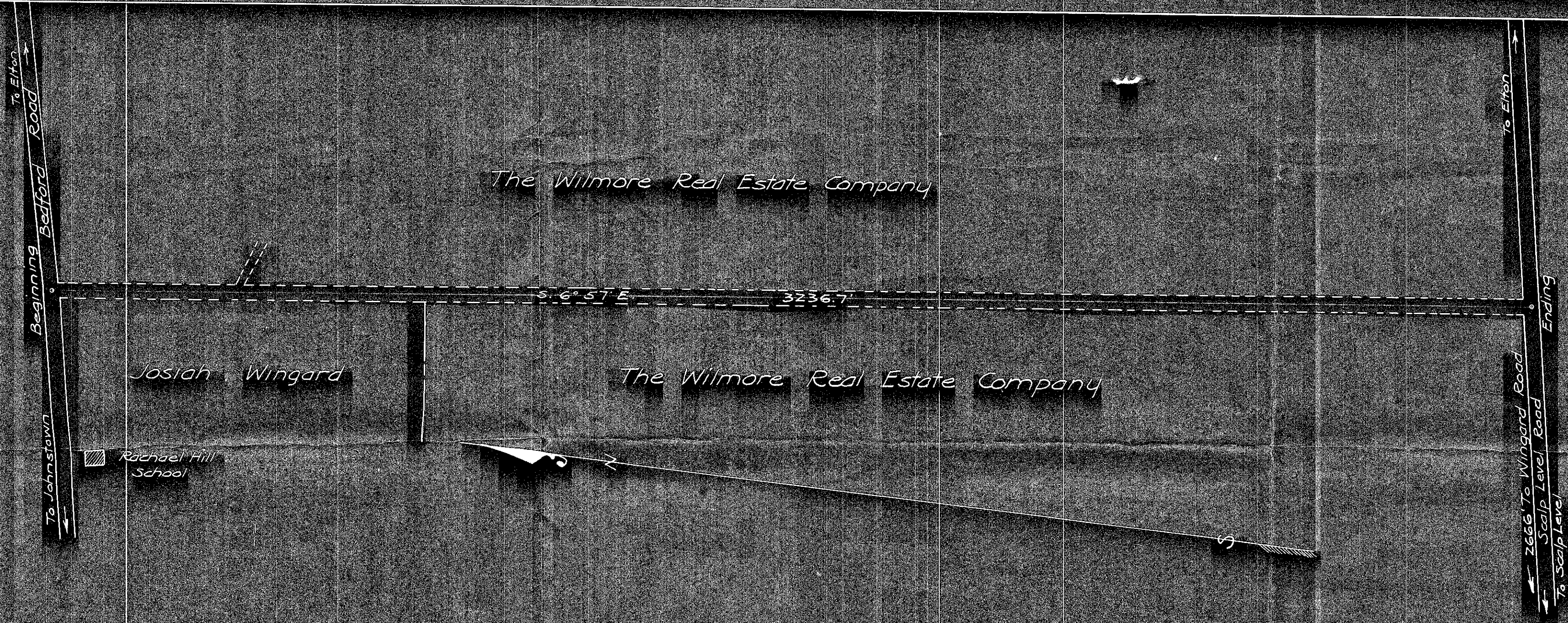


Box # 3 June 1929
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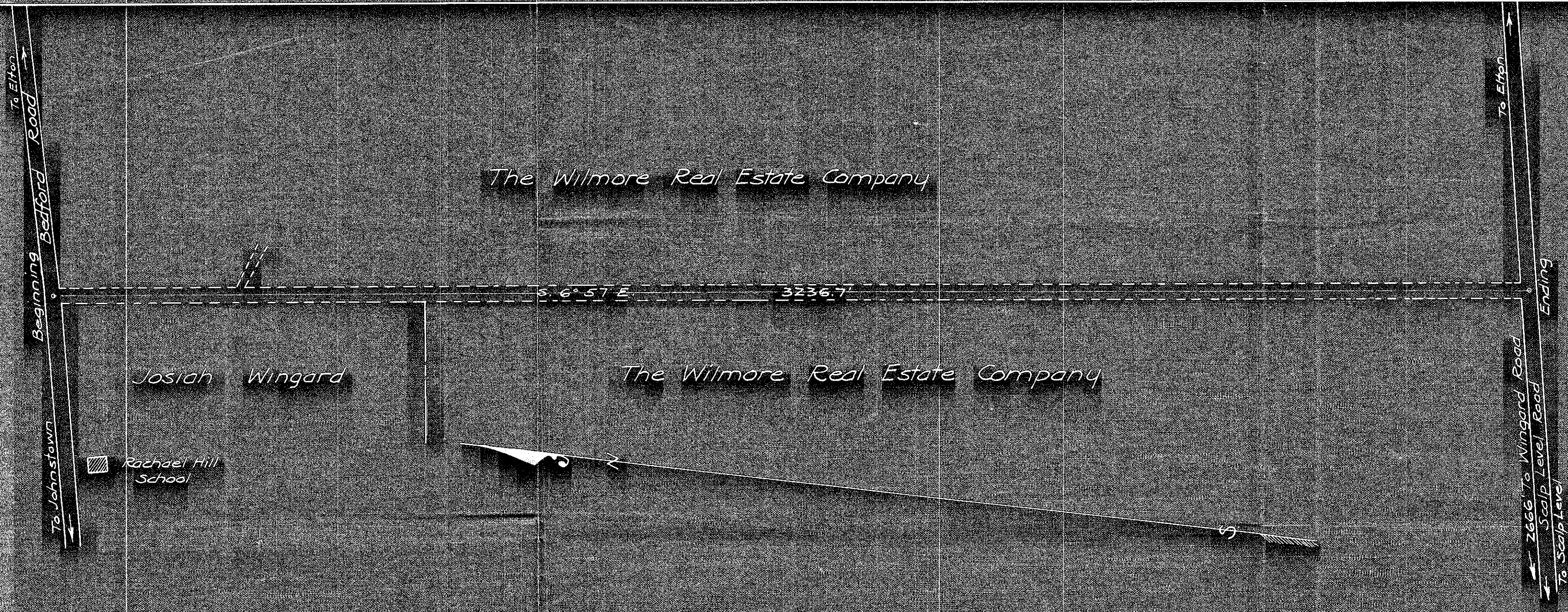


No. 3 - June Sessions 1929.
 Philip E. Gaultfield
 Dixon Tomb
 S. E. Dickey
 Viewers

VIEW OF
 ROAD TO BE VACATED
 SITUATE IN
 RICHLAND TWP, CAMBRIA CO, PA
 SCALE 1"=200' - S. E. DICKEY & Co. - AUG 7, 1929.
 CIVIL AND MINING ENGINEERS
 JOHNSTOWN, -PA.

Ed #3 June 1929

Not Microfilmed



No. 3 - June Sessions 1929.
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Box # 3 June 1929
Nat Mcimpbell

L. W. R. Est

801

801

In re: Vacating old road
in Richland Township, Cambria
County, Pa.,

In the Court of quarter Sessions
of Cambria County, Penna.
No. 3, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of Public Road in Richland Township, Cambria County, Pa., beginning at a point in the Brick Road, a public highway, leading from Getstown to Elton and known as the Bedford Road, said point being approximately 400 feet east of the Rachael Hill School house and ending in a public road leading from the aforesaid Brick Road to the Scalp Level Road, at a point 2666 feet east of the intersection of a public road known as the Wingard Road, said portion of highway to be vacated being known as the Yoder Road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 9:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY,
PHILIP E. CAUTERFIELD
DIXON TOMB

Aug. 6, 1929

Viewers

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 3 *June* SESSIONS, 1929.

IN RE VACATING PUBLIC ROAD IN
RICHLAND TOWNSHIP, LEADING FROM
BEDFORD ROAD, FIVE RODS MORE OR
LESS EAST OF RACHAEL HILL SCHOOL
HOUSE, AND ENDING AT A POINT ON
ROAD LEADING FROM ELTON TO SCALP
LEVEL, SAID ROAD BEING KNOWN AS
THE SCALP LEVEL ROAD, AND DIVIDING
LINE BEING LAND OF PETER WINGARD
AND D. S. YODER.

PETITION TO VACATE PUBLIC ROAD.

Filed 24 July 1929

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

STATE OF PENNSYLVANIA:
: SS:
COUNTY OF CAMBRIA :

Justice of the Peace
Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County, A. S. Nowell, Alex Weaver and F. H. Berkey, who having first been duly sworn according to law, do depose and say that they are each respectively duly elected, qualified and acting Supervisors of the Township of Richland, and that the facts as set forth in the foregoing petition are true and correct.

A. S. Nowell

Alex Weaver

F. H. Berkey

Sworn to and subscribed
before me this 27 day
of June, A. D. 1929.

Algie Baumgardner
Justice of the Peace
BY COMMISSION EXPIRES
FIRST MONDAY IN JANUARY 1930

DE C R E E

AND NOW, this *27th* day of *July* A. D. 1929, the within petition read and considered, the court does appoint and *S. E. Dickey* and *Philip E. Caulfield* Viewers, to view the said road in said petition prayed to be vacated, and to consider and judge whether the said road has become useless, inconvenient and burdensome.

By the Court

M

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge, 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. 3, JUNE SESSIONS, 1929

Order to view and vacate road

in Richland Township

Filed 21 Sept. 1929

Viewers

S. E. Dickey

Philip Caulfield

Dixon Tomb

Clerk Robb

5036

CERTIFIED

Henry L. Leonard
COUNTY CONTROLLER

9 Sept. 1929 Approved
By the Court
Evans J.

9 Dec. 1929 Confirmed absolutely
Frank L. Robb
Clerk

In re: Vacating Road in
Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, June Session, 1929

REPORT OF VIEWERS

To the Honorable, the Judges of the above mentioned Court. We the undersigned Viewers appointed by the attached order of the above Court to view the road within mentioned, respectfully report.

That we have been duly sworn or affirmed as members of the permanent Board of Viewers of Cambria County as shown by the records of the Court; that having given due public notice of the said view and of the time and place of meeting by posting notices as required by law along the route and at the termini of said road to be vacated and by service of such notice on the Commissioners of Cambria County and the Supervisors and Counsel of Richland Township, acceptance of said notices of the Commissioners and Supervisions and Counsel being hereto attached; that we met in accordance with the notice given on the 20th day of August, A. D. 1929 at 9:00 o'clock A. M. (Eastern Standard Time) and proceeded with the duties of our appointment and viewed the premises and route of the proposed road to be vacated; that the Supervisors and several persons were present and heard; that a large number of persons have protested against the closing of said road and have filed a petition protesting against said vacation, which is hereto attached, on account of same being a rural mail delivery route and a road used extensively by school children.

That after viewing the premises and the surrounding territory, we find that the road is convenient and that the closing thereof would be a hardship to a large number of tax payers whose children attend the Rachael Hill School.

A plot or draft hereto attached shows the improvements

and the Owners of the adjacent property along the route of said section of road proposed to be vacated.

After due consideration of all matters before us, we are of the opinion that the portion of the road proposed to be vacated is convenient and not burdensome, therefore, we recommend that the prayer of the Petitioners be not granted.

Witness our hands this 28 day of August A. D. 1929.

S. E. Dickey
Chas. E. Langford
Dixon Tomb

Viewers

In re: Vacating Road in
Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, June Session, 1929

To S. E. DICKEY, PHILIP CAULFIELD AND DIXON TOMB Dr.

To S. E. DICKEY Dr.

Lifting Order	\$.90	
Data & preparing notices of view	12.00	
Stenographer & stationery	1.70	
Serving & posting notices & data on location	12.00	
Mileage	.75	
Making view	12.00	
Mileage	.75	
Data and making survey	12.00	
Mileage	2.25	
Preparing draft	12.00	
Tracing cloth & blue prints	1.40	
Preparing report	12.00	
Stenographer & stationery	<u>1.75</u>	\$ 81.50

To PHILIP CAULFIELD Dr.

Making view	\$ 12.00	
Mileage	<u>.75</u>	\$ 12.75

To DIXON TOMB Dr.

Making view	\$ 12.00	
Mileage	<u>.75</u>	\$ 12.75

Total cost of view \$ 107.00

CERTIFIED
George L. Brown
COUNTY CONTROLLER

APPROVED FOR PAYMENT

George L. Brown
COMMISSIONERS

In re: Vacating old road
in Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
of Cambria County, Pa.,
No. 3, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of Public Road in Richland Township, Cambria County, Pa., beginning at a point in the Brick Road, a public highway, leading from Geistown to Elton and known as the Bedford Road, said point being approximately 400 feet east of the Rachael Hill School House and ending in a public road leading from the aforesaid Brick Road to the Scalp Level Road, at a point 2666 feet east of the intersection of a public road known as the Wingard Road, said portion of highway to be vacated being known as the Yoder Road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 9:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
PHILIP E. CAULFIELD
DIXON TOMB

Aug. 6, 1929

Viewers

Now this 7 day of August, A. D. 1929, service of the within notice is hereby accepted by the Commissioners of Cambria County.

Attest:


Chief Clerk

Commissioners

In re: Vacating old road
in Richland Township, Cambria
County, Pa.

In the Court of Quarter Sessions
of Cambria County, Pa.,
No. 3, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of Public Road in Richland Township, Cambria County, Pa., beginning at a point in the Brick Road, a public highway, leading from Geistown to Elton and known as the Bedford Road, said point being approximately 400 feet east of the Rachael Hill School House and ending in a public road leading from the aforesaid Brick Road to the Scalp Level Road, at a point 2666 feet east of the intersection of a public road known as the Wingard Road, said portion of highway to be vacated being known as the Yoder Road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 9:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY
PHILIP E. CAULFIELD
DIXON TOMB

Aug. 6, 1929

Viewers

Now this 7 day of August A. D. 1929, service of the within notice is hereby accepted by the Board of Supervisors of Richland Township.

Attest:

Secretary

A. D. Howell
Alex Weaver
F. H. Dierker
Supervisors

In re: Vacating old road
in Richland Township, Cambria
County, Pa.,

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 3, June Session, 1929

NOTICE OF VIEW

We, the undersigned Viewers appointed by the above Court to view for the purpose of vacating a section of Public Road in Richland Township, Cambria County, Pa., beginning at a point in the Brick Road, a public highway, leading from Geistown to Elton and known as the Bedford Road, said point being approximately 400 feet east of the Rachael Hill School house and ending in a public road leading from the aforesaid Brick Road to the Scalp Level Road, at a point 2666 feet east of the intersection of a public road known as the Wingard Road, said portion of highway to be vacated being known as the Yoder Road, will meet at the place of beginning on the 20th day of August A. D. 1929 at 9:00 o'clock A. M. (Eastern Standard Time) for the purpose of performing the duties of our appointment, at which time and place all interested persons may appear.

S. E. DICKEY,
PHILIP E. CAULFIELD
DIXON TOMB.

Aug. 6, 1929

Viewers

Now this 7 day of August A. D. 1929, service of the within notice is hereby accepted by the Solicitor of Richland Township.

Markon B. Bannard
Solicitor

We, the undersign, do hereby protest and object to the closing and abandonment by the Township of the road known as the Yoder road situated in Richland Township, Cambria County, and connecting what is known as the Wingard road with the Brick road at a point near Rachel Hill School House, as proposed:-

NAME

ADDRESS

A. M. Feldkasser

Johnstown, Pa. R.D. #3

School Road Mrs Annie Hebbane

Johnstown Pa R.D. #3

School Road Lawrence Miller

Johnstown Pa R.D. #3

School Road Margaret Miller

Johnstown Pa R.D. #3

School Road J. Bloom

Johnstown R.D. #3

School Road Mable Bloom

Johnstown Pa R.D. #3

School Road E. Wolf

Johnstown R.D. #3

School Road R. L. Wolf

Johnstown R.D. #3

School Road R. L. Wolf

Johnstown R.D. #3

School Road Blanche Bloom

Johnstown R.D. #3

School Road John L. Bloom

Johnstown R.D. #3

Josiah Wingard

Johnstown R.D. #3

Minnie Wingard

Johnstown R.D. #3

Over

R. M. Luther Johnstown Pa. R.D. #3 (School Director)

Lewis Weaver Johnstown Pa. R.D. #3 (Schol. Director)

A. B. Weaver Johnstown Pa. B+3

Chas. D. Yoder Johnstown Pa. R.D. #3

Henry Wingard Johnstown Pa. Route 3

Ervin Wingard Johnstown Pa. R.F.D. #3

J. H. Snavely Johnstown R.D. #3

Mrs. J. H. Snavely Johnstown R.D. #3

Karl Jessell Johnstown R.D. #3

Mrs. Karl Jessell Johnstown R.D. #3

Mrs. John Jessell R.D. #3 - Johnstown

Mr. John Jessell R.D. #3 Johnstown

Mrs. Kenneth Sheppers R.D. #3

Wm. Wingard R.D. #3 Johnstown Pa.

Grant Baumgardner Johnstown R.D. #3

Florence H. Wingard R.D. #3 Johnstown Pa.

George Crawford R.D. #3 Johnstown Pa.

George L. Wingard R.D. #3 Johnstown Pa.

John H. Rouzer	Johnstown Pa	R.D. #3
Ruth A. Rouzer	Johnstown Pa	R.D. #3
F. S. Albridge	Johnstown Pa	R.D. #3
Myrinda Ash	Johnstown Pa	R.D. #3
W. B. Wisinger	Johnstown Pa	R.D. #3
Emma F. Kisinger	Johnstown Pa.	R.D. #3
J. C. Hoffman	Johnstown Pa	R.D. #3
Velda M. Hoffman	Johnstown Pa.	R.D. #3
Rose B. Weaver	Elton Pa	R.D. #3
R. E. Lamson	Johnstown Pa	R.D. #3
Mrs R. E. Lamson	Johnstown Pa	R.D. #3
Irella W. Wingard	Johnstown Pa	R.D. #3
Sidney Yoder	Johnstown Pa	R.D. #3
Mrs Solomon Yoder	Johnstown Pa	R.D. #3
Goddie Yoder	Johnstown Pa	R.D. #3
Bertha Yoder	Johnstown Pa	R.D. #3
Al W. Hoy	Johnstown Pa	R.D. #3
Bertha M. Griffith	Johnstown Pa	R.D. #3
Antoni Bernickowski	Johnstown Pa	R.D. #3
Mrs L. P. Kingard	Johnstown Pa	R.D. #3
Margaret Wingard	Johnstown Pa	R.D. #3
L. P. Kingard	Johnstown "	" #3
Rean Wertz	Johnstown Pa	R.D. #3
Noah J. Hoffman	Johnstown Pa	R.D. #3
Viola S. Hoffman	Johnstown Pa	R.D. #3

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 29th day of July A. D. 1929, before the Honorable Judge of the said Court: Upon the petition of ~~the undersigned~~ Supervisors of the Township of Richland, in the said County, setting forth that ~~the above road is a~~

~~road for a road of 30~~ ~~road for a road of 30~~
a road has long since been laid out, to-wit: October 21, 1901, beginning at a point in the Public Road, known as the Bedford Road, leading from Geistown to Elton, twenty-five (25) perches East of the Rachael Hill School House in said Township of Richland, County and State aforesaid; thence along the division line of lands now or late of Peter Wingard and D. S. Yoder, South seven and one-half (7 1/2) degrees East one hundred ninety-five (195) perches to a point in the Public Road leading from Elton to Scalp Level, which said road was approved by the Court of Quarter Sessions on October 21, 1901, and breadth fixed at thirty (30) feet.

Your petitioners are now convinced that the above road has become useless, inconvenient and burdensome.

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

S. E. Dickey surveyor, and

Philip E. Caulfield and Dixon Tomb

^{vacation}viewers, to view the ground proposed for said ~~road~~, and if they ^{vacate} view the same, and shall agree that there is occasion for such ~~road~~, they shall proceed to ^{vacate} ~~locate~~ 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 G. Ruff, Clerk.