to New Germany in  
Summerhill Township.

Order to View

*Filed March 11, 1922*

1922 CERTIFIED

Clerk Robb..... 90 ct.

MADE IN PITTSBURGH BY W. S. JOHNSTON CO

*11 April 1922 Confirmed  
Frank E. Robb  
Clerk*

*11*

To vacate and supply road from the Borough of Wilmore toward the village of New Germany, both in the county of Cambria, and state of Pennsylvania.

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

No. 1 December Session, 1920

Report of Viewers

TO THE HONORABLE JUDGES of the above mentioned Court:

We, the undersigned viewers appointed by the above court to view the ground proposed for a new road to replace a part of the road from the Borough of Wilmore toward the town of New Germany if there is occasion for such road, respectfully report;

That we were duly sworn or affirmed as members of the permanent board of viewers as shown by the records of the court; that due public notice of the time and place of the meeting of the Viewers was given all interested parties by publication in the Johnstown Tribune and by hand-bills posted on the premises at least ten days prior to the time of making said view. Attached to this report are original notices as published and posted aforesaid. That we met upon the premises according to the notices on the 28th day of December A. D. 1920 at ten o'clock A. M. and proceeded with the duties of our appointment. That after viewing the old road and the ground for the proposed new road, we were of the unanimous opinion that the old road was a source of much inconvenience to the inhabitants of the township of Summerhill because grade of said road was too steep for ordinary traffic and that a new road should be laid out. That we proceeded to lay out the new road having respect to the best ground for a road and in such a manner as to maintain a minimum grade and also to do the least injury to private property and far as practicable agreeable to the desires of the petitioners, that the road was laid out according to the best engineering practice and a plan was drawn showing the plan and profile of both the old and new road, attached to and made a part of this report is the aforesaid plan.

We are of the opinion that the old or present road causes the inhabitants of Summerhill township to labor under an unnecessary inconvenience due to the steep grade of the road and that the new road

is down

as laid out on the ground and as shown on the plan would eliminate much of the inconvenience and would be an aid to the township inhabitants in their daily work.

Therefore, we are of the opinion that the prayer of the petitioners should be granted and the old road be vacated between the points as shown on the plan and the new or proposed road is necessary as a public road between the points mentioned.

Witness our hands this Sixth day of January A. D. 1921.

Lewis R. Owen (SEAL)

Philip E. Langford (SEAL)

\_\_\_\_\_ (SEAL)

Order to View

To vacate and supply  
road from the Borough of  
Wilmore to the village of  
New Germany, both in the  
county of Cambria and  
State of Pennsylvania

In the Court of Quarter Sessions of  
the County of Cambria, state of Pennsyl-  
vania No. 1, December Session, 1920

NOTICE TO VIEW

We the undersigned Viewers appointed by the Court of Quarter Sessions to view the road from the Borough of Wilmore, in the County of Cambria to the village of New Germany, in the County of Cambria state of Pennsylvania and determine the necessity for a change of road will meet at the intersection of the said road and plank road leading from Wilmore to Ebensburg, which said intersection is at the Iron Bridge across the North branch of the Little Conamaugh River and is at the line between Wilmore Borough and Summerhill Township. We will meet on the 28th day of December A. D. 1920 at 10 o'clock A.M., for the purpose of performing the duties of our appointment.

L. R. OWEN

JONATHAN H. HORROCKS

PHILIP E. CAULFIELD

Dec. 14th, 1920

Copy - Published in Johnstown Tribune  
Edition - Dec. 15, 1920

**VIEWERS' NOTICE—Order to view.**  
to vacate and supply road from  
the Borough of Wilmore to the vil-  
lage of New Germany, both in the  
county of Cambria and State of Penn-  
sylvania. In the Court of Quarter  
Sessions of the County of Cambria,  
State of Pennsylvania. No. 1, Decem-  
ber, Session, 1920.

**NOTICE OF VIEW.**

We, the undersigned Viewers, ap-  
pointed by the Court of Quarter Ses-  
sions to view the road from the Bor-  
ough of Wilmore, in the County of  
Cambria, to the village of New Ger-  
many, in the County of Cambria,  
State of Pennsylvania, and determine  
the necessity for a change of road  
will meet at the intersection of the  
said road and plank road leading  
from Wilmore to Ebensburg, which  
said intersection is at the Iron Bridge  
across the North Branch of the Lit-  
tle Conemaugh River and is at the  
line between Wilmore Borough and  
Summerhill Township. We will meet  
on the 28th day of December, A. D.  
1920, at 10 o'clock a. m. for the pur-  
pose of performing the duties of our  
appointment.

L. E. OWEN,  
JONATHAN H. HORROCKS,  
PHILIP E. GAULFIELD,  
December 14, 1920. Dec 15, 1920

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 sixth day of December A. D. 1920, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Summerhill, in the said County, setting forth that they labor under inconvenience ~~for want of a~~ ~~road or highway~~, to lead from by reason of steep grades and sharp curves in a portion of the public road leading from the Borough of Wilmore, in the County of Cambria and State of Pennsylvania, to the Village of New Germany, in the County of Cambria and State of Pennsylvania, which portion of said road they desire to vacate and have another road laid out in its stead.

They, therefore, pray that that part of the public road which leads from the Borough of Wilmore, Cambria County, Pennsylvania, to the Village of New Germany, Cambria County, Pennsylvania should be vacated from the point where the said road is intersected by the plank road leading from Ebensburg to Wilmore, which said intersection is at the iron Bridge across the North Branch of the little Conemaugh River and is at the line between Wilmore Borough and Summerhill Township, to a point in said road two miles Southeast from New Germany; all of which portion of said road is within the Township of Summerhill Cambria County, Pennsylvania.

And, therefore, pray that this Honorable Court appoint viewers for vacating the road for the purpose above specified.

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

L. R. Owen surveyor, and

Jonathan H. Horrocks and Philip E. Caulfield

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. Holt, 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. 1, Dec. SESSION, 1912.

Order to view  
Petition of Residents and  
Citizens of Summerhill Town-  
ship, Cambria County, Penn-  
sylvania, to vacate and supply  
road.

Viewers.  
L. R. Owen  
Jonathan Ho Horrocks  
Philip E. Canfield.

Clerk Robb. 90 cts.

NO. 1 - DECEMBER SESSION  
1920

to vacate and supply  
road from the Borough of  
Wilmore to the Village of  
New Germany, both in  
County of Cambria and  
State of Pennsylvania.

REPORT OF VIEWERS

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7 March 1921 filed  
in Open Court.

Frank C. Roth  
& Clerk.

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OWEN & PLUMMER  
INCORPORATED  
ENGINEERS & CONTRACTORS  
JOHNSTOWN, PA.

7 Mar. <sup>1921</sup> Approved and breadth fixed at forty feet.  
By the Court

7 June 1921 Confirmed.  
Frank C. Roth.  
Clerk.

In Re Vacation and Supplying  
Public Road leading from Summer-  
hill to Wilmore, Township of  
Summerhill, Cambria County,  
Pa., beginning at Wilmore and  
Extending toward New Germany,  
Re-view and Assess Damages.

In the Court of Quarter  
Sessions, Cambria County,  
Penna.  
No. 1. Dec. Sess. 1920

REPORT OF VIEWERS

To the Honorable, the Judges of said Court.

We the undersigned Viewers appointed by the annexed order of the above Court to view the above premises and determine and estimate the damages that have resulted or that may seem likely to result by reason of the laying out, vacating and supplying a public road beginning at Wilmore, Cambria County, Pa., and extending toward New Germany, county aforesaid to the property owners through which said road passes, respectfully report :

That the report of viewers vacating and supplying a road from Summerhill to Wilmore was filed with your honorable Court, March 7th, 1921, and was confirmed June 7th, 1921, which

That we were duly sworn or affirmed as members of the permanent board of viewers of Cambria County, as shown by the records of the Court; that due public notice of the time and place of meeting of said Viewers was given by publication in the Johnstown Daily Tribune and by hand bills posted upon the premises and served upon the Solicitor of the Board of Supervisors of Summerhill Township, upon each member of said Board of Supervisors and upon the Solicitor of Michael Nemit at least ten days prior to the time of making said view, evidence of which is shown by the copy of said notice hereto attached; that we met

upon the premises according to the notice given on Thursday November third, A. D. 1921 at ten o'clock A. M. There being but one viewer present said view was adjourned and continued to meet on the premises on November 9th, A. D. 1921 at ten o'clock A. M. In pursuance to said adjournment the Viewers met upon the premises on November 9th, A. D. 1921 at ten o'clock A. M. and proceeded with the duties of our appointment; that after viewing said premises and hearing all evidence and testimony, and taking into consideration all matters before us, we estimated and determined the quality, quantity and value of land taken, occupied and injured by said improvements and having due regards to and making just allowances for the damages which have resulted or which may seem likely to result to the owners of said land, we estimated and determined the amount of damages and prepared a schedule thereof. That all parties interested were notified of the time and place of meeting of the viewers, for the purpose of exhibiting said schedule and considering all exceptions and evidence thereto, by personal service of same upon the Solicitor of the Board of Supervisors of Summerhill Township and upon some adult member residing or living on the premises affected by said improvements and by publication in the Johnstown Daily Tribune, at least ten days prior to the time of said meeting, evidence of which is shown by the copies of said notices hereto attached. That we met in accordance with the notice given on the twenty-first day of November A. D. 1921 at 10 o'clock A. M. at the Judges Chambers, 1004 Johnstown Trust Building, Main Street, Johnstown, Pa., where said schedule was exhibited and all exceptions and testimony offered

thereto were heard. That after hearing hearing all exceptions and testimony offered and giving all matter before us due consideration, we are of the opinion that the said property and real estate through which said improvement and road passes has not been damaged, therefore we assess benefits and damages as follows : Michael Nemit, benefits none, damages none.

That we annex hereto and make a part of this report a plot or draft showing the property through which said improvement and public road passes.

Witness our hands and seals this third day of  
December, A. D. 1921.

Adam Shuman

Thos E. Langford

Mahlon J. Baumgardner

Viewers.

In Re Vacation and Supplying  
Public Road leading from Summer-  
hill to Wilmore, Township of  
Summerhill, Cambria County,  
Pa., beginning at Wilmore and  
Extending toward New Germany,  
Re-view and Assess Damages

In the Court of Quarter  
Sessions, Cambria County,  
Penna.  
No. 1. Dec. Sess. 1920.

To MAHLON J. BAUMGARDNER, PHILIP E. CAULFIELD.  
AND ADAM SHUMAN Dr.

To MAHLON J. BAUMGARDNER Dr.

Data and preparing Notices of view	\$7.50	
Stenographer and Stationery	2.00	
Advertising Notices of view	5.00	
Posting and Serving notices of view	7.50	
Mileage	1.50	
Making View	15.00	
Mileage	3.00	
Data and Preparing notices Exhibit Schedle	7.50	
Stenographer and Stationery	1.50	
Advertising notices of Exhibit Schedule	2.75	
Data & preparing Schedule of Damages	7.50	
Stenographer and Stationery	1.00	
Exhibit of Schedule ----	7.50	
Data and Preparing Report	7.50	
Stenographer and Stationery	2.50	
Data and Preparing notice of filing Viewers Report	7.50	
Advertising notice of filing Viewers Report	2.25	
Order to viewants	0.90	
3 linen prints	3.00	\$92.90

DEC 9 - 1924 CERTIFIED

DEC 9 - 1921 CERTIFIED

To PHILIP E. CAULFIELD, Dr.

Making view	\$7.50	
Mileage	1.50	
Exhibit of Schedule	7.50	\$16.50

DEC 9 - 1921 CERTIFIED

To ADAM SHUMAN, Dr.

Making view	\$15.00	
Mileage	3.80	
Exhibit of Schedule	7.50	
Mileage	2.00	\$28.30

APPROVED FOR PAYMENT  
*[Signature]*  
COMMISSIONER

\$137.60

In re vacating and supplying  
public road Wilmore to Summerhill,  
Township of Summerhill, Cambria County, Pa.  
beginning at Wilmore and extending toward New Germany.  
Re-view and assess damages

In Court of Quarter Sessions  
of Cambria County, Pa.

No. 1. Dec. Sess. 1920.

NOTICE OF FILING VIEWERS REPORT

We the undersigned Viewers appointed by the above Court to report on the above petition have this fifth day of December A. D. 1921 filed our report in the above Court. Said report shows No benefits , no damages to Michael Nemit. Unless exceptions thereto are filed within thirty days from the date of filing said report, same may be confirmed absolutely.

ADAM SHUMAN,

PHILIP E. CAULFIELD,

MAHLON J. BAUMGARDNER.

Viewers.

In re Vacating and Supplying  
Public Road leading from  
Summerhill to Wilmore, Township  
of Summerhill, County of  
Cambria, Penna.

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 1. December <sup>1</sup>/<sub>2</sub> Sess. 1921.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to view the property of Michael Neait of the above premises and determine and estimate the damages that have resulted or that may seem likely to result by reason of the proposed vacation and supplying of a public road leading from Summerhill to Wilmore Township of Summerhill, Cambria County, Pa., as affecting the property of Michael Neait will meet on the premises Thursday, November third, A. D. 1921 at ten o'clock, A. M. for the purpose of performing the duties of our appointment.

ADAM SHUMAN,

PHILIP L. CAUFFVILLE,

HAMILTON J. BAUMGARDNER.

Viewers.

In re Vacating and Supplying  
Public Road leading from  
Summerhill to Wilmore, Township  
of Summerhill, County of  
Cambria, Penna.

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

No. 1. December Sess. 1921.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to view the property of Michael Nemit of the above premises and determine and estimate the damages that have resulted or that may seem likely to result by reason of the proposed vacation and supplying of a public road leading from Summerhill to Wilmore Township of Summerhill, Cambria County, Pa., as affecting the property of Michael Nemit will meet on the premises Thursday, November third, A. D. 1921 at ten o'clock, A. M. for the purpose of performing the duties of our appointment.

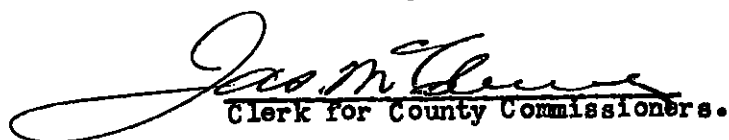
ADAM SHUMAN,

PHILIP E. CAUFFIELD,

MAHLON J. BAUMGARDNER,

Viewers.

Now, October 21, 1921, service of within notice accepted.

  
Clerk for County Commissioners.

In re Vacating and Supplying  
Public Road leading from  
Summerhill to Wilmore, Township  
of Summerhill, County of  
Cambria, Penna.

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 1. December Sess. 1921.

NOTICE TO VIEW

We the undersigned Viewers appointed by the above Court to view the property of Michael Nemit of the above premises and determine and estimate the damages that have resulted or that may seem likely to result by reason of the proposed vacation and supplying<sup>n</sup> of a public road leading from Summerhill to Wilmore, Township of Summerhill, Cambria County, Penna., as affecting the property of Michael Nemit will meet on the premises Thursday November third, A. D. 1921 at ten o'clock, A. M. for the purpose of performing the duties of our appointment..

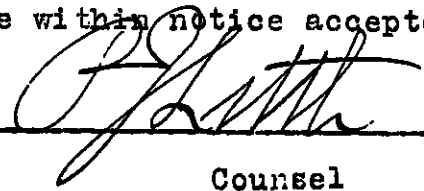
ADAM SHUMAN,

PHILIP E. CAUFFIELD,

MAHLON J. BAUMGARDNER,

Viewers.

Now, October 21, 1921 service of the within notice accepted  
as Counsel for Mr. Michael Nemit.

  
Counsel

Just above

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VIEWERS NOTICE :- In re Vacating and Supplying Public Road leading from Summerhill to Wilmore, Township of Summerhill, Cambria County, Pa. In the Court of Common Pleas of Cambria County, Pa. Number 1, December term, 1921.

NOTICE OF EXHIBIT OF SCHEDULE.

We, the undersigned Viewers, appointed by the above Court to view the premises have estimated and determined the damages that have resulted or that seem likely to result by reason of the proposed vacation and supplying of a public road leading from Summerhill to Wilmore, Summerhill Township, Cambria County, Pa. as affecting the property of Michael Nemit will meet at the Judges Chambers, 1004 Johnstown Trust Bldg., Main Street, Johnstown, Pa., on the 21st day of November, A. D. 1921 at 10 o'clock A. M. at which time a schedule of damages will be exhibited and all exceptions thereto and evidence will be heard.

ADAM SHUMAN,

PHILIP E. CAUFFIELD,

MAHLON J. BAUMGARDNER,

Viewers.

November 9th, 1921.

Now, November 11, 1921, service of the within notice is accepted as Counsel for Michael Nemit.

  
Counsel.

Ergebnis 7. Beobachtung

In re Vacating and Supplying  
Public Road leading from  
Summerhill to Wilmore, Township  
of Summerhill, County of  
Cambria, Penna.

In the Court of Quarter Sessions  
of Cambria County, Penna.  
No. 1. December Sess. 1921.

N O T I C E T O V I E W

We, the undersigned Viewers appointed by the above Court to view the property of Michael Nemit of the above premises and determine and estimate the damages that have resulted or that may seem likely to result by reason of the proposed vacation and supplying of a public road leading from Summerhill to Wilmore Township of Summerhill, Cambria County, Pa., as affecting the property of Michael Nemit will meet on the premises Thursday, November third, A. D. 1921 at ten o'clock, A. M. for the purpose of performing the duties of our appointment.

ADAM SHUMAN,

PHILIP E. CAUFFIELD,

MAHLON J. BAUMGARDNER,

Viewers.

October 24, 1921, I hereby accept service of the above notice.

  
\_\_\_\_\_  
Attorney for Supervisors of  
Summerhill Township.



- D E C R E E -

And now, to wit, September 12th, 1921, the foregoing petition having been read and considered, the court do appoint Adam Shuman, Philip Cauffield, Mahlon J. Baumgardner viewers to view the premises in the foregoing petition and assess damages, if any, to Michael Nemit caused by vacating and supplying said road.

BY THE COURT.

Attest: Frank C. Robt.  
Clerk Q. S.

*P. J. Smith. Rev. Palestine*

1 December Sessions 1920.

Order for Re-view to  
assess damages on road  
~~in~~ Summerhill Township,  
beginning at Wilmore and  
extending toward New Germany.

.....  
Clerk Robb.....90cts

MADE IN PITTSBURGH BY WM. G. JOHNSTON CO

VIA LRS NOTICE :- In re Vacating and Supplying Public Road leading from Summerhill to Wilmore, Township of Summerhill, Cambria County, Pa. In the Court of Common Pleas of Cambria County, Pa. Number 1, December term, 1921.

**NOTICE OF EXHIBIT OF SCHEDULE.**

We, the undersigned Viewers, appointed by the above Court to view the premises have estimated and determined the damages that have resulted or that seem likely to result by reason of the proposed vacation and supplying of a public road leading from Summerhill to Wilmore, Summerhill Township, Cambria County, Pa. as affecting the property of Michael Smith with care of the Judges Chambers, 1004 Johnstown Street Bldg., Main Street, Johnstown, Pa., on the 21st day of November, A. D. 1921 at 10 o'clock A. M. at which time a schedule of damages will be exhibited and all objections thereto and evidence will be heard.

ADAM SHUMAN,

PHILIP B. CAMPFIELD,

MARIAM J. BARNGARDNER,

Viewers.

November 9th, 1921.

And now November tenth, 1921, I accept service of the within notice as Counsel for the Supervisors of Summerhill Township, Cambria County, Pa.

  
Solicitor.

Schedule

**VIEWERS' NOTICE**—In re vacating and supplying public road leading from Summerhill to Wilmore, Township of Summerhill, County of Cambria, Penna. In the Court of Quarter Sessions of Cambria County, Pennsylvania. No. 1, December Session, 1921.

**NOTICE TO VIEW.**

We, the undersigned Viewers, appointed by the above Court to view the property of Michael Nemit of the above premises and determine and estimate the damages that have resulted or that may seem likely to result by reason of the proposed vacation and supplying of a public road leading from Summerhill to Wilmore, Township of Summerhill, Cambria County, Pa., as affecting the property of Michael Nemit will meet on the premises Thursday, November 3, A. D. 1921, at 10 o'clock a. m. for the purpose of performing the duties of our appointment.

ADAM SHUMAN,  
PHILIP E. CAULFIELD,  
MAHLON J. BAUMGARDER,  
Viewers.

**VIEWERS' NOTICE**—In re vacating and supplying public road leading from Summerhill to Wilmore, Township of Summerhill, Cambria County, Pa. In the Court of Common Pleas of Cambria County, Pa. No. 1 December Term, 1921.

**NOTICE OF EXHIBIT  
OF SCHEDULE.**

We, the undersigned Viewers, appointed by the above Court to view the premises have estimated and determined the damages that have resulted or that may seem likely to result by reason of the proposed vacation and supplying of public road leading from Summerhill to Wilmore, Summerhill Township, County of Cambria, Pa., as affecting the property of Michael Nemit will meet at the Judges Chambers, 1004 Johnstown Trust Building, Main street, Johnstown, Pa., on the 21st day of November, A. D. 1921, at 10 o'clock a. m., at which time a schedule of damages will be exhibited and all exceptions thereto and evidence will be heard.

ADAM SHUMAN,  
PHILIP E. CAULFIELD,  
MAHLON J. BAUMGARDNER,  
November 9, 1921. Viewers.

In the Court of Quarter Sessions  
Columbia County, Pa

#1 Dec. Sess. 1920

In re Vacation & Supplying  
Public Road leading from  
Summerhill to Wilmore  
Township of Summerhill  
Columbia County, Pa.,  
beginning at Wilmore  
and extending toward  
New Germany.

Review & assess Damages

Report of Viewers

DEC 9 1921 CERTIFIED

Filed 5 Dec. 1921