

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 permanent board of viewers of Cambria County, Pa., appointed by your honorable Court and upon the attached order directed to view and determine as to the necessity for vacating and supplying a certain piece of public road in White Township, said county and state, which has been laid out but not yet opened: Said piece of road extending from a point on the St. Lawrence road near its juncture with the Ebensburg - Philipsburg road, which point is at the juncture of the new road leading from Frugality, and extending to the portion of said road, which is already opened, on the James Noel farm a short distance Northward from his residence.

Said piece of road and the terminal points thereof being more particularly described in the attached order of Court and also in the report of viewers entered to No. 2. March Sessions, 1924.

The viewers having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County, and the Supervisors of the Township of White and having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted at and near the termini of the piece of road to be viewed: All of us met in accord with the notices so given and posted and having gone over and carefully viewed the premises, noting particularly the location of the former road, as laid out, and the proposed location for the new piece of road as suggested by the petitioners and are all of the opinion that the prayer of the petitioners should be granted, that there is occasion and necessity for the change in the location of the new piece of road which has not yet been opened; for the following reasons, viz:

That by adopting the new location the piece of road will be more direct, will be on higher ground, a more uniform grade and the ultimate expense of constructing same will in our estimation be somewhat less to the township and the detriment to the owners of the properties through and over which it is laid out only slightly greater than if the piece of road herein recommended to be vacated had been opened. When the road was originally viewed in 1924, owing to the

very severe weather and the vast amount of snow on the ground at the time both the viewers and the petitioners were somewhat misguided as to the exact situation which a more careful examination under more favorable circumstances has revealed.

The piece of road as laid out and not yet opened and herein recommended to be vacated as well as the line of the new portion of road herein recommended to be supplied instead of that vacated is shown on the plot or draft hereto attached and made a part of this report.

Said recommended new piece of road beginning on the St. Lawrence road at the point specified in the petition and the attached order of the Court and definitely located on said attached draft extends thence South 63° West 1583 feet, South 62° 15' West 308 feet, South 61° 40' West 727 feet and South 61° West 445 feet to the old Ebensburg - Philipsburg Pike thence along said old Pike South 63° West to the termini of the piece of road proposed to be vacated and the piece of road recommended to be vacated from the Northerly to the Southerly termini takes the se courses and distances, viz: South 57° West 90 feet, South 60° West 326 feet, South 62° West 560 feet, South 61° West 248 feet, South 69° 30' West 264 feet, South 63° West 242 feet, South 59° West 254 feet, South 50° 15' West 138 feet, South 47° West 172 feet, South 52° 30' West, 178 feet, South 59° 30' West 335 feet and South 52° West 285 feet to the Southerly terminii on the aforementioned pike. Owing to necessary cuts and fills in constructing new road we recommend the width be fixed at fifty feet instead of forty.

Having failed to obtain releases of damages from the owners of the Disheart Estate and from James Noel, through and over whose lands the new road in question has been laid out we have assessed the damages to the Disheart Estate at Six Hundred Fifty Dollars and to James Noel at Seventy Five Dollars.

Witness our hands this 7th. day of March, A. D., 1928.

A. M. Shoemaker.

J. B. Ritter

Adam Shuman

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 as to the
propriety of vacating and supplying a certain piece of public road
in White Township, said county and state, -which has been laid out but
not yet opened. Said piece of road desired vacated and supplied
being that part of the public road; viewed and reported upon in the
report of viewers entered to No. 2. March Sessions, 1924; which has
not yet been opened:

Beginning on the St. Lawrence road, at a point near its juncture
with the Ebensburg-Phillipsburg Pike; in said township; approximately
588 feet from said juncture and where the new road from Frugality
meets said St. Lawrence road (on the Disheart farm), and ending at
the Northerly termini of that part of the new road; described in the
above mentioned report of viewers; which has already been opened.

will meet _____ at the point of beginning, above noted, _____ in the
_____ Township _____ of _____ White _____ aforesaid
on the _____ 7th. _____ day _____ March _____ 19 28, at _____ 11:30 o'clock _____ A.
M., for the purpose of performing the duties of their appointment.

_____ A. M. Shoemaker,

_____ J. D. Ritter and _____

_____ Adam Shuman,

Viewers.

Ebensburg, Pa., 2/24/'28.

Now, March 1928, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

George E. Kerby
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 as to the propriety of vacating and supplying a certain piece of public road in White Township, said county and state, - which has been laid out but not yet opened. Said piece of road desired vacated and supplied being that part of the public road; viewed and reported upon in the report of viewers entered to No. 2. March Sessions, 1924; which has not yet been opened:

Beginning on the St. Lawrence Road, at a point near its juncture with the Ebensburg - Philipsburg Pike; in said township; approximately 588 feet from said juncture and where the new road from Frugality meets said St. Lawrence road (on the Disheart farm), and ending at the Northerly terminus of that part of the new road; described in the above mentioned report of viewers; which has already been opened.

will meet at the point of beginning, above noted, in the Township of White aforesaid on the 7th. day March 19 28, at 11:30 o'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Ebensburg, Pa., 2/24/'28.

Now, March 1928, service of the within notice is hereby
accepted by the undersigned Supervisors of the Township of White,
Cambria County, Pennsylvania.

H. A. ...
B. J. ...

Supervisors.

Cost of View

A. M. Shoemaker

Preparing, serving & posting notices of view & notifying viewers —	\$30.00
Making survey, plotting, drafting estimating help & two prints —	\$7.75
Making view —	12.00
192 miles (three trips) @ 10¢ per mile	19.20
Conference of viewers —	6.00
Preparing, having assembled and filing reports	24.00
	<u>\$168.95</u>

J. D. Bitter

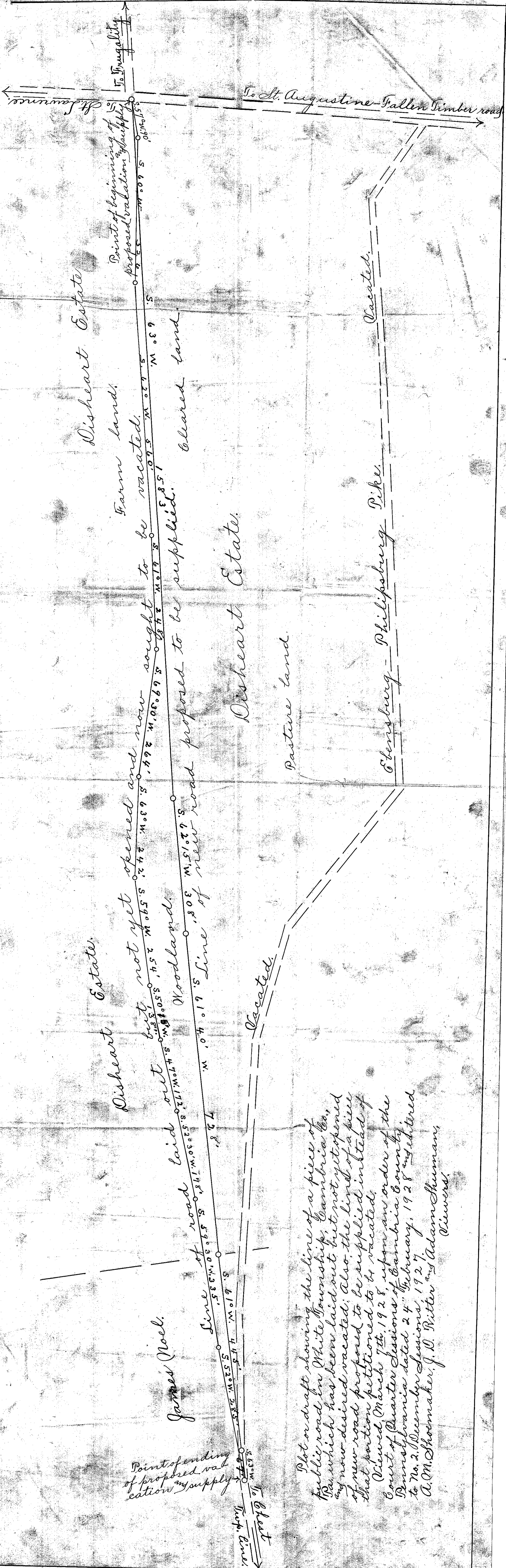
2 1/2 days @ 1200	\$30.00
228 miles (3 trips)	22.80
	<u>\$52.80</u>

Adam Shuman

2 1/2 days	30.00
152 miles	15.20
	<u>\$45.20</u>

CERTIFIED
George L. Cannon
 COUNTY CONTROLLER

APPROVED FOR PAYMENT
Walter O. Hargis
 COMMISSIONER



Disheart Estate

Farm land.

Point of beginning of proposed valuation & supply To Irregularity

not yet opened and now sought to be supplied.

Cleared land.

Disheart Estate.

Pasture land.

Vacated.

Philipburg Pike.

Disheart Estate.

not yet opened and now sought to be supplied.

Woodland.

laid out

Vacated.

James Noel.

Point of ending of proposed valuation and supply To Fleet Tramp. line

Plot or draft showing the line of a piece of public road in White Township, Cambria Co., Pa. which has been laid out but not yet opened and now desired vacated; Also, the line of a piece of new road proposed to be supplied instead of that portion petitioned to be vacated. Viewed, March 7th, 1928, upon an order of the Court of Quarter Sessions of Cambria County Pennsylvania dated 24th February, 1928 and entered to No. 2, December Sessions 1927. A. M. Shoemaker, J. D. Ritter and Adam Shuman, Viewers.

NO. 2, December SESSIONS, 1927

Order to view vacate and supply

Road in White Township

Filed & March 1928

A. M. Shoemaker

Adam Shuman

J. D. Ritter

Viewers

Clerk

CERTIFIED

50X2.

George P. Brown

COUNTY COM'ROLLER

12 March 1928 Approved and breadth fixed at fifty feet.

By the Court
Erwin P.

11 June 1928 Confirmed absolutely
Frank C. Robb, Clerk.

50 feet

breadth to be fixed
at 80 ft.

106

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."

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 24th day of February A. D. 1928, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of White, in the said County, setting forth ~~that they labor under incon-~~
~~venience for want of a~~ ~~road or driveway to lead from~~

~~that a public road was laid out in White Township, Cambria County, Pennsylvania, from a point on the St. Lawrence Road about 588 feet from the Ebensburg and Phillipsburg Pike to the line between White Township and Chest Township in Cambria County, as will appear from proceedings of record in No. 2. March Sessions 1924 of the Court of Quarter Sessions of Cambria County. That a part of said road nearest said township has been opened for a distance of about 1249 feet but the other portion of said road has not yet been opened.~~

~~That the portion of said road extending from a point on the St. Lawrence Road near the Ebensburg and Phillipsburg Pike intersect-
inn, which point is at the juncture of the new road leading from
Frugality to the St. Lawrence Road, and extending a distance of about
4300 feet to the portion of said road which has already been opened,
will be inconvenient, impracticable and burdensome, as laid out, by
reason of numerous steep grades and the said road will be very much
improved by a change of its route between said points.~~

~~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~~

~~A. M. Shoemaker~~

~~surveyor, and~~

~~Adam Shuman and J. D. Ritter~~

~~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. Roth

Clerk.

In the Court of Quarter
Sessions of Cambria County.

No. March Sess., 1928.

IN RE.
PETITION FOR APPOINTMENT
OF VIEWERS TO VACATE AND
SUPPLY ROAD IN WHITE TOWN-
SHIP, CAMBRIA COUNTY.

B O N D

ORDER
NOW, *Feb. 24th*, 1928,
the within Bond is approved
and directed to be filed.

*By the Court
Evan P.*

IVAN J. MCKENRICK
LAWYER
EBENSBURG, CAMBRIA COUNTY, PA.
MCKENRICK BLDG.

IN RE: PETITION FOR APPOINTMENT OF VIEWERS TO VACATE AND SUPPLY ROAD IN WHITE TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA.

B O N D.

KNOW ALL MEN BY THESE PRESENTS, that Geo. M. Gates, M. W. Nedimyer, M. J. Noel and B. J. Noonan, all of Cambria County, Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of One Hundred (\$100.00) Dollars, lawful money of the United States, to be paid to the said Commonwealth, her certain attorney or assigns, to which payment well and truly to be made and done, we do bind ourselves, our heirs, administrators and executors, jointly and severally firmly by these presents.

Sealed with our seals, and dated the 20th day of February 1928.

The condition of this obligation is such that whereas, a petition has been presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, to No. March Sessions 1928, praying for the appointment of Viewers to view the premises and vacate and supply a certain road in White Township; now if the above bounden Geo. M. Gates, M.W. Nedimyer, M. J. Noel and B. J. Noonan,

or any of them shall pay or cause to be paid, such costs as the Court of Quarter Sessions of Cambria County may order and decree on account of the said petition and view, then this obligation to be void; otherwise to be and remain in full force and effect.

Geo M Gates (SEAL)
M. W. Nedimyer (SEAL)
M. J. Noel (SEAL)
B. J. Noonan (SEAL)

Witness: H. B. Boul

State of Pennsylvania
County of Cambria

SS: Before me, the undersigned authority, personally came B. J. Noonan, one of the above named sureties who being by me duly sworn according to law, deposes and says that the said sureties are owners of real estate worth the penalty of the foregoing bond over and above their just debts, liabilities and all legal exemptions.

Sworn to and subscribed before me this 20 day of February 1928.
Frank C. Rott

B. J. Noonan

blk.

No. 2, December Session 1927

In the Court of Quarter Sessions of Cambria County.

No. ~~March Sess. 1928.~~

1927

PETITION FOR APPOINTMENT OF VIEWERS TO VACATE AND SUPPLY ROAD IN WHITE TOWNSHIP, CAMBRIA COUNTY.

H. B. Noel

Fallen Timber

Filed 24 Feb/1928,

ORDER.

NOW, Feb. 24th 1928, the within petition presented to the Court and upon due consideration the Court appoint Adam Shuman

Adam Shuman
& J. D. Keller

viewers to view the premises and make report to the Court according to law.

By the Court
Ivan J. McKenrick
Clerk

IVAN J. MCKENRICK
LAWYER
EBENSBURG, CAMBRIA COUNTY, PA.
MCKENRICK BLDG.

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

PETITION FOR APPOINTMENT OF
VIEWERS TO VACATE AND SUPPLY
ROAD IN WHITE TOWNSHIP

NO. MARCH SESSIONS
1928.

TO THE HONORABLE THE JUDGES OF THE COURT OF QUARTER SESSIONS:

The Petition of the undersigned inhabitants of White Township, Cambria County, Pennsylvania, respectfully represents:

That a public road was laid out in White Township, Cambria County, Pennsylvania, from a point on the St. Lawrence Road about 588 feet from the Ebensburg and Philipsburg Pike to the line between White Township and Chest Township in Cambria County, as will appear from proceedings of record in No. 2 March Sessions 1924 of the Court of Quarter Sessions of Cambria County. That a part of said road nearest said township line has been opened for a distance of about 1249 feet but the other portion of said road has not yet been opened.

That the portion of said road extending from a point on the St. Lawrence Road near the Ebensburg and Philipsburg Pike intersection, which point is at the juncture of the new road leading from Frugality to the St. Lawrence road, and extending a distance of about 4300 feet to the portion of said road which has already been opened, will be inconvenient, impracticable and burdensome, as laid out, by reason of numerous steep grades and the said road will be very much improved by a change of its route between said points.

Your petitioners, therefore, pray the Court to appoint qualified persons to view the premises and vacate the unopened portion of said road, in whole or in part, as they may determine, and supply the whole or part of a new road between said points as directed by the Act of Assembly, in such cases made and provided. And your Petitioners will ever pray, etc.

STATE OF PENNSYLVANIA

COUNTY OF CAMBRIA

SS:

B. J. Noonan being duly sworn according to law, deposes and says that the matter set forth

in the foregoing Petition, are true to the best of his knowledge, information and belief.

B. J. Noonan

Sworn to and subscribed before me
this 20 day of July
1928.

Frank C. Robb

My commission expires

to be

H B Noel Supr.
B. J. Noonan, Sps
Minnie Noel
John E. Pines
M. W. Redinger
Blair Gates
Thos W. Fletcher
Thomas Pletcher, Jr.
Earl Bollinger
O. Lewis to K. Hall
Hannah Briel
Bertha Redinger
Bernard Kingston
L. F. Buel
Phillip Evans
Benj. L. Lake
Ralph Gates
J. W. Gates
Edwon Gates
Walter Evans
Jos. K. Hollen

Calvin Gates
J. C. Semelberger
Levi Gates
Philip Kutruff
Ambrose Hamilton
Leonard Kutruff
H. W. Gates
Polphus Glass
Ralph Gates
L. H. Brownson
Silvest. K. L. L.
Matt. Shomo
W. B. Dorris
David Richards
M. J. Noel
P. B. Noel
Victor Vandegon
C. M. M. M.
Isaiah Kessler
Carrie Noel
Bertrude Noel

