

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA, NO. A, 5
MARCH SESSIONS, 1925.

IN RE PETITION OF HEIRS OF LENA SCHRADER FOR APPOINTMENT OF VIEWERS
TO ASSESS DAMAGES.

We, the undersigned, being the Commissioners of Cambria County, for
Cambria County, hereby appeal from the award of the viewers as filed on June 1,
1925, in the above entitled proceeding.

John D. Walker
Homer C. George
W. J. Cavanaugh
Commissioners of Cambria
County.

CAMBRIA COUNTY, SS:

John D. Walker, Homer C. George and W. J. Cavanaugh, being duly
sworn according to law, depose and say that they are the Commissioners of
Cambria County and that this appeal is not taken for the purpose of delay, but
because your affiants firmly believe that injustice has been done.

Sworn and subscribed before me
this 26 day of June, 1925.

Frankie L. Poff
clerk.

John D. Walker
Homer C. George
W. J. Cavanaugh

5
No. 4 March Sessions, 1925.
IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA.

IN RE PETITION OF HEIRS OF LENA
SCHRADER FOR APPOINTMENT OF VIEW-
ERS TO ASSESS DAMAGES.

APPEAL

Filed 26 June 1925
10:00 A.M.

L. S. Jones,
Solicitor

R E P O R T O F V I E W E R S .

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 to view and ascertain the damages, if any, sustained by the heirs of Lena Schrader, deceased, situate in Stonycreek Township, Cambria County, Pennsylvania, respectfully report:-

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County, the Supervisors of said township, the petitioners and to the general public by hand bills posted in public and conspicuous places at and near the premises and by publication in the Cambria County Legal Journal and the Johnstown Tribune, as required by the Act of Assembly and the rules of Court.

We met upon the premises, in accord with the notices given, and having carefully viewed the premises we adjourned to a day then fixed to meet at a time and place, of which all parties interested had written notice, to take testimony relative to the matter of our enquiry, when and where the heirs of said Lena Schrader met together with their attorney and witnesses and were heard. Later, in accord with written notice, the viewers again met and exhibited a schedule of benefits and damages.

From viewing the premises and hearing the testimony of the witnesses the viewers found as follows, viz:

That the heirs of said Lana Schrader owned some nineteen acres of land in Stonycreek Township, Cambria Co., Pa., which prior to the recent improvement of the State Highway had fronted several hundred feet along the former improved State Highway and at the Easterly end of said premises had maintained and operated a green-house.

That by reason of the change and alteration of the line of the said highway, except along and near said green-house buildings, said premises have been entirely deprived of their frontage on either the former or the newly improved State Highway, much to their disadvan-

tage and detriment.

That at the Easterly end of said premises said new State Highway has been worked in so close to the green house building as possibly to necessitate a retaining wall under or along the foundation of same to prevent its sinking and slipping out on the highway.

That the damages sustained by said heirs is very considerable.

Accordingly we have determined that the heirs of Lena Schrader have sustained damages in the sum of \$7,044.00, which amount should be paid to Herbert Schrader, Executor and Agnes Schrader, Executrix of the said Lena Schrader, deceased. That they have received no benefits.

A plat or draft is hereto attached showing the location of the new and the former road and the premises affected by the change or alteration in the alignment and grade.

Witness our hands this 26th. day of May, A. D., 1925.

P. E. Dickey
Philip E. Campbell
A. M. Shoemaker

Viewers.

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Herbert Schrader and Agnes Schrader, Executor and Executrix of the last will and testament of Lena Schrader, late of Stonycreek Twp., Cambria Co., Pa., by reason of the relocating, opening and widening of the State Highway, through, along and over the premises of the late Lena Schrader, in said township, county and state:

will meet **ON THE PREMISES** in the Township of Stonycreek aforesaid on the 9th day of May 19 25., at 10:30 o'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

S. E. Dickey and

Philip E. Caulfield,
Viewers.

Ebensburg, Pa., April 22nd, 1925.

Now, April 30, 1925, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

J. S. Kinkaid

clerk.

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Herbert Schrader and Agnes Schrader, Executor and Executrix of the last will and testament of Lena Schrader, late of the Township of Stonycreek, Cambria Co., Pa., by reason of the relocating, opening and widening of the State Highway through, along and over the premises of the late Lena Schrader in said township, county and state:

will meet ON THE PREMISES in the Township of Stonycreek aforesaid on the 9th day of May 1925, at 10:30 o'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

S. E. Dickey and

Philip E. Caulfield,
Viewers.

Ebensburg, Pa. April 22nd., 1925.

Now, April 24 1925, service of the within notice is hereby
accepter for Herbert Schrader and Agnes Schrader, Executor and Execu-
trix of the last will and testament of Lena Schrader, late of Stony-
creek Twp., Cambria Co., Pa.

Mahlon J. Bampton

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Herbert Schrader and Agnes Schrader, Executor and Executrix of the last Will and Testament of Lena Schrader, late of the Township of Stonycreek, Cambria Co., Pa., by reason of the relocating, opening and widening of the State Highway through, along and over the premises of the late Lena Schrader in said township, county and state:

will meet ON THE PREMISES in the Township of Stonycreek aforesaid on the 9th. day May 1925, at 10:30 o'clock A. M., for the purpose of performing the duties of their appointment.

..... A. M. Shoemaker,
 S. E. Dickey and
 Philip E. Caulfield,
 Viewers.

Ebensburg, Pa. April 22nd., 1925.

Placed acceptance on back of each & will mail you copies - G.M.S.

Now, April 1925, service of the within notice is hereby accepted for the Supervisors of the Township of Stonycreek, Cambria County, Pennsylvania.

Howard W. Still.

Director.

N O T I C E .

In re Viewsto assess damages, if any, to Curtis F. Schrader and the Heirs of Lena Schrader, deceased, by reason of the reconstruction and alteration of location of the ~~of-the~~ State Highway, through and over the respective premises, in Stonycreek Twp., Cambria Co., Pa.

The Viewers appointed by the Court in the above referred to cases will sit on May 15th. at 9:30 a. m., 1925, at the Viewers Room in the Nathan Bldg., Franklin St., Johnstown, Pa. to hear such testimony as the parties in interest have to offer; and will sit again at the same place and hour on May ~~30th.~~^{22nd}, 1925, to exhibit a schedule of the awards and damages as shall be fixed by them.

A. M. Shoemaker,

S. E. Dickey and

Philip E. Caulfield,

Viewers.

New Haven 15-1935 of Lundy
except several of the mountain names of White
& Schmitt in amount for Est 1
William Schmitt of for Arthur Schmitt

Walter J. Bannerman
New Haven

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter
Sessions of Cambria County, Pa., to view and determine the damages,
if any, sustained by Herbert Schrader and Agnes Schrader, Execu-
tor and Executrix of the last Will and Testament of Lena Schrader,
late of Stonycreek Twp., Cambria Co., Pa., by reason of the relocat-
ing, opening and widening of the State Highway, through, along and
over the premises of the late Lena Schrader, in said township,
county and state:

will meet C U F H E P E R W I L D H in the
Township of Stonycreek aforesaid
on the 9th. day May 1925, at 10:30 o'clock A.
M., for the purpose of performing the duties of their appointment.

A. E. Shoemaker,
S. E. Dickey and
Philip E. Caulfield,
Viewers.

Shensburg, Pa. April 22nd., 1925.

A search of the records of Cambria
County against the Serra Schradel
Est. discloses no mortgages, judg-
ments or delinquent taxes.

May 28th 1925. A. M. Shoemaker.

S. Heirs.

Costs of View

A. M. Shoemaker

Lifting Order

8 1/2 Days

78 miles

Johnstown Tribune

Cambria Co Legal Journal

CERTIFIED

COUNTY CONTROLLER

90

63.75

3.90

8.50

6.00

\$83.05

P. E. Caulfield

4 Days

14 miles

COUNTY CONTROLLER

\$ 30.00

70

\$30.70

S. E. Dickey

see bill attached

APPROVED FOR PAYMENT

[Signature]
MISSISSIPPI

Cambria County, No. 5, March Session 1925

TO S. E. DICKEY & CO. DR.
CIVIL MINING AND CONSULTING ENGINEERS
809-811 JOHNSTOWN TRUST BLDG.
JOHNSTOWN, PENNA.

NATURE OF WORK

TERMS NET CASH

STATEMENTS RENDERED MONTHLY

Making view	\$	7	50
Mileage			50
Taking Testimony & estimating damages		7	50
Making draft		7	50
Tracing cloth			60
Blue prints			50
Exhibit of schedule		7	50
		\$	31 60

CERTIFIED
Jacob M. Hoffmann
 COUNTY CONTROLLER

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

No. 5 March Sessions, 1925.

In re Petition for the Appointment of Viewers to Assess Damages occasioned by the Improvement of the State Highway in Stonycreek Township, County of Cambria and State of Pennsylvania, as affecting the Property of Lena Schrader Heirs.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Herbert Schrader and Agnes Schrader, Executor and Executor of the Last Will and Testament of Lena Schrader, late of the Township of Stonycreek, County of Cambria and State of Pennsylvania, deceased, respectfully represents:-

First: That they are residents of the Township of Stonycreek, County of Cambria and State of Pennsylvania and that they are the legal representatives of the heirs of Lena Schrader, who at the time of her decease, was seized in fee of certain Real Estate situate in the Township of Stonycreek, County of Cambria and State of Pennsylvania, abutting and being traversed by a public State Highway, more particularly described as follows:-

PURPART NO. 1

All that certain tract or piece of land situate, lying and being partly in the Township of Richland, and in the Township of Stonycreek, County of Cambria and State of Pennsylvania, bounded and described as follows:-

BEGINNING at a post at the edge of the Johnstown and Scalp Level Turnpike; thence by land now or late of John Greveal North $8 \frac{3}{4}^{\circ}$ West 30 perches to post; thence by allotment No. 6 North 80° West 60 perches to a post; thence by Joseph Hoffman's land South 18° West $26 \frac{1}{2}$ perches to a post; thence up said Turnpike South 12° East $18 \frac{1}{2}$ perches to a post; thence South 80° East 35 perches to a post; thence North 79° East 34 perches to the place of beginning. CONTAINING Sixteen (16) Acres and One Hundred Forty-six (146) perches, being known as Allotment Number Five (5).

Excepting and Reserving however, from the land herein described, a piece of land ninety (90) feet wide and Five Hundred (500) feet long, hereto fore sold by said George Schrader to the Congregational Rolef Sholen for a cemetery. Said cemetery tract adjoining the Bedford Pike and St. John Gaulbert Cemetery, the piece herein conveyed containing about fifteen acres and one hundred forty-six perches.

PURPART NO 2.

All that certain tract or piece of land situate, lying and being in the Township of Stonycreek, County of Cambria and State of Pennsylvania, bounded and described as follows:-

BEGINNING at the corner of the Scalp Level and Johnstown Turnpike and Township Road; thence along the Southerly side of said Township Road North 55° 38' East 108.9 feet to line of land formerly of Reuben Griffith; thence South 22° 10' West 180 feet along line of land of William Schrader to the Easterly line of the Johnstown and Scalp Level Turnpike; thence along said Turnpike North 11° 47' West 107.5 feet to corner of Township Road and the place of beginning. Containing One Hundred Twenty-four one thousandths (.124) of an Acre.

Second: That the aforesaid State Highway has within the last year been improved and that by the laying out, opening, widening, changing of location and changing of grade on said road as aforesaid your petitioner has sustained great injury and damage, among other things as follows:-

(a). That said road appropriated a part of said land.

(b). That the said road renders the rest of said land less valuable.

(c) That the said road in the course of its construction necessitated a wide fill causing said land to be greatly less in value.

(d). That a portion of said land is rendered, by reason of said road, less accessible.

(e). That said land is rendered less valuable by reason of the grade being made different than the abutting land and different than the grade of the former road.

(f). That the change from the former public road to the present location greatly damages your petitioner's said land.

(g) That in various other ways the said land is rendered less valuable by reason of the laying out, opening, widening, changing of location, changing of grade and changing and constructing said road.

Third: That the County of Cambria agreed to pay all damages occasioned to the property owners by reason of the laying out and building of said road.

Fourth; That the County of Cambria and your petitioners are unable to agree upon the amount of damages sustained by reason of construction of said road.

Fifth: That no viewers ever passed upon the question of damages done your petitioner in the construction of said Highway.

Your petitioners therefore pray your Honorable Court to appoint three disinterested persons to view the premises and assess the damages occasioned them, by reason of the laying out and construction of a highway over the land above described.

And they will ever pray.

Herbert Schrader

Agnes Schrader

And now, the 13th day of April, A. D. 1925, the within petition having been read and considered A. M. Shoemaker, Esq., S. E. Dickey and Phil Caulfield are appointed Viewers for the purpose within set forth, returnable the first Monday of June, A. D. 1925.

By the Court,

Samuel Lemmon Reed,

P.J.O.C.S.P.

Extract from the Record.

Certified this 13th day

of April, A. D. 1925.

Frankie L. Roth

Clerk Q. S.

No 5 Mar. Decs. 1925.

In re Petition for
Viewers to Assess
Damages of any
to Heirs of Anna
Achrader, Stony-
Creek Twp., Cam-
bria Co., Pa.

Order to View
and
Report of Viewers

Filed June 1 1925
12:00 M.

CERTIFIED

Jacob M. Hoffman

COUNTY CONTROLLER

8 June 1925

Approved
By the Court
E.

In re Petition for the Appointment of Viewers to Assess Damages occasioned by the Improvement of the State Highway in Stonycreek Township County of Cambria and State of Pennsylvania, as affecting the property of Lena Schrader Heirs.

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

No. December Sess. 1924

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of Herbert Scharder and Agnes Schrader, Executor and Executrix of the Last Will and Testament of Lena Schrader, late of the Township of Stonycreek, County of Cambria and State of Pennsylvania, deceased, respectfully represents:-

First: That they are residents of the Township of Stonycreek, County of Cambria and State of Pennsylvania and that they are the legal representatives of the heirs of Lena Schrader, who at the time of her deceased was seized in fee of certain Real Estate situate in the Township of Stonycreek, County of Cambria and State of Pennsylvania, abutting and being traversed by a public State Highway, more particularly described as follows:-

PURPART NO. 1

All that certain tract or piece of land situate, lying and being partly in the Township of Richland, and in the Township of Stonycreek, County of Cambria and State of Pennsylvania, bounded and described as follows:-

BEGINNING at a post at the edge of the Johnstown and Scalp Level Turnpike; thence by land now or late of John Greveal North $8\frac{1}{4}^{\circ}$ West 30 perches to post; thence by allotment No. 6 North 80° West 60 perches to a post; thence by Joseph Hoffman's land South 18° West $26\frac{1}{2}$ perches to a post; thence up said Turnpike South 12° East $18\frac{1}{2}$ perches to a post; thence South 80° East 35 perches to a post; thence North 79° East 34 perches to the place of beginning. CONTAINING Sixteen (16) Acres and One Hundred Forty-six (146) perches, being known as Allotment Number Five (5).

Excepting and Reserving however, from the land herein described, a piece of land ninety (90) feet wide and Five Hundred (500) feet long, heretofore sold by said George Schrader to the Congregation Rolaf Sholen for a cemetery. Said cemetery tract adjoining the Bedford Pike and St John Gaulbert Cemetery, the piece herein conveyed containing about fifteen acres and one hundred forty-six perches.

PURPART NO. "2.

All that certain tract of piece of land situate, lying and being in the Township of Stonycreek, County of Cambria and State of Pennsylvania, bounded and described as follows:-

BEGINNING at the corner of the Scalp Level and Johnstown Turnpike and Township Road; thence along the South-

erly side of said Township Road North 55° 38' East 108.9 feet to line of land formerly of Reuben Griffith; thence South 22° 10' West 180 feet along line of land of William Schrader to the Easterly line of the Johnstown and Scalp Level Turnpike; thence along said Turnpike North 11° 47' West 107.5 feet to corner of Township Road and the place of beginning. Containing One Hundred Twenty-four one-thousandths (1/24) of an Acre.

Second: That the aforesaid State Highway has within the last year been improved and that by the laying out, opening, widening, changing of location and changing of grade of said road as aforesaid your petitioner has sustained great injury and damage, among other things as follows:-

(a). That said road appropriated a part of said land.

(b). That the said road renders the rest of said land less valuable.

(c). That the said road in the course of its construction necessitated a wide fill causing said land to be greatly less in value.

(d). That a portion of said land is rendered, by reason of said road, less accessible.

(e). That said land is rendered less valuable by reason of the grade being made different than the abutting land and different than the grade of the former road.

(f). That the change from the former public road to the present location greatly damages your petitioner's said land.

(g). That in various other ways the said land is rendered less valuable by reason of the laying out, opening, widening, changing of location, changing of grade and changing and constructing said road.

Third: That the County of Cambria agreed to pay all damages occasioned to the property owners by reason of the laying out and building of said road.

DECREE

And now the ^{13th} ~~Second~~ day of ^{April} ~~March~~ A. D. 1925, the within
petition having been read and considered A. M. Sherman Esq.
Ed Dekey AND Phil
Coffey, are appointed Viewers for the purpose within
set forth, returnable the first Monday of June A. D. 1925.

By the Court
James Lawrence Reed
P. J. - C. C. of said day

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNA.
NO. 5 ^{March} ~~December~~ SESS. 1925.

IN RE PETITION FOR THE
APPOINTMENT OF VIEWERS TO
ASSESS DAMAGES OCCASIONED
BY THE IMPROVEMENT OF THE
STATE HIGHWAY IN STONY-
CREEK TOWNSHIP, CAMBRIA
COUNTY, PENNA. AS AFFECT-
ING THE PROPERTY OF THE
HEIRS OF LENA SCHRADER,
LATE OF STONYCREEK TOWNSHIP
DECEASED.

PETITION FOR VIEWERS.

Decree inside.

Filed 13 April 1925
11:00 A. M.

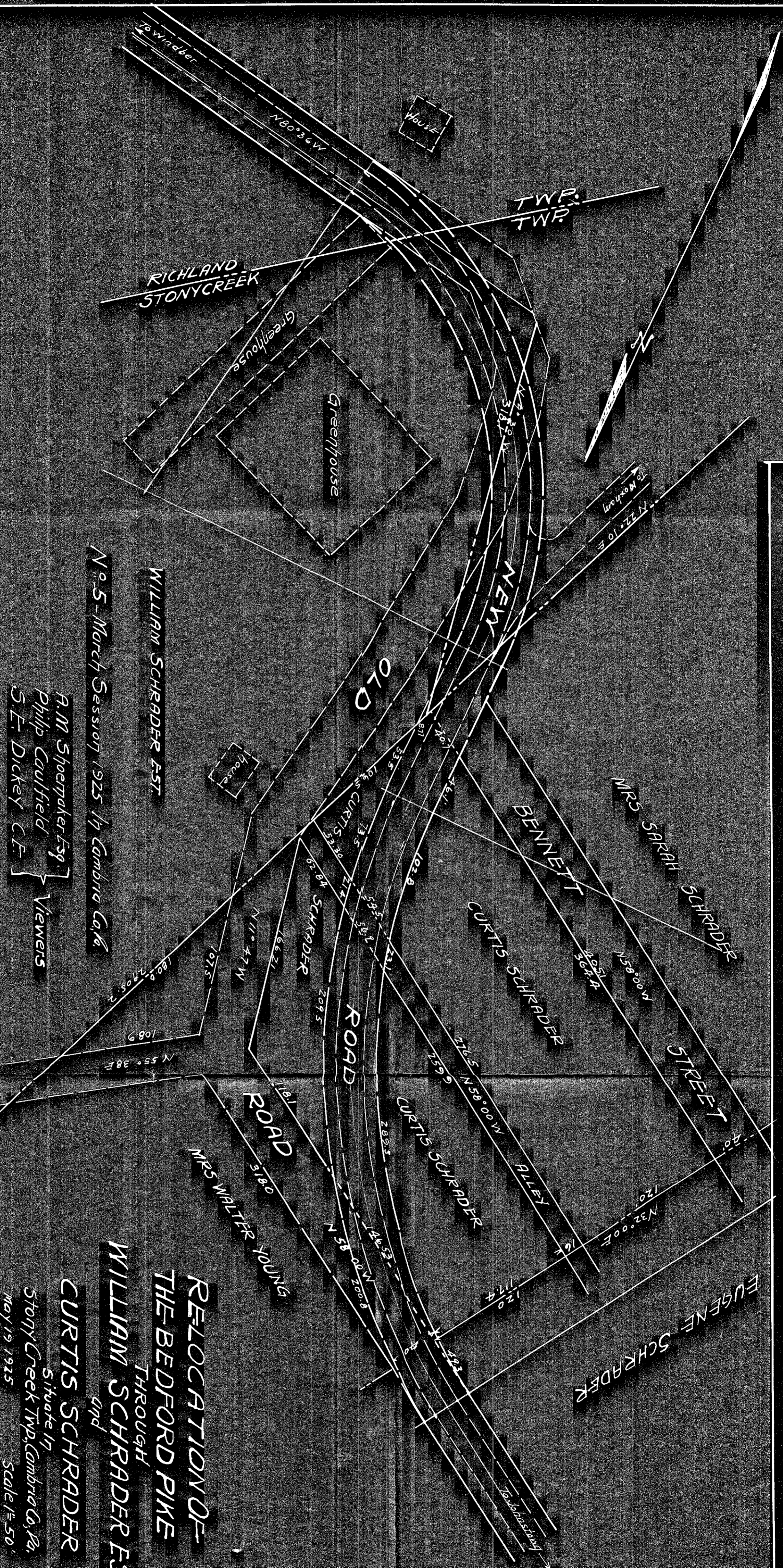
MAHLON J. BAUMGARDNER
ATTORNEY AT LAW
JOHNSTOWN, PENNA.
SWANK BLDG.

142

Not. Meciofilmel

No. 5 March Dec. 1924

R.O. # 5 Mar. 1925



No. 5 - March Session 1925 by Cambria Co. Pa.
 WILLIAM SCHRADER EST.
 A.M. Shoemaker Esq.
 Philip Gaulfield
 S.E. Dickey C.E. } Viewers

**RELOCATION OF
 THE BEDFORD PIKE
 THROUGH
 WILLIAM SCHRADER EST.
 and
 CURTIS SCHRADER**
 Situate in
 Stony Creek Twp., Cambria Co., Pa.
 May 19 1925
 Scale 1" = 50'