

In the Court of Quarter Sessions
Cambria County, Pennsylvania.
No. 5. September Sessions, 1936.

IN RE: Laying out Public Road
in the Township of Clearfield,
Cambria County, Pennsylvania.

REPORT OF VIEWERS

Filed: Dec. 7, 1936

CERTIFIED

Harvey L. ...
COUNTY CLERK

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

IN RE: Laying out Public Road
in the Township of Clearfield,
Cambria County, Pennsylvania

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In the Court of Quarter Sessions,
Cambria County, Pennsylvania
No. 6. September Sessions, 1936.

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 a public road and highway, beginning at a point in Clearfield Township, Cambria County, Pennsylvania, distant 150 feet Southeast from the Western abutment of the Bridge crossing Clearfield Creek, which Bridge is distant 700 feet in a Westerly direction from the intersection of the Dean Township Road leading to the Village of Daugherty and State Highway Route No. 234 and ending at a point on the Clearfield Township Road between State Highway Route No. 11309 and Legislative Route No. 11039, said point being one mile Southeast along said Township Road from its intersection with Route No. 11039, respectfully report:-

That we were duly sworn or affirmed as members of the Permanent Board of Viewers of Cambria County, as shown by the records of said Court, gave due public notice of the time and place of meeting of said Viewers by handbills posted along the route of the proposed Highway and by notice served upon the Commissioners of Cambria County, copy of which said notice is hereto attached, and by mailing a copy of said notice to J. J. Sheehan, Secretary of the Board of Supervisors of Clearfield Township at his Post Office address, Patton, Pa., but that said Secretary did not accept service of said notice, and as evidence of having mailed said notice to J. J. Sheehan, a carbon copy of said letter, enclosing Notice of View is hereto attached. A similar notice was mailed to the Honorable George W. Griffith, Esq. of Ebensburg, who presented the petition for the appointment of Viewers, but that no return of having received said notice was made by George W. Griffith and as evidence of same carbon copy of letter mailed to George W. Griffith is hereto attached and made a part of this Report. All of which was done at least ten days prior to the time of the making

of said View. That we met upon the premises according to the notice given at the point of beginning first above mentioned, on November 30, 1936, at 10:00 o'clock A. M. and proceeded with the duties of our appointment.

There were present at this View about thirty persons interested in said road. No supervisors, however, being present, nor were they represented by a solicitor. We viewed the site and locality of the road proposed to be laid out, making a personal inspection of the ground between the points designated in the Petition and Order.

All of the members of the Board of Viewers were present and during our meeting it was ascertained from the group who were in attendance at the View that seventeen boys and girls of school age were not attending Public School any where for the reason that no convenient school house is available and that if said road as prayed for in said petition, was granted all of the boys and girls could attend Public School, as well as leaving a point of intersection of State Highway Route leading from Ashville to Coalport. The road in question meets a road, not vacated, distant approximately 150 feet from the Bridge mentioned in the petition and order, which will connect the road proposed to be laid out. The bridge crossing the Clearfield Creek being in that portion of the road not vacated as it intersects with the State Highway Route leading from Ashville to Coalport.

We are of the opinion and agree that a public road is necessary and that we authorize the laying out of a road hereinabove Viewed, taking the following courses and distances:- to-wit:- Beginning at a point, South Seventy-nine (79) degrees Thirty(30) minutes West One hundred fifty (150) feet from the center of the County Bridge of Clearfield Creek in the Village of Dean; thence South Forty-four (44) degrees Ten (10) minutes west Three hundred two (302) feet; thence South Four (4) degrees East Four Hundred Twenty-seven (427) feet; thence South Twenty-two (22) degrees West Ninety-two (92) feet; thence South Eighty-one (81) degrees West Three Hundred Ninety-eight (398) feet; thence South Seventy-four (74) degrees Thirty (30) minutes West One Hundred Nine (109) feet; thence South Forty-four(44) degrees West Three Hundred Fifty-nine (359) feet; thence South Thirty (30) degrees West Three Hundred Forty Three (343) feet;

thence South Twenty-three (23) degrees West Five Hundred Sixty-four (564) feet; thence South Forty-five (45) degrees Fifteen (15) minutes West One Hundred Five (105) feet; thence South Eighty-three (83) degrees Thirty (30) minutes West One Hundred Forty-two (142) feet; thence North Eighty Five (85) degrees Thirty (30) minutes West Two Hundred Sixty-eight (268) feet; Thence South Eighty-five (85) degrees Thirty (30) minutes West Three Hundred Forty-six (346) feet; thence South Forty-seven (47) degrees Thirty (30) minutes West Two Hundred Two (202) feet; thence South Seventy-eight (78) degrees West One Hundred Thirty Four (134) feet; thence North Seventy (70) degrees Thirty (30) minutes West Two Hundred (200) feet; thence South Eighty-four (84) degrees Thirty (30) minutes West Two Hundred Sixty-two (262) feet; thence North Eighty-four (84) degrees Forty (40) minutes West Eight Hundred Thirty-one (831) feet and North Seventy-eight (78) degrees Thirty (30) minutes West One Hundred Eighty Five (185) feet to Westerly termini at junction of public road leading to cross roads intersecting with road going to the Village of Fallen Timber and the Village of Dysart, being approximately Five Thousand Two Hundred Sixty-nine (5269) feet.

A plot or draft indicating the piece of road to be laid out is hereto attached and made a part of this report.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this fourth day of December, A. D. 1936.

Walter Baumgardner
S. E. Dickey
A. M. Shoemaker

Viewers

IN RE: Laying Out Public Road
in the Township of Clearfield
Cambria County, Pennsylvania

In the Court of Quarter Sessions
of Cambria County, Pennsylvania
No. 6 September Sessions, 1936

TO A. M. SHOEMAKER, S. E. DICKEY
AND MAHLON J. BAUMGARDNER, DR.

Mahlon J. Baumgardner

Preparing notices, posting same and obtaining acceptance of service	\$18.00
Stenographer and stationery	1.50
Mileage - 90 miles	3.00
Making View	12.00
Mileage - 86 miles	8.60
Preparing report	12.00
Stenographer and stationery	2.25

\$63.35

A. A. Shoemaker

Making View	12.00
Mileage - 46 miles	4.60
Making Blue Prints	12.00

Draft
cloth + two blue prints

~~2.60~~
\$31.20

S. E. Dickey

Making View	12.00
Mileage - 86 miles	8.60

\$20.60

APPROVED FOR PAYMENT

John Hoover

Grant P. Tolson
COMMISSIONERS

COUNTY CONTROLLER

RECEIVED
Shoemaker
COUNTY CONTROLLER

COUNTY CONTROLLER

In re: Laying out Public Road
in the Township of Clearfield,
Cambria County, Pennsylvania.

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In the Court of Quarter Sessions
Cambria County, Pennsylvania
No. 6, September Sessions, 1936.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above order of Court to view the premises described herein, and determine as to the necessity for a public road, as prayed for by the petitioners, beginning at a point in Clearfield Township, Cambria County, distant one hundred fifty (150) feet southeast from the western abutment of the bridge crossing Clearfield Creek, which bridge is distant seven hundred (700) feet in a westerly direction from the intersection of the Dean Township Road leading to the Village of Daugherty and State Highway Route No. 234 and ending at a point on the Clearfield Township road between State Highway Route No. 11309 and Legislative Route No. 11039, said point being one mile southeast along said Township road from its intersection with Route No. 11039, aforesaid; will meet at the place of beginning of said proposed road on Monday November 30, A. D. 1936, at 10:00 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER
S. E. DICKEY
A. M. SHOELAKER

Dated November 16, 1936

AND NOW, the 19th day of November, 1936, I hereby accept service of the above notice to view for the Commissioners of Cambria County.

A. F. Jones
clerk.

Order to view -----

Township Road in Clearfield

Township, Cambria County, Pa.

Mahlon J. Baumgardner

S. E. Dickey

A. M. Shoemaker

} Viewers

Clerk ----- 90 cts.

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 9th day of November A. D. 1923, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Clearfield, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from

beginning at a point in Clearfield Township, Cambria County, Pa., distant 150 feet south east from the western abutment of the Bridge crossing Clearfield Creek which Bridge is distant 700 ft. in an easterly direction from the intersection of the Dean Township Road leading to the Village of Daugherty and State Highway Route No. 234 and ending at a point on the Clearfield Township Road between State Highway Route No. 11309 and Legislative Route No. 11039, said point being one mile southeast along said Twp. Road from its intersection with Route No. 11039, aforesaid.

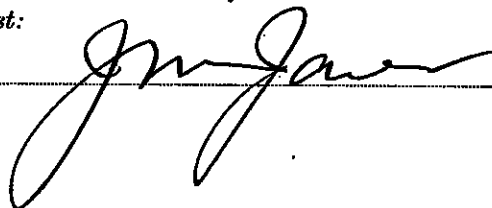
and therefore praying the Court to appoint proper persons to view and lay out the same according to law. The Court, upon due consideration had of the premises, do order and appoint

Maflon J. Baumgardner, Chairman. S. E. Dickey, C. E., Engineer
and A. M. Shoemaker 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.
Greer, J.

Attest:

 Clerk.

In re: Laying out Public Road
in the Township of Clearfield,
Cambria County, Pennsylvania.

In the Court of Quarter Sessions,
Cambria County, Pennsylvania
No. 6, September Sessions, 1936

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above order of Court to view the premises described herein, and determine as to the necessity for a public road, as prayed for by the petitioners, beginning at a point in Clearfield Township, Cambria County, distant one hundred fifty (150) feet southeast from the western abutment of the bridge crossing Clearfield Creek, which bridge is distant seven hundred (700) feet in a westerly direction from the intersection of the Dean Township Road leading to the Village of Daugherty and State Highway Route No. 254 and ending at a point on the Clearfield Township road between State Highway Route No. 11809 and Legislative Route No. 11059, said point being one mile southeast along said Township Road from its intersection with Route No. 11039, aforesaid; will meet at the place of beginning of said proposed road on Monday, November 30, A. D. 1936, at 10:00 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER
ST. E. DICKEY
A. M. SHOEMAKER

Dated November 16, 1936

November 18, 1936

George W. Griffith, Esq.
Ebensburg, Pa.

Dear Mr. Griffith:

I am enclosing herewith Notice of View in Clearfield - Dean Township.
Please accept service for the petitioners, returning same to me and keeping
one copy for your files.

Yours very truly,

MJB:F

MAHLON J. BAUMGARDNER

November 18, 1936

Mr. J. J. Sheehan, Secretary
Supervisors Clearfield Township
Patton, Pa.

Dear Mr. Sheehan:

I am enclosing herewith Notice of View in Clearfield - Dean Township
which is self explanatory. Please accept service for yourself, Samuel Kelly
and Adrian Ivory, Supervisors of West Taylor Township.

Accept service on the one, return to me and hold the other for your files.
I would like to have the supervisors attend the view.

Yours very truly,

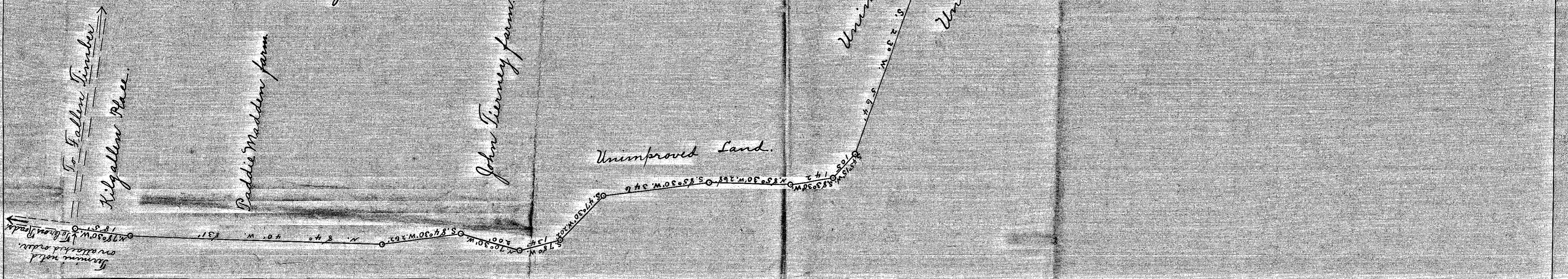
mjb;mf

MAHLON J. BAUMGARDNER

Sketch showing location of a piece of road in Clearfield Township, Cambria County, Pennsylvania, as viewed, Nov. 30th 1936, upon an order of the Court of Quarter Sessions of Cambria County, Pa.

Said piece of road extending from a point south $79^{\circ}30'$ west 150 feet from the center of the Clearfield Creek at the point where the County bridge, leading to the village of Dean, crossed said creek prior to Mar. 17th 1936 and ending on the township road, leading from Fallen Timber to the cross roads, at the Madden farm.

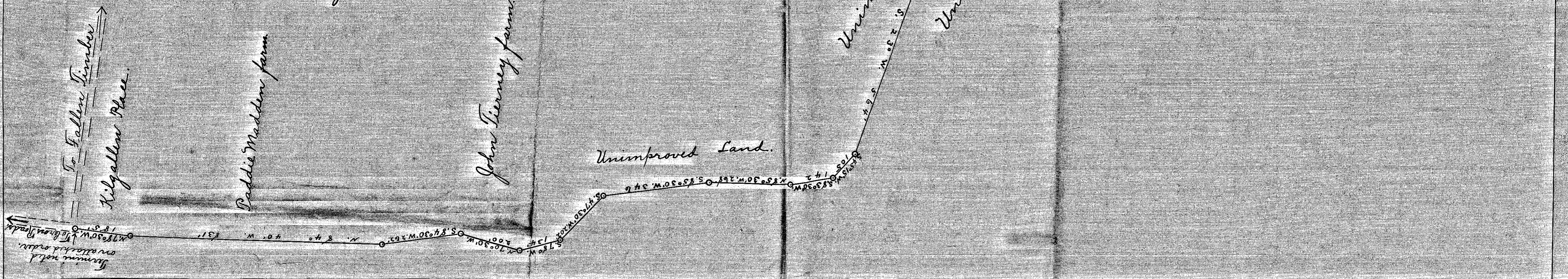
A. M. Shoemaker, M. J. Baumgardner and S. E. Dickey, Viewers.



Sketch showing location of a piece of road in Clearfield Township, Cambria County, Pennsylvania, as viewed, Nov. 30th 1936, upon an order of the Court of Quarter Sessions of Cambria County, Pa.

Said piece of road extending from a point south $79^{\circ}30'$ west 150 feet from the center of the Clearfield Creek at the point where the County bridge, leading to the village of Dean, crossed said creek prior to Mar. 17th 1936 and ending on the township road, leading from Fallen Timber to the cross roads, at the Madden farm.

A. M. Shoemaker, M. J. Baumgardner and S. E. Dickey, Viewers.



IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY, PA.

In re: Lande use public road
in Township of Clearfield,
Cambria County, Pennsylvania.

*Protest of Citizens and
Taxpayers of Clearfield
Twp.*

Filed: Dec. 17, 1936

CHARLES HASSON
ATTORNEY AT LAW
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENN-
SYLVANIA.

In re: Lane use public road :
: :
in Township of Clearfield, : No. 6 Sept. Term, 1936.
: :
Cambria County, Pennsylvania.:

We, the undersigned, all of whom are citizens and taxpayers in the Township of Clearfield, Cambria County, Pennsylvania, are vitally affected by the increased cost of opening another road in said Township, respectfully file this protest to the Court of Quarter Sessions of Cambria County, Pennsylvania, and ask the Court to set aside the report of Viewers filed December 7, 1936, whereby the said Board recommended the laying out of a road in said Township, which was abandoned and vacated by proceedings in Court a few years ago, because the same was unnecessary and burdensome to the Township of Clearfield.

Your petitioners further aver that said route as laid out by the viewers is not practical; that said road, if opened, would be at an extreme and unwarranted expense to the Township of Clearfield and would be of little or no service to people residing in Clearfield Township for the reason that there are but two dwelling houses adjoining said road and the same would cross Clearfield Creek at a point where there is no bridge over said creek and it would be impossible to cross the same on foot or with vehicles without first erecting a bridge of sixty (60) to seventy-five (75) feet in length involving a cost of approximately from \$10,000.00 to \$15,000.00.

The undersigned, therefore, pray your Honorable Court to set aside the report of the Board of Viewers which report, if

adopted, would lay a very heavy burden upon the Township of Clearfield, which is already indebted to its legal limit.

Name	Occupation	Residence	Date
L. A. Cretin	Supr & Farmer	Clearfield Twp	12-8-36
Mary C. Cretin	Housewife	" "	12-8-36
J. H. Hoover	Laborer	" "	12-12-36
Francis Nagle	Farmer	" "	12-12-36
Charles Herd	Farmer	" "	12-12-36
Mary Bender	Housewife	" "	12-12-36
L. F. Helfrich	Farmer	" "	12-12-36
Leonard Bender	Farmer	" "	12-12-36
Harold Bender	Laborer	" "	12-12-36
Josephine Helfrich	Housewife	" "	12-12-36
D. F. Horne	Teacher	" "	12-12-36
Mae Storm	Housewife	" "	12-15-36
Mario Smithmeyer	Housewife	" "	12-15-36
Ed Storm	Farmer	" "	12-15-36
Earl C. Smithmeyer	Farmer	" "	12-15-36
J. S. Sprout	Farmer	" "	12-15-36
Mrs. Lou J. Keller	Housewife	" "	12-15-36
Ray M. Connell	Laborer	" "	12-15-36
Mrs. Ray M. Connell	Housewife	" "	12-15-36
J. D. Mc Connell		" "	12-15-36
Celia Mc Connell		" "	12-15-36
Joseph Sheehan		" "	12-15-36
Evelyn Sheehan		" "	12-15-36
Mrs. Bertha McMullen	Farmer	" "	12-15-36
Albert M. C. Mullen	Farmer	" "	12-15-36
Kelley Dougherty	Laborer	" "	12-15-36
Goldie Dougherty	Housewife	" "	12-15-36
T. R. Krug	Farmer	" "	12-16-36
Cathryn Krug		" "	
J. W. Stoyne		" "	
P. J. Mulligan	Farmer	" "	12-15-36
F. H. Bender	Housewife	" "	12-15-36
Letitia Bender	Farmer	" "	12-15-36

Name	Occupation	Residence	Date
Patrick Mulligan	Laborer	Clearfield Twp.	12-15-36
Viola A. Mulligan	Domestic	Clearfield Twp.	12-15-36
Mrs Ellen Mulligan	Housekeeper	Clearfield Twp.	12-15-36
Alice R. Mulligan	Domestic	Clearfield Twp.	12-15-36
Patrick Link	Farmer		12-15-36
Mrs Patrick Link	house wife		12-15-36
Charles J Link	Farmer		12-15-36
Mrs Charles J Link	House Wife		12-15-36
J R Link	Farmer		12-15-36
Mrs Anna Link	house wife		12-15-36
R E Plebner	Farmer		12-15-36
Mrs Margaret Horne	housewife		12-15-36
Ray Kuhl	Farmer		12-15-36
Agnus Lane	housewife		12-15-36
Henry Lane	farmer		12-15-36
Joe A. Biehe	laborer		12-15-36
Catherine Behe	House Wife		12-15-36
Harry Adams	laborer	Clearfield Twp.	12-15-36
Mary E Adams	housewife		12-15-36
Harry Mulligan	laborer		12-15-36
Ralph Lundy	laborer		12-15-36
Certude Lundy	house wife		12-15-36
Nellie Mulligan	House Wife		12-15-36
E D Thomas	Farmer		12-15-36
Earl Dreyer	Laborer		12-15-36
Mrs C D Thomas	house wife		12-15-36
Anthony J Anna	laborer		12-15-36
Pius Anna	Farmer		12-15-36
Mrs Mary Anna	house wife		12-15-36
Collette Anna	teacher		12-15-36
George Puzanok	Farmer	Clearfield Twp.	12-15-36

Name	Occupation	Residence	Date
Stephen Dlugansky	Labor	Patton, Pa. R.R.-1	Dec. 15, 1936
Gust Wankel Sabay	R.R.	Patton, Pa.	Dec. 15, 1936
Orlena Warner	housewife	Patton, Pa.	Dec. 15, 1936
Gust Gabrielson	Labor	Patton, Pa.	Dec. 15, 1936
Alma Gabrielson	housewife	Patton, Pa.	Dec. 15, 1936
Edward Gabrielson	Labor	Patton, Pa.	Dec. 15, 1936
T.H. Wirtner	Poultryman	Patton, Pa.	Dec. 15, 1936
A.C. Walter	Farmer	Patton, Pa.	Dec. 15, 1936
Kathryn Walter	Housewife	Patton, Pa.	Dec. 15, 1936
Edward M. Merriman	Labor	Patton, Pa. R.R. #1	Dec. 15, 1936
Nettie Merriman	housewife	Patton, Pa. R.R. #1	Dec. 15, 1936
Helena Adams	housewife	Patton, Pa.	Dec. 15, 1936
Charles Adams	Labor	Patton, Pa.	Dec. 15, 1936
S.J. Kirtner	Farmer	Patton, Pa.	Dec. 15, 1936
E. J. Seymour	Farmer	Patton, Pa.	Dec. 16, 1936
Therese Seymour	Housewife	Patton, Pa.	Dec. 16, 1936
Wm. Mulligan Sr.	Farmer	Patton, Pa.	Dec. 16, 1936
Geo. Mulligan	Farmer	Patton, Pa.	Dec. 16, 1936
Wm. Mulligan Jr.	Farmer	Patton, Pa.	Dec. 16, 1936
Mary M. Mulligan	Housewife	Patton, Pa.	Dec. 16, 1936
Thos. G. Durbin	Farmer	Clearfield, Pa.	Dec. 16, 1936
Gertrude Durbin	Housekeeper	Clearfield, Pa.	Dec. 16, 1936
Mary Kepshire	Housekeeper	Clearfield, Pa.	Dec. 16, 1936
John Kepshire	Farmer	Clearfield, Pa.	Dec. 16, 1936
Sam Kepshire	Farmer	Clearfield, Pa.	Dec. 16, 1936
Henry H. Nelson	Farmer	Clearfield, Pa.	Dec. 16, 1936
Emma Nelson	housewife	Clearfield, Pa.	Dec. 16, 1936
Emma L. Rhoads	Housewife	Clearfield, Pa.	Dec. 16, 1936
Albert Rhoads	Farmer	Clearfield, Pa.	Dec. 16, 1936
Frank Hartzog	Farmer	Patton, Pa.	Dec. 16, 1936
Anatilda Hartzog	House Wife	Patton, Pa.	Dec. 16, 1936
Clair Hartzog	Farmer	Clearfield, Pa.	Dec. 16, 1936

Name	Occupation	Residence	Date
Earl Hartog	Farmer	Clearfield Twp	12-16-36
Mrs. Margaret M. O'Leary	Housewife	Clearfield Twp	12-16-36
Eduard Bern			
John a. Hrial	Farmer		
Mar. Kathryn Knie	Housewife		
J. W. Lukan	Farmer		12-16-36
Thos. Sheehan	Farmer		12-16-36
Howard G. Nagle	Farmer		12-16-36
Mrs. Max Nagle	House wife		
John Preloh	Farmer	Clearfield Twp	
Pete Preloh	Clearfield		
Anna Preloh	House wife		
John Preloh Jr.			
R. M. Yink	Farmer	Clearfield Twp	12/19/36
Suzilla Link	Housewife		
James Link	Farmer	Clearfield Twp	12/16/36
Minnie Link	House wife		
Mary M. Bender	House wife	Clearfield Twp	12-16-36
A. J. Bender	Farmer & Druggist		12-16-36
J. J. Sheehan	Electrician	Clearfield Twp	12-17-36
Elizabeth Sheehan	House wife	Clearfield Twp	12-17-36

No. 6 Sept. Sessions, 1936.

IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY, PA.

In re: Application for Town-
ship Road, in Clearfield
Township, Cambria County,
Pennsylvania.

Exceptions to report of the
Viewers in the matter of the
petition of citizens of
Cambria County asking the
Court to appoint Viewers for
supplying a township highway.

Filed - DEC- 10 , 1936

J. M. Jones

CHARLES HASSON
ATTORNEY AT LAW
EBENSBURG, PA.

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

In re: Application for Township:
Road, in Clearfield Township, : No. 6 Sept. Sessions, 1936.
Cambria County, Pennsylvania. :

EXCEPTIONS

J. J. Sheehan, William J. Bender, and L. A. Cretin, Supervisors of Clearfield Township, Cambria County, Pennsylvania, file the following exceptions to the report of the Viewers in the matter of the petition of the citizens of Cambria County asking the Court to appoint viewers for supplying a township highway in said Township, for the following reasons:

1. That the point of beginning and the point given as the terminus of said road with road No. 11039 is not accurate but misleading and that the terminus of said road so described is approximately two miles away from the road sought to be laid out. That said petition does not comply with the requirements of the Act of Assembly authorizing the laying out of new township roads.

2. That the petition filed November 9, 1936, praying the Court to appoint viewers to lay out a road discloses the terminus of said proposed road as "ending at a point on the Clearfield Township road between State Highway Route No. 11309 and Legislative Route No. 11039, said point being one mile along said Township Road from its intersection with road No. 11039 aforesaid," which information is erroneous, misleading and inaccurate and does not give a proper description or notice of the road sought to be laid out as required by law.

3. That the petition asking for said proposed public road wrongfully and recklessly alleges that school children going to and from Dean Township must use this road, which information is inaccurate and misleading and intended to deceive the Court. It is averred on the contrary that no children from Clearfield Township are now attending school in Dean Township and all school children in said district have been provided with school accommodations.

4. That upwards of ten years ago, there was a one-way tract road in Clearfield Township covering the route attempted to be described in the petition presented to Court to No. 6 Sept. Sessions, 1936, but that the same was vacated and abandoned because it was burdensome to the Township and unnecessary for the accommodation of the traveling public and it is this same abandoned road that said petitioners seek to have re-established and opened at the expense of Clearfield Township. That the laying out of said road would impose a great and unjustifiable burden and expense to the Township of Clearfield in that the route over which it is proposed to be laid out is rocky and road-grading machinery could not be used thereon.

5. That two of the Supervisors of Clearfield Township had no notice whatever of the application or proposed view for said road until after the same had been held and acted upon by the Viewers, and the notice given to J. J. Sheehan, one of the Supervisors of said Township, by Mahlon J. Baumgardner, one of the Viewers, request him to accept service for himself, Samuel Kelly and Adrian Ivory, Supervisors of West Taylor Township, and was so misleading and inaccurate as to cause him to believe that the notice did not apply to Clearfield Township and he, therefore, failed to attend the view. That if notice was given otherwise none of the Supervisors of Clearfield Township saw any of the same nor was their attention directed

directed to any notice of a view by any of the citizens of said Township. That Adrian Ivory and Samuel Kelly are not Supervisors of Clearfield Township.

6. That among the signers to the petition asking the Court to appoint viewers are the names of upwards of fifty persons who are not even residents of Clearfield Township, nor do they own any property or pay any taxes in said Township, and many other signers to said petition give no place of residence whatsoever and do not reside at any point along the said proposed road where the same could be of benefit to the.

7. That the Township of Clearfield is already so deeply in debt that it has been impossible in the past ten years to collect taxes enough in said Township to maintain the roads already in use therein notwithstanding the Supervisors of said Township are now levying practically the maximum millage permitted by law for the maintenance of its roads.

8. That said petition asking for the appointment of viewers has not been verified by the affidavit of any person connected with the same as required by the Rules of Court and is not endorsed with the name of any attorney representing the petitioners and Exceptants are without knowledge of the name of the attorney, if any, who represents the petitioners and are, therefore, unable to serve a copy of these exceptions upon the attorney as required by the Rules of Court.

9. That of the one hundred thirty-five (135) signers to the petition to lay out said road in Clearfield Township, but twenty-one (21) pay any taxes whatever in Clearfield Township, six of said taxpayers pay but sixty-five (.65) cents road taxes, eight persons pay One dollar and thirty (\$1.30) cents road taxes and seven per-

sons pay upwards of that sum; in all the one hundred thirty-five (135) signers they pay but \$107.70 in road taxes.

Exceptants, therefore ask your Honorable Court to set aside the report of the Board of Viewers in the above entitled case.

L. A. Petin

J. J. Sheehan

W. J. Bender

Supervisors of Clearfield Township.

MAHLON J. BAUMGARDNER
ATTORNEY AT LAW
303-304 SWANK BLDG.
JOHNSTOWN. PENNA.

November 18, 1936

Mr. J. J. Sheehan, Secretary
Supervisors Clearfield Township
Patton, Pa.

Dear Mr. Sheehan:

I am enclosing herewith Notice of View in Clearfield - Dean Township which is self explanatory. Please accept service for yourself, Samuel Kelly and Adrian Ivory, Supervisors of West Taylor Township.

Accept service on the one, return to me and hold the other for your files. I would like to have the supervisors attend the view.

Yours very truly,


MAHLON J. BAUMGARDNER

mjb;mf

In re: Laying out Public Road
in the Township of Clearfield,
Cambria County, Pennsylvania.

In the Court of Quarter Sessions
Cambria County, Pennsylvania
No. 6, September Sessions, 1936

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above order of Court to view the premises described herein, and determine as to the necessity for a public road, as prayed for by the petitioners, beginning at a point in Clearfield Township, Cambria County, distant one hundred fifty (150) feet southeast from the Western abutment of the bridge crossing Clearfield Creek, which bridge is distant seven hundred (700) feet in a westerly direction from the intersection of the Dean Township Road leading to the Village of Daugherty and State Highway Route No. 234 and ending at a point on the Clearfield-Township Road between State Highway Route No. 11309 and Legislative Route No. 11039, said point being one mile southeast along said Township Road from its intersection with Route No. 11039, aforesaid; will meet at the place of beginning of said proposed road on Monday, November 30, A. D. 1936, at 10:00 o'clock A. M. Eastern Standard Time for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER
S. E. DICKEY
A. M. SHOEMAKER

Dated November 16, 1936

AND NOW, the _____ day of November, 1936, I hereby
accept service to view for the Supervisors of Clearfield Township.

No. 6 Sept. Term, 1936

IN RE APPLICATION FOR TOWNSHIP
ROAD IN CLEARFIELD TOWNSHIP,
CAMBRIA COUNTY.

And now Nov. 9, 1936, the
within petitioner read & considered
and the Court appoints William
J. Baumgardner, Chairman, S. C.
Lehey, C.E., Engineer, and A. W.
Shomaker Viewers to view
the within mentioned premises
& make report of their findings
the first Monday of December
next.

By the Court
T. J. [Signature]

Filed: Nov. 9, 1936

TO THE HONORABLE COURT OF CAMBRIA COUNTY:

The Petition of the undersigned citizens of the County of Cambria respectfully asks your Honorable Body to appoint viewers for the supplying of a Township highway, as follows:

Beginning at a point in Clearfield Township, Cambria County, Pa., distant 150 feet south east from the western abutment of the Bridge crossing Clearfield Creek which Bridge is distant 700 ft. in an easterly direction from the intersection of the Dean Township Road leading to the Village of Daugherty and State Highway Route No. 234 and ending at a point on the Clearfield Township Road between State Highway Route No. 11309 and Legislative Route No. 11039, said point being one milesouth east along said Twp. Road from its intersection with Route No. 11039, aforesaid.

Honorable Court will supply us with a Township road at the above-mentioned location.

Yours very respectfully,

Alvino Facchini Clearfield Township property owner
Paul A. Christoff Clearfield Township Property owner
Mrs. Eugene Ratchford Clearfield Township Property owner
Gilbert Hollis Clearfield Township Property owner
J. H. Monahan Clearfield Township Property owner
Charles Monahan Clearfield Township Miner
Melvin Monahan Clearfield Township Miner
Leonard Monahan Clearfield Township Miner
Thomas H. Gates Clearfield Township Farmer
Ralph Gates Clearfield Township former property owner
Joseph B. Wilson Clearfield Township Railroad
John Robert Egan Clearfield Township Miner
Henry Canal Clearfield Township Miner property owner
Joseph M. M... Clearfield Township Miner
Wm M... Clearfield Township Miner
Frank J. ... Clearfield Township former property owner
Mike ... Clearfield Township former property owner
Emanuel H. D... Clearfield Township Coal operator
Isaac B... Clearfield Township

Mary Facchini	House wife
Sarah Christoff	" "
Mrs Eugene Katerford	" "
Mrs Gilbert Keller	" "
Mrs. Leonard Morrison	" "
Mrs Tom Baird	" "
Mrs. Georgia W. Jordan	" "
Marie Migliante	" "
Gina Canali	" "
Joseph Kosach	" "
Mrs. Pauline Kapusin	" "
Mrs Mary Dvorak	" "
Mrs Mary Gofflin	" "
Mrs Jennie Dixon	" "
Mary De angelis	" "
Liv De Witt	" "
Annie Flaro	" "
Escher Stibler	" "
Caroline Vincent	" "
Mabel McHugh	" "
Inez Briggs	" "
Marie Cavallet	" "
Adaline Coulter	" "
Teresa Bortolotto	" "
Eva Spiller	" "
Mrs. Antonio Fumialto	" "
Maria Fontanella	" "
Angolina Rosse	" "
Albania Fontanella	" "
Martha Gudd	" "
Felicita Bugamesch	" "

Andy Anderson Clearfield Township Coal miner
 William Lipson Dean Sup Retired
 William Coulter Dean Township Retired
 Domenico De angelis Dean Township miner
 Sammie W Diphut Dean Township mine farm
 Peter Flanaw Dean Township Miner
 Tony Flaro Dean Township
 Wm Stiffles Dean Township
 Howard Vincent Dean Township
 Joe Bergamorschi Dean Township Postmaster at Dean
 Felicit Bergamorschi Dean Township Postmaster
 Leslie Righetti Dean Township
 Elsie Righetti Dean Township
~~Thomas J. Cannon~~ Clearfield Township
 Mrs. D. D. Lee Clearfield Township
 W. H. Campbell Clearfield Township
 Mrs. W. H. Campbell Clearfield Township
 John F. Balzano Dean Township Depart
~~Charles F. Cannon~~ Dean Township
~~Thomas Cannon~~ Dean Township
 Albert S. Clark Dean Clearfield Sup
 J. W. Kinney Dean Clearfield
 Joseph Caponella Dean Township, miner
 Edgar Vincent Dean Township miner
 Martin Zupor Clearfield " "
 Glauco Dovy Clearfield
 Emil Conrad Clearfield
 Joseph Zomboski Clearfield
 Wenko Mozzi. Peade
 Charles Zupor Peade Township miner
 John Kressler White Township
 John C. Rivers White Township

David M. Birk *Fallen Timber Pa*
 Edwin Gato *Flinton Pa*
 Raymond S. Kingston *Flinton Pa. RFD*
 W.E. Brandt *Dean Pa.*
 Wm P. McGee *Wheat P.*
 Bartley Conrad *Ashville Pa*
 Harry M. Nolan *Fallen Timber Pa*
 Richard McHugh
 L. Burgon *Patton Pa RFD*
 Giuseppe De Velt *Dean Pa.*
 Oliver Briggs *Dean Pa.*
 Ernest Cavalet
 Roger Cavalet
 Roland Cavalet
 James Cavalet
 Mary Berto
 Mario J. Fontanella *Dean Pa*
 David Spiller *Dean Pa*
 John F. Scicelli
 Silvio Fontanella
 Candido Rosse *Dean Pa*
 Wm Judd
 Walter Judd
 Peter Fontanella
 Leo Fontanella
 John Fontanella *Dean Pa*
 Thomas Brandt *Dean Pa*
 John A. Swire *Dean Pa*
 Gerald H. Swires *Dean Pa*
 H. J. Johnston *Dean Pa*
 Ceco Fontanella

Joseph Maria Dysart Pa
Alben Maria Dysart Pa
John Maria Dysart Pa
Andy Myrdo Dysart Pa
John Myrdo Dysart Pa
Stanley Myrdo Dysart Pa
Martin Bakale Dysart Pa
Matt Bakale Dysart Pa
Evan Matko Dysart Pa
L. L. Lauer Colton Pa
Joseph Bender Dysart Pa
Lambert Benden Star Route Buckhorn Minn
Stanly Seneky Star Route Buckhorn Minn
L. van Simmers Dysart Pa
Joe Zepor Dysart Pa
K. P. Reinger Buckhorn Minn
Clearfield Minn
Fred Bakale Clearfield Top Miner

Mrs. Martin Bakale - Dypart, Pa.
Catherine Zupow - Dypart Pa.
Basil Durbin Dypart
Mrs. Fred Bakale - Clearfield Pa.

Clearfield Pa.

In the Court of
Quarter Sessions
Camden County Pa
12th Sept 1860

In Re: laying out
Public Road on the
Township of Clarksfield
Camden County Pa
Not Mc. + filmed

Balance of Payroll List.

