

No 3 June Term - 1936

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thence north twenty-nine degrees west twenty two feet to the southerly line of the right of way of the new improved public highway, crossing a small corner of lands of one John H. Strico, to whom we award the sum of Ten (\$10.00) Dollars damages, to be paid him by the said Louis Lechene.

By way of explanation we submit that the road as laid out and herein recommended is slightly less in length to the public highway from the petitioner's dwelling house, than was the one previously suggested, and while still somewhat farther than a road cutting directly through the premises of the above named John H. Strico would be, yet the distance to the public highway is not great and in our opinion will make a convenient private road or outlet for petitioner.

It is true that emerging from the private road, as formerly laid out, on to the public road and making the turn to the right to travel in a north easterly direction the turn would have been quite abrupt and perhaps dangerous although one using same would have had the entire width of the highway on which to make the turn: however this matter by reason of our present suggested change or adjustment in location will be rectified, and the private road as now located is short and in every way practical, convenient and a good grade for the petitioner to travel and at the same time will do very little injury to the property of others. Under the circumstances of the case the viewers feel they are not permitted to lay out the shortest and what would perhaps be the most convenient road for the petitioner to the detriment of another, nor is it within the province of the viewers to fix the width of a private road but for the information of the court would suggest that in our opinion the maximum width of twenty-five feet be fixed as the breadth.

A sketch showing the adjusted location for the private road in question is hereto attached and made a part of this report.

Witness our hands this 14th day of August A.D. 1936.

A. M. Shoemaker
James McCann
Mahlon J. Baumgardner
Viewers

No. 11 - Dec - 1936

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the premises and route of the proposed new road; that the route of the proposed new road follows Crest Street, a dedicated highway in the Harry E. Berkley Plan of Lots in Upper Yoder Township; that said proposed new road is now opened and in a good state of improvement; that the acceptance of said proposed new road as a Township Road and part of the Township Highway System will not cause any additional or unusual expense to the Township; that a number of dwelling houses, four (4) or more, all occupied by families occupy lots adjoining the proposed new road; the Viewers named herein were present during the view and the petitioners were represented; that after viewing the premises, although the ending terminus of said proposed new road is not in an intersecting public highway, we are of the opinion that a necessity exists for the proposed new road, therefore, we proceeded to lay out said road as follows: Beginning at the intersection of said proposed road known as Crest Street with Warren Street, a public highway in Upper Yoder Township, at a distance of 110.0 feet measured along the center line of Warren Street in a southwesterly direction from the intersection of Berkley Road, another public highway, thence N. 61° 06' W. 710.0 feet to the place of ending, said ending being at the intersection of the proposed new road with the center line of Derby Street, a dedicated highway in Upper Yoder Township, at a distance of 479.0 feet measured along the center line of Derby Street in a northeasterly direction from Atwood Street or Berkley Road Extension, a public highway in Upper Yoder Township, said proposed new road being colored green on the blue print attached hereto and made a part hereof. The section of the proposed new road indicated as Crest Street as dedicated is only 30 feet in width. We are informed that an additional width of 5.0 feet has been dedicated by the adjoining property owners on either side of said Crest Street, which provides for a maximum width of 40 feet; said additional width is hereby laid out and included in said highway.

After taking into consideration all the matters before us, we are of the opinion that the road as prayed for by the petitioners and laid out by us is necessary and convenient, therefore, we recommend that the prayer of the petitioners be granted.

We are informed that releases of damages were filed with the petitions for view, however, in consideration of the benefits and damages sustained or that may seem likely to be sustained by the abutting property owners by reason of the opening and maintaining of said proposed new road, we assess no benefits and no damages.

Witness our hands and seals this 12th day of April, A.D. 1937

S. E. Dickey
 A. M. Shoemaker
 James McCann
 Viewers

No. 8 Dec. 1936.

Transferred from Page 379.

service of the notices hereto attached and notice to the traveling public by printed hand bills posted at and near the termini and along the route of said proposed new road. All of us met at the time and place appointed, in accordance with the said notice as served and posted and having gone over and viewed the same, having in mind the shortest distance, the best locations for same, ~~where it would do the least injury to private property and at the same time be of the most benefit to the traveling public and those living along the route of same are all of the opinion that the same is necessary as a public road for the accomodation of the traveling public.~~

Said piece of road as laid out and recommended: Beginning at the juncture of Jefferson street with Norwood Avenue; thence following along Norwood Avenue and Arch street the following courses and distances, namely: South twenty-four degrees seventeen minutes, East forty-four and seventy-one hundredths feet; South thirteen degrees twenty-three minutes East two hundred fifty-nine and sixty-seven hundredths feet; South five degrees forty-eight minutes East one hundred fifty-five and two-tenths feet; South nine degrees forty-two minutes East one hundred nineteen and twelve hundredths feet; South fourteen degrees forty minutes West eighty-five feet; South Forty-three degrees forty-eight minutes West seventy-six feet; South seventy-four degrees six one-hundredths minutes West seventy-two feet; North seventy-seven degrees twelve minutes West one hundred ninety-two feet, north sixty-eight degrees twenty-eight minutes West five hundred fifty-six and four-tenths feet; North sixty-four degrees thirty-one minutes West two hundred seventy-two and forty-two hundredths feet, and North sixty-one degrees six one-hundredths minutes west six hundred eighty-six and sixty-two hundredths feet to the intersection of Arch street with Derby street, the place of ending of said proposed road.

Said road as herein recommended was originally dedicated as streets on a plot of ground laid out some years ago along which there are now some sixteen families living and over which there is even now considerable traffic by the public.

Said streets having been dedicated and no injury being sustained by the property owners along and adjoining said piece of road, we have assessed no damages.

Witness our hands this 2nd day of April, A. D. 1937.

A. M. Shoemaker
S. E. Dickey
James McCann
Viewers

No. 10 Dec. 1936

Transferred from Page 381

the premises, and route of the proposed new road; that the route of the proposed new road follows a portion of Columbia street, a dedicated highway in the breastw Plan of lots as laid out by Kris + Ott in Upper Yoder Township; that said proposed new road is now opened and in a good state of improvement that the acceptance of said proposed new road as a Township Road and part of the Township Highway system will not cause any additional or unusual expense to the Township; that a number of dwelling houses, six (6) or more, all occupied by families occupy lots adjoining the proposed new roads; the viewers named herein were present during the view and the petitioners were represented; that no complaints or exceptions were made against the opening of said proposed new road; that after viewing the premises, although the ending terminus of said proposed new road is not in an intersecting public highway but in a dedicated highway, we are of the opinion that a necessity exists for the proposed new road, therefore, we proceeded to lay out said road as follows: Beginning at the intersection of said proposed road known as Columbia street with Warren street, a public highway in Upper Yoder Township, at a distance of 285.0 feet measured along the center line of said Warren street in a southerly direction from the intersection of Cannon street, another public highway, thence along the center line of the proposed new road N. 61° 06' W. 654.6 feet to the place of ending, said ending being at the intersection of the proposed new road with the center line of Derby street, a dedicated highway in Upper Yoder Township at a distance of 285.8 feet measured along the center line of said Derby street in a southerly direction from Cannon street, another public highway; said proposed new road being colored green on the blue print attached hereto and made a part hereof. The section of the proposed new road indicated as Columbia street as dedicated is only 30 feet in width which requires the taking of 1.5 feet additional width on either side of said Columbia street to provide for the minimum width of 33 feet, is hereby laid out and included in said highway.

After taking into consideration all the matters before us, we are of the opinion that the road as prayed for by the petitioners and as laid out by us is necessary and convenient, therefore, we recommend that the prayer of the petitioners be granted:

We are informed that releases of damages were filed with the petitions for view, however, in considerations of the benefits and damages sustained or that may seem likely to be sustained by the abutting property owners by reason of the opening and maintaining of said proposed new road, we assess no benefits and no damages.

Witness our hands and seals this 8th day of April - A. D. 1937.

D. E. Tuckey
A. M. Shoemaker
James McCann
Viewers

No. 5 - Dec. 1936.

Transferred from Page 376

from the intersection of another public road known as Louthier Road and designated as state Route 11005, and ending in a public road designated as Township Route 305, said place of ending being in a southwesterly direction a distance of 1.5 miles measured along the center line of said Township Route 305 from its intersection with state Route 11009 or the Brick Road leading from Geistown to Elton. After considering all evidence before us, we are of the opinion that said road is not inconvenient or burdensome to the Township but is convenient and necessary as a connecting road for the traveling public, therefore, we recommend that this section of road be not vacated or the prayer of the petitioners granted.

(2) Some objections were made against vacating this road, known as the Yoder Road, by Josiah Wingard and representatives of the Wilmore Real Estate Company the owners of all of the abutting property, beginning at a point in a public road state Route 11009 known as the Brick Road between Geistown and Elton, said point of beginning being in a southeasterly direction a distance of 4855.0 feet measured along the center line of said Brick Road from the intersection of another public road known as Louthier Road and designated as state Route 11005, and ending in a public road designated as Township Route 305, said place of ending being in a southwesterly direction a distance of 1.0 miles measured along the center line of said Township Route 305 from its intersection with state Route 11009 or the Brick road leading from Geistown to Elton. After considering all evidence before us, we are of the opinion that this road is not necessary for the traveling public as a public road and is burdensome to the taxpayers. We find, however, that a portion of said road, 528.0 feet in length, colored red and green on said attached blue print, be vacated and that that section of said road colored red on said blue print be retained as a private road.

(3) After taking into consideration all of the evidence before us, we are of the opinion that only a section of said road, known as Lexington street, extending S. 11° 43' E. 440.0 feet from state Route 11009 is necessary. We also find that on account of the construction of a bridge and other conditions that said road to be supplied, beginning at a point in a public road state Route 11009 known as the Brick Road between Geistown and Elton, said point of beginning being in a southeasterly direction a distance of 3837.0 feet measured along the center line of said Brick Road from the intersection of another public road known as Louthier Road and designated as state Route 11005; and ending in a public road designated as Township Route 305, said place of ending being in a southwesterly direction a distance of 1.25 miles, measured along the center line of said Township Route 305 from its intersection with state Route 11009 or the Brick Road leading from Geistown to Elton, is not necessary for the traveling public and will be burdensome to the taxpayers, therefore, we recommend that same be not granted.

After considering all matters before us, we recommend that the prayer of the petitioners be not granted as to the first section of road proposed to be vacated, known as the Wingard Road, and the new road proposed to be supplied; and that the prayer of the petitioners be granted and the second section of road be vacated with the exception of 528.0 feet above described, which is to be retained as a private road.

Having not received any releases of damages, we assess no benefits and no damages to any of the abutting property owners.

Witness our hands this 14th day of April A.D. 1937

S. E. Dickey
 Dixon Lomb.
 James McCann
 Viewers

No. 6. Dec. 1936. Cont'd.

Transferred from Page 377.

the premises and route of the proposed new road; that the route of the proposed new road follows Slagle Street and a portion of Center Street, dedicated highways in the Christian Slagle Plan of Lots in Upper Yoder Township; that said proposed new road is now opened and in a good state of improvement; that the acceptance of said proposed new road as a Township Road and part of the Township Highway system will not cause any additional or unusual expense to the Township; that a number of dwelling houses, twelve (12) or more, all occupied by families occupy lots adjoining the proposed new road; that viewers named herein were present during the view and the petitioners were represented; that after viewing the premises, although the ending terminus of said proposed new road is not in an intersecting public highway, we are of the opinion that a necessity exists for the proposed new road, therefore, we proceeded to lay out said road as follows: Beginning at the intersection of said proposed road known as Slagle Street with the northerly side of State Highway Route 53 known as Valley Pike at a distance of 1035.0 feet measured along the said Valley Pike in a northeasterly direction from the intersection of another public road known as the Somerset Pike, leading from said Valley Pike to Somerset, thence along the center line of Slagle Street $N. 37^{\circ} 12' W. 167.0$ feet to the center line of Center Street; thence by the center line of Center Street $N. 63^{\circ} 13' E. 326.0$ feet; thence $N. 72^{\circ} 15' E. 203.3$ feet; thence $N. 84^{\circ} 11' E. 148.1$ feet to the place of ending, said ending being at the intersection of the extension of the lot line between lots numbers 2 and 3 on the Christian Slagle Plan of Lots, being the line between property of Florence and Robert Wesley and Millard A. Meyers at a distance of 844.4 feet from the place of beginning measured along the center line of Slagle Street and Center Street, said proposed new road being colored green on the blue print attached hereto and made a part hereof. The section of the proposed new road indicated as Slagle Street as dedicated is only 30 feet in width which requires the taking of 1.5 feet additional width on either side of said Slagle Street to provide for the minimum width of 33 feet, is hereby laid out and included in said highway.

After taking into consideration all the matters before us, we are of the opinion that the road as prayed for by the petitioners and laid out by us is necessary and convenient, therefore, we recommend that the prayer of the petitioners be granted.

We are informed that releases of damages were filed with the petitions for view, however, in consideration of the benefits and damages sustained or that may seem likely to be sustained by the abutting property owners by reason of the opening and maintaining of said proposed new road, we assess no benefits and no damages.

Witness our hands and seals this 10th day of April A.D. 1937.

D. E. Dickey
A. M. Shoemaker
James McCann
Viewers.

No. 3 Sept. sess. 1936. cont'd. Transferred from Page 366

West 352 feet to the westerly termini at St. Charles Catholic
Cemetery. We recommend that no damages be paid.

Witness our hands this seventh day of December, A.D. 1936.

James McCann
A. M. Shoemaker
Mahlon J. Baumgardner
Viewers.

Transferred from Page 378

met in accordance with the notices given and at the time and place thereon designated, the 31st day of March, A.D. 1937, at 1:30 O'clock P.M. and proceeded with the duties of our appointment.

There were present the three Viewers and a representative of the Petitioners. We viewed the premises and route of the proposed new road, Beginning at the intersection of the proposed Public Road, known as Derby Street, with Atwood Street, a Public Road in said Township of Upper Yoder; thence continuing from the center line of said proposed road with its junction at said Atwood Street, north 35 degrees 32 minutes East, Three Hundred Twenty eight and Five-hundredths (328.05) Feet; thence north 33 degrees 47 Minutes East, Four Hundred Thirty-seven and seventy-hundredths (437.70) Feet; thence north 35 degrees 20 minutes East, Five Hundred Seventy-one and Six-tenths (571.6) Feet to the intersection of Cannon Street, a Township Road.

That the proposed new road is a dedicated Highway in the Berkley-Creston Plan of Lots and is now opened and improved and part of the Township Highway system, but it is desired by the supervisors of said Township to widen it so that it will conform to the width necessary to be a Township Road. Because of this no unusual or extraordinary expenses will be imposed on the Township by reason of the widening of Derby Street.

There is hereto attached a map or plan showing the courses and distances of the new street in detail. We are informed by officers of the Township that releases of damages have been filed in the Cambria County Court House from abutting property owners.

After taking into consideration all matters before us we are of the opinion that the road as prayed for by the petitioners is necessary and convenient and should be opened and the prayer of the petitioners granted.

We also believe that there are no benefits or damages sustained, or likely to be sustained, by any of the abutting property owners, and therefore there are no damages awarded or benefits assessed.

Witness our hands and seals this 12th day of April, A.D. 1937.

James McCann
A. M. Shoemaker
D. E. Dickey
Viewers.

(Public) Highway - Upper Yoder Twp.

of Viewers of Cambria County, as shown by the records of the Court, that we gave due public notice of the time and place of meeting of said Viewers by hand bills posted on the premises, notices served on the Commissioners of Cambria County, and upon Frank P. Barnhart, Counsel for the petitioners, and Curt Barnhart and D. N. Weimer Supervisors of Upper Yoder Township, all of whom accepted services at least ten (10) days prior to the time of the making of said view, evidence of which is shown by copies of said notices hereto attached and made a part of this report; that we met on the premises according to the notice given, at the point of beginning of said highway to be surveyed, on January 14. A. D. 1936 at ten (10) o'clock a.m. for the purpose of performing the duties of our appointment.

We viewed the site of the road proposed to be laid out, making a personal inspection of the ground between the points designated in the petition and order. There were present at the view, the three Viewers, Frank P. Barnhart, Esquire Solicitor for the Township of Upper Yoder, and D. N. Weimer, the Supervisor.

We are of the opinion that there is a necessity for the supplying of a public road as prayed for by the petitioners. We proceeded to lay out said road, having due respect for the shortest distance and the best ground for a road and in such a manner as would be as near as practicable, agreeable to the desire of the petitioners and at the same time to the least injury to private property. Said road proposed to be supplied, is described as follows:

Beginning at the intersection of Sell street, a public road in said Township of Upper Yoder, and Gomer street, a certain dedicated street in the plan of Blinn in said Township of Upper Yoder, thence along the center line of said Gomer street, North 79 degrees 14 minutes East Three Hundred nine and thirty-three hundredths (309.33) feet to the intersection of the center line of Ogle street, a certain dedicated street in the said plan of Blinn, thence along said center line of Ogle street, South 47 degrees 25 minutes East Eight hundred twenty-one and sixteen hundredths (821.16) feet to the boundary line between said Upper Yoder Township and the said City of Johnstown in the said County of Cambria, said boundary line between Upper Yoder Township and the City of Johnstown being westerly boundary of Summit Ave, a dedicated street in the said City of Johnstown. The exact distance from the point of beginning of the said proposed road, as set forth in this petition, from an intersecting public road or street, to wit, Berkeley Road, in said Township of Upper Yoder is twenty-eight hundred forty-nine and sixteen hundredths (2849.16) feet, measured along the center of said Sell street to the center of said Berkeley Road; and the exact distance from the point of ending of the proposed road, as set forth in this petition, from an intersecting public road or street, to wit, said Sell street, in said Township of Upper Yoder, is two hundred seventeen and three tenths (217.3) feet, measured along the said boundary line between Upper Yoder Township and the City of Johnstown to the center of said Sell street.

We further find and so report that although one of the termini of the said road, to wit, the terminus ending at the line between Upper Yoder Township and the City of Johnstown, is not in a public highway or a place of public resort, that the other terminus, to wit, the terminus beginning at Sell street is in a public road, namely, the said Sell street, and we further find and report that the road prayed to be opened is one necessary for public travel.

There is made a part of this report a blue print showing a road thus laid out and is indicated on said blue print in green color. We further recommend that the public highway laid out be thirty-three (33) feet in width. Release of damages of the abutting property owners, as affected by the laying out of the hereinabove said road, have been secured by the petitioners and are attached to and on file with the petition praying for the appointment of Viewers.

No. 2 - Dec. Secs. 1935. continued

Public Highway - Upper Yoder Township.

Witness our hands and seal this 18th day of January - A.D. 1936.

S. E. Tickey
Mahlon J. Baumgardner
James McCarson
Viewers

No. 6 June Sess. 1936 cont'd.

Transferred from Page 363.

having regard to the shortest distance, the best grade, the location where such a road would be of most service to the adjacent property owners and those over whose premises the proposed road would pass and also the general traveling public and at the same time do the least injury or damage to private property. On a subsequent day M. J. Baumgardner, the third viewer, and A. M. Shoemaker met and went over the entire route of the proposed new road as previously laid out carefully considering the necessity for a public road and if the best location for same had been selected. Thus having taken in the whole situation we were all of the opinion that a public road between the termini set out in the attached order is necessary for the accommodation of the traveling public and further agreed that the location for such road, the courses and distances of which are hereafter mentioned, is the very best obtainable and further will well serve the public and those living along and adjacent to the same as well as the traveling public.

Said road as laid out takes the following courses and distances, viz: Beginning on state Highway Route No. 53 at the termini specified in said order at a point 54 feet southward from the southerly side of the bridge and extending thence south 48 degrees 30 minutes east 148 feet; south 8 degrees east 149.5 feet; south 5 degrees west 341.8 feet; south 8 degrees 15 minutes west 318 feet; south 5 degrees west 319.2 feet; south 12 degrees 30 minutes east 142 feet; south 10 degrees 45 minutes west 214.6 feet; south 12 degrees 35 minutes west 325 feet; south 8 degrees west 451 feet; south 45 degrees west 391 feet; south 1 degree east 205 feet; south 5 degrees west 321 feet; south 21 degrees west 270 feet, and south 7 degrees west 728 feet, to the point of ending on Route No. 11389, at a point 1865 feet west of the intersection of said last mentioned route with state Route No. 11019, known as the Frankstown Road.

A plot or draft showing the courses and distances and along and over whose premises the proposed road passes is hereto attached and made a part of this report.

We have estimated further that the parties through and over whose premises the proposed road passes will be exceedingly benefitted by the same in excess of any damages, hence have assessed no damages, except to Alfred Nelson, to whom we award sixty (\$60.00) Dollars damages.

Witness our hands this
12th day of September A.D. 1936.

A. M. Shoemaker
James McCann
M. J. Baumgardner
Viewers.

v. 3. December Term, 1936 Cont'd. Transferred from Page 374

attached, that we met in accordance with the notice given on the 2nd day of March A.D. 1937 at 1:30 o'clock P.M. for the purpose of performing the duties of our appointment; all members named in the order to view were present; that we viewed the premises and the site of the proposed road or highway, which is an Alley between Derby Street in the City of Johnstown and Jefferson Street in Upper Yoder Township. That a portion of said proposed highway extending across the 30 foot street leading from Derby Street and to the rear of Lot No. 9 is in the City of Johnstown, said City line being extended so as to include Lot No. 9 in the City of Johnstown; practically all of the lots on Jefferson Street are occupied with a good class of dwelling houses which have a large number of garages at the rear of the lots which are only accessible by using said Alley or proposed highway; also there are several garages at the rear of the buildings on Derby Street which use this same Alley or proposed highway; after viewing the premises and taking into consideration all matters before us, we are of the opinion that said proposed highway is necessary and proceeded to lay same out, as follows: Beginning at the intersection of said proposed new highway with the westerly side of Derby Road, a public highway in Upper Yoder Township, at a point $S. 12^{\circ} 6' W. 131.01$ feet from the southerly side of Derby Street, a public highway in the City of Johnstown, thence $S. 83^{\circ} 27' W.$ a distance of 861.3 feet to the place of ending at the intersection of said proposed new highway with the easterly side of Northwood Avenue, a public road in Upper Yoder Township, said place of ending being southwardly a distance of 124.35 feet from the southerly side of Derby Street aforesaid, all of which is colored green on the blue print hereto attached and made a part hereof.

That the proposed public road desired to be opened is in a built-up section and is the type of highway known as an Alley and is not an integral part of a through route. The width of said Alley as dedicated in the Isaac S. Barnhart Estate Plan of Lots is only 14 feet, but we are informed the petition for said proposed new highway contains a release of damages and a dedication by the abutting property owners, for the purpose of increasing the width of said Alley to not less than 15 feet the minimum width provided for by the Act of Assembly, have dedicated a strip of ground 6 inches in width on either side of said proposed Alley and extending the full length thereof, therefore, we recommend that the prayer of the Petitioners be granted. In consideration of the benefits and damages already sustained or that may seem likely to sustain by reason of the opening, grading, draining, improving and maintaining of said proposed new highway, we assess no benefits and no damages to the abutting property owners.

Witness our hands this 3rd day of March A.D. 1937.

J. E. Dickey
James McCann
L. C. Kaylar
V. Lewis

No. 5 June Term - 1936.

Transferred from Page 362

of Blacklick Township; notices served on the Cambria County Commissioners, all of whom accepted service, evidences of which is shown by the copies of said notice hereto attached and made a part of this report. That we met on the premises according to the notices given at the point of beginning of said proposed road at 10 O'clock A.M. for the purpose of performing the duties of our appointment. We viewed the site of the proposed road, making an inspection of the ground between the points designated in the petition and order. There were present at the view, the three viewers and a few interested citizens. The supervisors were personally interviewed and they agreed there was a necessity for the opening of a new road as prayed for by the Petitioners. We are, therefore, of the opinion that there is a necessity for the opening of the proposed new road, and we proceeded to lay out the said road, having due regard to the shortest distance and the desire of the petitioners.

There is also hereto attached a plan of said road showing in detail the courses and distances of the road, and made a part of this report.

We further find and so report, that although one of the terminus of the said road, to wit: the terminus ending at the property of the John Diamond Estate, the properties of the Big Bend Coal Co, and the Commercial Coal Mining Company, is not on a public highway, or a place of public gathering of any kind, but forms what is commonly known as a dead end; that the other terminus does intersect with a public road known as Legislative Route No 45 in the village of Big Bend and we further find and report that the road prayed to be opened is necessary for public travel, according to Act 250 approved the 30th day of June, 1919.

Releases of damages of the abutting property owners have been secured by the petitioners and are attached to and on file with the petition praying for the appointment of viewers.

Viewers:

Respectfully submitted.

James McCann

Mahlon J. Baumgardner

A. M. Shemaker

No. 9 - Dec. sess. 1936. cont'd.

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proposed new road, that the route of the proposed new road follows a portion of Columbia Street, a dedicated highway in the Harry, E. Berkeley Plan of Lots in Upper Yoder Township; that said proposed new road is now opened and in a good state of improvement; that the acceptance of said proposed new road as a Township Road and part of the Township Highway system will not cause any additional or unusual expense to the Township; that a number of dwelling houses, six (6) or more, all occupied by families occupy lots adjoining the proposed new road; the Viewers named herein were present during the view and the petitioners were represented; that no complaints or exceptions were made against the opening of said proposed new road; that after viewing the premises, although the ending terminus of said proposed new road is not in an intersecting public highway but in a dedicated highway, we are of the opinion that a necessity exists for the proposed new road; therefore, we proceeded to lay out said road as follows: Beginning at the intersection of said proposed road known as Columbia Street with Warren St, a public highway in Upper Yoder Township, at a distance of 285.0 feet measured along the center line of said Warren Street in a southerly direction from the intersection of Cannon Street, another public highway, thence along the center line of the proposed new road S. 64° 31' E, 276.86 feet, thence S. 68° 28' E, 305.29 feet to the place of ending, said ending being at the intersection of the easterly side of a 15 foot alley, a dedicated highway in Upper Yoder Township, at a distance of 582.15 feet measured along the center line of said proposed new road from its intersection with Warren Street or the place of beginning, said proposed new road being colored green on the blue print attached hereto and made a part hereof. The section of the proposed new road indicated as Columbia Street as dedicated is only 30 feet in width which required the taking of 1.5 feet additional width on either side of said Columbia Street to provide for the minimum width of 33 feet, is hereby laid out and included in said highway.

After taking into consideration all the matters before us, we are of the opinion that the road as prayed for by the petitioners and as laid out by us is necessary and convenient, therefore, we recommend that the prayer of the petitioners be granted.

We are informed that releases of damages were filed with the petitions for view, however, in consideration of the benefits and damages sustained or that may seem likely to be sustained by the abutting property owners by reason of the opening and maintaining of said proposed new road, we assess no benefits and no damages.

Witness our hands and seals this 9th day of April, A.D. 1937.

S. E. Dickey
James McEann
A. M. Shoemaker
Viewers

Transferred from Page 355.

agreed to also by the supervisors of Broyle's Township, two of whom were present, as were also a number of the land owners whose land abuts the proposed road, and also a number of interested citizens of the township. The viewers therefore recommend to your Honorable Court that a public road be opened as above.

A plot or draft which is hereto attached shows the location, courses, and distances, and the premises through and over which said road shall pass in detail.

We have also agreed that no damages are sustained by any of the owners through whose land said road runs nor are any benefits awarded

Respectfully submitted
 Viewers. James McCann
 A. M. Shoemaker
 S. E. Dickey

9 Jan. 1939 Return of Supervisors filed

no. 4 June Term 1936

Transferred from Page 361

premises of Edward Warfel where the public have already been traveling for a considerable time we estimate no damage will be sustained by the owner of the land, who consents to the opening of same and claims no damages and therefore assess none.

The point of beginning above referred to, at the U.B. Church and cemetery is at the terminus of a piece of public road leading thereto through Broyle Township from another public highway in said Township of Broyle which leads from New Germany to Summerhill.

Witness our hands this 27th day of July - A.D. 1936.

A. M. Shoemaker

Mahlon J. Baumgardner

James McCarroll

Viewers

2 August 1937 Return of Supervisor filed

No. 4. sept. sess. 1935.

said ending being at a distance of 4126.9 feet measured along the center line of the old Frankstown Road in an easterly direction from the intersection of the Viaduct Road at the Mt. Hope Evangelical Church and cemetery.

(2) Beginning at a point in the old Frankstown Road at the intersection of the Viaduct Road at the Mt. Hope Evangelical Church and cemetery; thence S. $5^{\circ}39'$ W. 1462.2 feet to a point in the center of the new concrete road known as State Highway Route #53, the place of ending, said ending being at a distance of 2920.0 feet measured along the center line of said new concrete road known as State Highway Route #53 in an easterly direction from its intersection with the old Frankstown Road.

Said sections of road proposed to be vacated are colored green on the blue print hereto attached and made a part hereof.

That by reason of the vacating of the two sections of roads above described, we are of the opinion that there is a necessity for the supplying of the public road as prayed for by the Petitioners, therefore, we proceeded to lay out said new road, having due respect for the shortest distance and the best ground for a road and in such a manner as would be as near as practically agreeable to the desire of the Petitioners and at the same time do the least injury to private property. said road proposed to be supplied is described as follows:

Beginning at a point in the old Frankstown Road at a distance of 2316.0 feet, measured along the center line of said old Frankstown Road in an easterly direction from the intersection of the Viaduct Road at the Mt. Hope Evangelical Church and cemetery; thence S. $7^{\circ}14'$ W. 1106.0 feet; thence S. $37^{\circ}30'$ W. 680.0 feet to a point in the new concrete road known as State Highway Route #53, the place of ending, said ending being at a distance of 4905.0 feet measured along the center line of said new concrete road known as State Highway Route #53 in an easterly direction from its intersection with the old Frankstown Road.

Said section of road proposed to be supplied is colored in red on the blue print hereto attached and made a part hereof.

Said plot or draft attached hereto shows the improvements along said roads proposed to be vacated and supplied and the names of the abutting property owners. During the view we made an effort to secure a release of damages, being unable however to secure release from the property owners, therefore, taking into consideration the damages sustained and the benefits derived by the vacation of said portion of public roads and the supplying of the new section of public road, improving and maintaining of said new road, we assess no benefits and no damages to any of the abutting property owners.

After carefully considering all matters before us, we are of the opinion that those sections of public road colored green on the blue print should be vacated and that section of proposed new road colored red on the blue print should be supplied as prayed for by the Petitioners.

Witness our hands this 20th day of November, A.D. 1935.

S. E. Dickey
 Dixon Lomb
 James McEann
 Weaver

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schedules of our findings and exhibited the same at the Court House and gave the parties in interest an opportunity to be heard by themselves and witnesses, and at the time of said exhibition of schedule we were informed the Highway Department had agreed to turn the water from the fields of the petitioners and still are ready and willing to perform or execute their agreement to that extent; but to date no such adjustment has been made; accordingly we have fixed our award on conditions as we found them upon the premises on the date of the view.

We therefore submit that in our opinion the widow and heirs of said William F. Flick have sustained damages, in excess of benefits, in the sum of Three Hundred Twenty Five and no/100 Dollars which amount should be paid them by the County of Cambria.

Unless an appeal shall be taken herefrom, exceptions filed or a stay granted by the Court this report shall be confirmed absolutely at the expiration of thirty days from the date of filing same in the office of the Clerk of Courts of Cambria County.

A copy of the notices served, published and posted together with a copy of the schedule exhibited are hereto attached and made a part of this report.

Witness our hands this fourth day of December. A.D. 1935.

P. M. Kinney
James McCann
A. M. Shoemaker
Viewers

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No. 3 June Sessions 1935.

which were used by said petitioners in the construction of a retaining wall erected by them; we are of the opinion that the said Alonza Baumgardner, and Mary Baumgardner, his wife, have sustained damages in excess of benefits, in the sum of Two Hundred Ninety Five (\$295.00) Dollars which amount should be paid to them by the Borough of Gettysburg.

Having thus estimated and determined the damages we prepared a schedule of benefits and damages and arranged a time and place for exhibition of our schedule of which the parties in interest had due notice and an opportunity to offer further testimony if desired, and having thus met and exhibited said schedule and the parties having no further testimony to offer; we will file this report, of which the parties have due notice, November 22nd 1935 and unless an appeal is taken or objections filed within thirty days of the date of filing the report the same shall be confirmed absolutely.

A copy of the notices served, published and posted, and a copy of the schedule exhibited are hereto attached and made a part of this report.

Witness our hands this 22nd day of November. A.D. 1935.

A. M. Shremaker
James McCann
Dixon Tomb
Viewers.

Decree.

And now this 23 day of Sept. A.D. 1935, the foregoing petition having been read and considered, the Court hereby directs that the proceedings entered to number three (#3) June Sessions 1935, Court of Quarter Session, Cambria County, Pennsylvania be filed in the Court of Common Pleas of said Court and that the view having been conducted by the Viewers in the Court of Quarter Sessions, be certified as though the same had taken place in the Court of Common Pleas of Cambria County, Pennsylvania, and that the hearings of schedule and all other meetings pertaining to said proceedings, take the number and term designated by the Prothonotary and clerk of the Court of Common Pleas.

By the Court
McKernick Judge

No. 2. Sept. Session - 1935.

Transferred from Page 349.

which said private road should pass. The Viewers therefore recommend to your Honorable Court that a private road be opened as above stated.

A plot or draft which is hereto attached shows, in detail, the location, courses and distances, and the premises through and over which the said road shall pass. We have also agreed that no damages are sustained by any of the owners of said land, nor will any benefits be awarded.

Respectfully submitted
James McCann
P. M. Tenney
A. M. Shoemaker.

No. 5 - Sept. Sessions - 1934 cont'd.

testimony was continued until after the first of January, 1935. Because of the illness of the petitioners, to wit: William Griffith and Dollie Griffith, his wife, and because of continuances granted from time to time, a hearing was held for the purpose of taking testimony in the Judges Chambers on Levergood street, City of Johnstown, Cambria County, Pennsylvania on Thursday, May 17 1935 at 9:30 A.M. & S.D.

The chairman of your Board, to wit: Mahlon J. Baumgardner, presented a petition to the Court of Quarter Sessions of Cambria County on March 4 - 1935, asking the Court for an order and decree extending the time for filing of said report from the first Monday of March to the first Monday of June, 1935, and further that a Viewer be appointed from the Permanent Board of Viewers to take the place of Philip Caulfield, deceased. The Court did on the fourth day of March, 1935, order and decree that the time for filing of said report be continued from the first Monday of March - 1935 to the first Monday of June 1935 and appointed James McCarroll, a member of the Permanent Board of Viewers of Cambria County to take the place of Philip Caulfield, now deceased. James McCarroll after his appointment, viewed the premises in question.

Pursuant to said oral agreement for the taking of testimony we met as hereinabove already referred to on Thursday, May 10 - 1935 at 9:30 O'clock, A.M. & S.D. for the purpose of taking testimony. There were present at the hearing the three (3) members of the Board of Viewers, to wit: J. E. Dickey, James McCarroll and Mahlon J. Baumgardner, William Griffith, one of the owners, and Roman B. Widmann, Esq., his Counsel, together with Percy Allen Rose, Esq., and a number of witnesses for the Township. Roman B. Widmann, Esq. Counsel for the petitioners, called several witnesses in his behalf. The Township of Stonycreek, through its Counsel, Percy Allen Rose, offered no testimony.

Deeds and blueprints, showing locations, plans, elevations, etc. were offered in evidence. The deed affecting the property of the petitioners is more fully described as follows:

Beginning at a point corner of Oakland Street and Martha Avenue; thence along said Martha Avenue south 37 deg. 48' East one hundred thirty-six and sixty-four hundredths (136.64) feet to a point, corner of land now owned by Fred Heilman; thence along said Fred Heilman land south 51 deg. 52' West two hundred thirteen and six tenths (213.6) feet to a point, corner of lands now owned by Clifford Griffith; thence along said lot of Clifford Griffith north 37 deg. 48' West forty-fifth (45) feet to a point; thence by same south 51 deg. 52' West one hundred twenty (120) feet to a point; thence along same south 37 deg. 48' East forty-five (45) feet to a point on line of land of the aforesaid Fred Heilman; thence along same south 51 deg. 52' West one hundred seventy-eight and sixty-hundredths (178.60) feet to Bedford Pike; thence along said Bedford Pike north 47 deg. 9' West one hundred thirty-eight and thirty-eight hundredths (138.38) feet to Oakland Street, thence along said Oakland Street north 51 deg. 55' East two hundred seventy-four (274) feet to corner of lot this day conveyed to Lee Gilbert and Verda Griffith, Gilbert, his wife; thence along the said lot of ground this day conveyed to Lee Gilbert and wife, which also runs along Scott Street 37 deg. 48' East forty-five (45) feet to a point; thence along the aforesaid lot this day conveyed to Lee Gilbert and wife north 51 deg. 55' East one hundred twenty (120) feet to an alley sixteen (16) feet in width; thence along said last mentioned alley 37 deg. 48' West forty-five (45) feet to line of the aforesaid Oakland Street; thence along said Oakland Street north 51 deg. 55' East one hundred thirty-six (136) feet to the place of beginning;

That after the taking of the testimony the Viewers again went upon the premises of the petitioners. We again viewed the property and the high-way known as Oakland Street as it affects the property of your petitioners.

That having viewed the said premises, having heard all the evidences; and

No. 5 - Sept. Dec. 1934 cont'd.

testimony given and taking into consideration all matters before us, we estimated and determined the damages caused by the change of the grade of oak-land street in the Township of Stonycreek, Cambria County, Pennsylvania between the Johnstown-Bedford Pike and Scott Avenue, and having due regard to and making just allowances for the damages that have resulted or which may seem likely to result to the owners of said lands, we estimated and determined the amount of damages and prepared a schedule thereof. That all parties interested were notified of the time and place of the meeting of the Viewers for the purpose of exhibiting said schedule and considering all exceptions and evidence thereto, by personal service upon William Griffith and Dollie Griffith his wife, owners, together with notices to Roman C. Widmann, Esq., Counsel for the owners and Percy Allen Rose, Esq., Solicitor for the Township of Stonycreek, at least ten (10) days prior to the time of said meeting, evidence of which is shown by said notices being hereto attached and made a part of this report.

That we met in accordance with the notice given on Wednesday, May 22-1935, at 9:30 o'clock E.S.O.S.T. in the Judges Chambers, Levergood Street, Johnstown, Cambria County, Pennsylvania, where said Exhibit and all exceptions and testimony offered thereto was heard. That after hearing all exceptions and testimony offered and giving all matters before us due consideration, we are of the opinion that the said property of William Griffith and Dollie Griffith, his wife, abutting on the line of said improvement has been damaged. Therefore, we assess no benefits and damages in the sum of Two Hundred Fifty-Six (\$256.00) Dollars.

That we are of the opinion that the above damages are due and should be paid to William Griffith and Dollie Griffith, his wife, as their interest may appear, by the Township of Stonycreek, Cambria County, Pennsylvania.

That we annex hereto and make a part of this report a Plot or Draft showing the property abutting on said improvement.

Witness our hands and seals this first day of June, A.D. 1935.

Mahlon J. Baumgardner
S. E. Dickey
James McCarroll
Viewers.

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No. 1 - Sept. Sessions - 1934. Cont'd.

1934, at 1:30 O'clock P. M. Eastern Standard Time, for the purpose of taking testimony and hearing all evidence.

There were present at the hearing, Lester Larimer, petitioner and one of the owners and his counsel, Paul Larimer, Esquire, who in their behalf called a number of witnesses, H. Frank Dorr, Chief Clerk to the County Commissioners, and Gilbert Noel, of the State Highway Department, who were there in behalf of the County of Cambria. No member of the Board of County Commissioners was present, nor was their solicitor there.

That having viewed said premises and hearing all evidence and testimony, and taking into consideration all of the matters before us, we estimated and determined the quality and quantity of damages, as affecting the property aforesaid by reason of the opening, laying out, condemning, reconstructing, improving and relocating of the State Highway in the Township of Jackson (Cambria) County, Pennsylvania, and having due regard to and making just allowances of the damages which have resulted or which may seem likely to result to the owners of said premises as affected by the opening, laying out, condemning, reconstructing, improving and relocating of said State Highway, we estimated and determined the amount of damages accruing to the petitioners.

We have, therefore, assessed no benefits and damages in the sum of one thousand (\$1000) dollars.

The usual procedure of the notice of Exhibit of schedule was waived by all the parties interested. The parties in interest to wit: Paul Larimer, Esquire, counsel for the petitioner and owners, and H. Frank Dorr, Chief Clerk to the County Commissioners, were notified by letter from the Chairman of the Board of Viewers under date of August 29-1934, that the Board of Viewers had estimated and determined the amount of damages, growing out of the above matter, in the sum of one Thousand (\$1000) dollars, and that their report would be filed on September 3-1934.

We are of the opinion that the damages, in the sum of One Thousand (\$1000) dollars, above shown, are due and should be paid to Lester Larimer, and Lester Larimer, Trustee for Louis Mack David, as their interest may appear, by the County of Cambria.

Witness our hands and seals this third day of August - 1934.

A. M. Shoemaker
P. M. Kinney
Mahlon J. Baumgardner
Viewers.

No. 3. Sept. Res. 1935. cont'd.

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The route of the proposed new road as laid out passes over a small corner of the rear end of one lot owned by the Russell Fleming Estate, over a dedicated street and thence partly along a public alley and partly over a strip of unimproved land belonging to the estate of Mathias Reade, deceased. The viewers having obtained no releases of damages have estimated that no damages will be sustained by the owners of the land over which the proposed road was laid out have assessed no damages.

The attached sketch indicates the location and probable amount of land the road, as recommended, will occupy; estimating the width of the recommended road will be fixed at forty feet.

Witness our hands this 8th day of November. A.D. 1935.

A. M. Shoemaker
James McEann
P. M. Kinney
Viewers.

No. 2 June Sessions 1932 cont'd. Transferred from Page 281

mentioned is necessary, and we, therefore authorize the laying out of a public road, according to the accompanying draft, viz: Beginning at a point at the intersection of West Second street and First Avenue West, and West Fifth street, said First Avenue West running North 10°18' East 1448 feet from its intersection at West Second street, and ending at the intersection of First Avenue West and West Fifth street, all in the Township of Bonemaugh, as shown on Plan of Franklin Extended, and laid out by the Franklin Land and Improvement Company, and recorded in Cambria County, as aforesaid, in Misc. Book Vol. 10, Page 481.

We are attaching hereto and making a part of this report, a Release of Damages signed by property owners abutting on said street, and as for those who have not released, we assess no damages for the reason that the benefits of said road when laid out and improved are far in excess to any damages that may accrue to such property owners.

We, therefore, authorize the laying out of the hereinabove described road for public use.

Witness our hands and seals this eighth day of September, A. D. 1932.

Mahlon J. Baumgardner
S. E. Tichey
Dixon Tomb.

Transferred from Page 322.

No. 3 Rec. Accounts - 1933 cont'd

vented to move or tear down a wagon or machine shed to the expense and detriment of the petitioner.

That by reason of raising and widening of the public road directly opposite the approach to the barn floor which has shortened the distance between the road and barn which before was limited, as to make it very difficult to turn and drive onto the barn floor with a load of hay or grain.

That the distance between the barn floor and the right of way, which has been widened towards the barn and the elevation of which has been increased, so as to make it impracticable to drive onto the barn floor and will make it very inconvenient and difficult to unload hay or grain with hay fork, such as is ordinarily used by farmers for that purpose, and these together with other minor effects upon the premises in question, and definitely described on the attached order, we have estimated and determined that the petitioner is entitled to damages.

◆ Hence we recommend that the County of Cambria should pay the said Laura J. Noel or parties in interest the sum of six hundred, fifty - $\frac{00}{100}$ Dollars damages (\$650.⁰⁰/₁₀₀)

Unless exceptions are filed or an appeal taken from the above award within thirty days from the filing hereof the same shall be confirmed absolutely. It has been agreed by the attorney for the petitioner and the Commissioners of Cambria County that no exceptions to this report will be taken on account of attaching no draft and no sitting on part of the viewers to exhibit a schedule of the awards of benefits and damages.

Witness our hands this 8th day of June A.D. 1934.

Philip S. Baulfield.
James McEann.
A. M. Shoemaker
Viewers.

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No. 1 June Session 1932

Section of First Avenue West, all in the Township of Bonemaugh aforesaid.

We have attached to a similar report, entered to No. 2. June Session, 1932, a Release of Damages signed by property owners along said street, and as for those who have not released, we assess no damages for the reason that the benefits of said road when laid out and improved are far in excess to any damages that may accrue to such property owners.

We, therefore, authorize the laying out of the road hereinabove described for public use.

Witness our hands and seals this eighth day of September, A.D. 1932.

Mahlon J. Baumgardner

D. C. Dickey

Dixon Tomb.

Viewers.

Transferred from Page -323-

No. 4 - Dec. Sess. 1933.

Road, now known as the Wissinger Road, and extending through the farm of Anthony Koehler, has become useless, inconvenient, and burdensome, and we, therefore, vacate the same. We find that portion of the Shaffer Road, extending from the Clapboard Run Road, now known as the Wissinger Road to the Clapboard Run Road, now an improved highway, has likewise become useless, inconvenient, and burdensome, and we, therefore, vacate the same as a public highway and relieve the Township of Conemaugh from any liability or responsibility of the same, and recommending that the same be maintained as a private road for the benefit of the three abutting property owners who use the road to travel either to the now known Wissinger Road on the one side, and the Clapboard Run Road, an improved highway, on the other side. We, therefore, recommend that the prayer of the Petitioners be granted, and that the said Shaffer Road be vacated, and the Township of Conemaugh be relieved from any further liability and responsibility insofar as the said road is concerned.

The fact that the said Road has not been docketed in the Road Docket in the office of the clerk of the Court of Quarter Sessions of Cambria County, and does not disclose any records of the said road ever having been laid out by a Board of Viewers, does not warrant the Board of Viewers in not recommending a private road for the use of the three persons who would be deprived of the use of said road, extending from what was originally known as the Clapboard Run Road and now known by the name of the Wissinger Road to the Clapboard Run Road, an improved highway as aforesaid; the road having been used for a period of more than twenty-one years. We again state that it is the opinion of the Board of Viewers that the entire road as described in the petition should be vacated as a public highway, because the same has become useless, burdensome, and inconvenient, and that the portion of the road leading from the Clapboard Run Road should be vacated, and that portion of the road continued from the said Clapboard Run Road, now known as the Wissinger Road, to the now improved highway known as the Clapboard Run highway, should be vacated as a public highway, and that the same be a private highway, and that the Township of Conemaugh be relieved of any responsibility and liability with reference to the entire road as described in the petition.

Witness our hands and seals this 10 day of May - 1934.

Dixon Lomb. seal

Philip E. Caulfield seal

Mahlon J. Baumgardner seal.

No. 2, Sept. 1934 cont'd.

Transferred from Page 330.

from the beginning, on account of the reconstruction of the new Solomon Run Road this section of highway has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated.

2. A portion of Solomon Run Road, formerly designated as Solomon Run Road Extension, beginning at a point in the Solomon Run Road eastwardly from the intersection of the Solomon Run Road with a public road 4 miles in length leading to Elton a distance of 1560 feet measured along the center line of the reconstructed Solomon Run Road at state Highway construction survey station 359+75 or chain survey station 360+44, and ending at a point in the Solomon Run Road eastwardly from the intersection of the public road last above mentioned a distance of 2835 feet measured along the center line of the reconstructed Solomon Run Road at chain survey station 373+43 a distance of 1299 feet from the beginning, on account of the reconstruction of the new Solomon Run Road this section of highway has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated.

3. A portion of Solomon Run Road, formerly designated as Solomon Run Road Extension, beginning at a point in the Solomon Run Road southwardly from the intersection of a public road 1.5 miles in length leading from the Solomon Run Road to Route No. 276 a distance of 1420 feet measured along the center line of the reconstructed Solomon Run Road at state Highway construction survey station 386+00 or chain survey station 386+75, and ending at a point in the Solomon Run Road southwardly from the intersection of the public road last above mentioned a distance of 585 feet measured along the center line of the reconstructed Solomon Run Road at chain survey station 395+85 a distance of 910 feet from the beginning, on account of the reconstruction of the new Solomon Run Road we find that that portion of this section of highway proposed to be vacated $N. 33^{\circ} 28' E. 490$ feet has become useless, inconvenient, and burdensome to the tax payers and we therefore recommend that same be vacated, and that the remainder of this section of highway be not vacated.

4. A portion of the Solomon Run Road, formerly designated as Solomon Run Road Extension, beginning at a point in the Solomon Run Road northwardly from the intersection of the Solomon Run Road with a public road 1.5 miles in length leading to Route No. 276 a distance of 1415 feet measured along the center line of the reconstructed Solomon Run Road at state Highway construction survey station 414+50 or chain survey station 416+00, and ending at a point in the Solomon Run Road from the intersection of the public road last above mentioned a distance of 2715 feet measured along the center line of the reconstructed Solomon Run Road at chain survey station 429+55 a distance of 1355 feet from the beginning, on account of the reconstruction of the new Solomon Run Road this section of highway has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated.

5. A portion of Solomon Run Road, formerly designated as Solomon Run Road Extension, beginning at a point in the Solomon Run Road northwardly from the intersection of the Solomon Run Road with a public road 1 mile in length leading to Route No. 276 known as the Bloom Road, a distance of 720 feet measured along the center line of the reconstructed Solomon Run Road at state Highway construction survey station 451+00 or chain survey station 453+17,

No. 2 - Sept Sessions - 1934 cont'd.

and ending at a point in the Solomon Run Road at the intersection of the reconstructed Solomon Run Road with the old Frankstown Road Route No. 276 northwardly from the intersection of a public road leading from the old Frankstown Road to Salix a distance of 680 feet measured along the center line of the old Frankstown Road at chain survey station 483 + 25 a distance of 3068 feet from the beginning, on account of the reconstruction of the new Solomon Run Road this section of highway has become useless, inconvenient, and burdensome to the tax payers and we therefore recommend that same be vacated as a public highway. We recommend however that that portion of said section of highway vacated beginning at a point in the new reconstructed Solomon Run Road S. 62° E. 111 feet from the intersection of the road leading to Salix with the old Frankstown road extending S. 62° E. a distance of 503 feet, be retained as a private road.

6. A section of highway leading from the Frankstown Road to Salix, beginning at the intersection of the old Solomon Run Road Extension with a public road leading from the old Frankstown Road to Salix at a point eastwardly 614 feet from the old Frankstown Road, thence S. 56° 57' E. 723 feet, thence S. 59° 08' E. 162 feet, thence S. 84° 58' E. 288 feet, thence N. 86° 53' E. 140 feet to the Adams Township line, the place of ending, has become useless, inconvenient and burdensome to the tax payers and of no use to the traveling public on account of the extension of this highway in Adams Township already having been vacated, we therefore, recommend that this section of highway be vacated as a public highway and retained as a private highway to the intersection of the boundary line of property of Charles Mellett.

7. A section of the old Frankstown Road, beginning at the intersection of a public road, herein vacated, leading from the old Frankstown Road to Salix, thence S. 35° 08' W. 430.6 feet; thence S. 39° 26' W. 554.7 feet; thence S. 54° 46' W. 536.8 feet; thence S. 84° 09' W. 627 feet to the place of ending at the intersection of the Bloom Road leading from the Solomon Run Road Extension to the old Frankstown Road a distance of 2621 feet from the Solomon Run Road Extension, on account of the reconstruction of the Solomon Run Road has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated.

8. A portion of the Bloom Road, beginning at the intersection of said road with the Solomon Run Road at state highway construction survey station 444 + 00, thence S. 79° 27' E. 535 feet, thence S. 87° 07' E. 229 feet to the Adams Township line, on account of the extension of said road having been vacated in Adams Township, has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated.

The parts of highways to be vacated and the parts to be retained as private roads are colored green and red, respectively, on Plans No. 1 and No. 2 attached hereto and made a part hereof.

Section B.

A portion of the Clapboard Run Road extending from Franklin Borough to Frankstown Road, beginning at a point in the newly constructed Clapboard Run Road eastwardly from the intersection of the boundary line between Cowenough Township and Richland Township a distance of 1294 feet measured along the center line of the newly constructed Clapboard Run Road at state highway construction survey station 217 + 00 or chain survey station 224 + 50 and ending at chain survey station 209 + 90, we find that only a portion of this section of highway has become useless, inconvenient, and burdensome to the tax payers and therefore recommend that that portion of same beginning

No. 2. Rept. Dec. 1934. Cont'd.

at the beginning above described and extending N. 53° W. 650 feet be vacated.

The portion of highway to be vacated is colored green on Plan No. 3 attached hereto and made a part hereof.

Section 6:

1. A portion of the highway leading from the Winber Road to Arbatus Park, beginning at a point in the newly constructed section of Tr. Rt. 163 westwardly from the boundary line between the property of Albert Winland and Stephen Hostetler a distance of 59 feet measured along the center line of the newly constructed highway at state Highway Construction survey and chain survey station 204+50 and ending at a point in the newly constructed highway eastwardly from the boundary line aforementioned a distance of 641 feet measured along the center line of the newly constructed highway at chain survey station 213+23 a distance of 873 feet from the beginning, on account of the relocation of the newly constructed highway has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated.

This portion of highway to be vacated is colored green on Plan No. 4 attached hereto and made a part hereof.

2. A portion of the highway leading from Winber to Elton by the way of Recreation Park Rural Rt. 11002 Tr. Rt. 218, beginning at a point in the newly constructed highway north of the intersection of a public road leading from Tr. Rt. 218 eastwardly with the section of road proposed to be vacated described as number 4 below a distance of 1371 feet measured along the center line of said section of highway and a portion of the newly constructed highway at state Highway Construction survey station 89+100 or chain survey station 32+58, thence N. 22° 32' E. 115 feet; thence N. 54° 41' E. 468 feet; thence N. 6° 07' W. 207 feet; thence N. 14° 26' W. 275 feet; thence N. 30° 49' W. 316 feet; thence N. 59° 25' W. 48 feet; thence N. 67° 67' W. 267 feet; thence N. 54° 16' W. 236 feet to ending at chain survey station 51+90, said ending being southeastwardly a distance of 310 feet from the intersection of the center line between the north and south bound tracks of the Winber Branch of the Pennsylvania Railroad, on account of the reconstruction of Tr. Rt. 218 this section of highway has become useless, inconvenient, and burdensome to the tax payers and we therefore recommend that same be vacated.

This portion of highway to be vacated is colored green on Plan No. 5 attached hereto and made a part hereof.

3. A portion of a public road known as the road leading from Krings Station to Walsall, beginning at a point eastwardly from the intersection of the Krings Road with the Blough Road a distance of 133 feet measured along the center line of the Krings Road to Walsall, thence N. 75° E. 135 feet; thence S. 70° E. 32 feet; thence S. 42° E. 35 feet; thence S. 10° W. 32 feet; thence S. 43° 15' W. 117 feet to the ending in the road leading from Walsall to Krings being southwardly from the intersection of the Blough Road a distance of 300 feet measured along the center line of the road leading from Krings to Walsall, on account of the reconstruction of the road leading from Krings to Walsall this section of highway has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated.

This portion of highway to be vacated is colored green on Plan No. 6 attached hereto and made a part hereof.

4. A portion of the highway leading from Winber to Elton by the way of Recreation Park Rural Rt. 11002 Tr. Rt. 218, beginning at a point in the newly constructed highway north of the intersection of a public road leading from Tr. Rt. 218 eastwardly with the section of road proposed to be vacated a distance of 884 feet measured along the center line of the section of

highway proposed to be vacated, thence S. $10^{\circ} 08' W.$ a distance of 1992.2 feet; thence paralleling the boundary line between Cambria and Somerset Counties N. $84^{\circ} 36' W.$ a distance of 2694 feet to the ending at the intersection of a private road, said ending being westwardly of the intersection of the road proposed to be vacated with the new constructed highway Tr. Rt. 218 a distance of 860 feet measured along the center line of the section of highway proposed to be vacated; on account of the reconstruction of Tr. Rt. 218 this section of highway has become useless, inconvenient and burdensome to the tax payers and we therefore recommend that same be vacated. This portion of highway to be vacated is colored green on plan No. 5 attached hereto and made a part hereof.

5. A portion of a highway leading from the road from Winber to Elton passing the homes of Stoffman and Grush, beginning at the private lane leading to the Grush house eastwardly a distance of 3269 feet from the intersection of said road with Tr. Rt. 218, thence N. $51^{\circ} 26' E.$ 214 feet; thence N. $74^{\circ} 03' E.$ 148 feet; thence S. $4^{\circ} 59' E.$ 224 feet; thence S. $67^{\circ} 05' E.$ 505 feet; thence S. $53^{\circ} 12' E.$ 70 feet, more or less, to the intersection of the boundary line between Cambria and Somerset Counties, the place of ending, has become useless, inconvenient and burdensome to the tax payers and of no use to the traveling public on account of the extension of this highway in Somerset County, already having been vacated, we therefore recommend that this section of highway be vacated as a public highway and retained as a private highway.

This portion of highway to be retained as a private road is colored red on Plan No. 5. attached hereto and made a part hereof.

The petition for the appointment of Viewers requests the vacation of fourteen (14) different sections of highways at fourteen (14) different, separate and distinct locations covering nearly the entire length of the Township from north to south and being separated from each other with an extreme distance approximating (20) miles. On account of the scattered location of these sections of highways, it was necessary to prepare six (6) different plans to properly show the locations thereof and to describe each section separately in this report with a separate recommendation for each section in order under sections A, B and C as set forth in the petition.

That after viewing the premises and surrounding territory and taking into consideration all of the matter before us, we are of the opinion that the portion of sections of highways proposed to be vacated, colored green and described on the blue prints attached hereto and made a part hereof, have become useless, inconvenient and burdensome to the tax payers and therefore recommend that same be vacated. Also, that that portion of sections of highways proposed to be vacated, colored red and described on the blue prints attached hereto and made a part hereof, have become useless, inconvenient and burdensome to the tax payers and of no use to the traveling public but necessary as private roads, we therefore recommend that same be vacated as public highways and retained as private roads, all of which is set forth separately under each section of this report.

Witness our hands this 16th day of November A. D. 1934

A. E. Dickey
Dixon Joubert
Philip C. Caulfield
Viewers

No. 2. sept-1931

Transferred from -268-

That the right of way of the said state highway cuts through almost the center of a tenant house on the premises of the petitioners.
That by reason of the construction of the new highway the natural water course has been changed somewhat to the detriment of the owners of the land.

That as a consequence of the laying out and constructing of the said new highway as aforesaid we have estimated and determined that the damage to the whole tract of land, over and above benefits, is the sum of four hundred seventy-five dollars and that as each of the petitioners own a one-fourth interest therein that each of them should be paid by the county of Cambria the sum of One Hundred Eighteen and $75/100$ Dollars.

Unless an appeal or exceptions shall be taken to the foregoing award within thirty days from the date of filing of the same this report shall be confirmed absolutely.

Witness our hands this twelfth day of November. A. D. 1931.

A. M. Shremaker
Philip E. Caulfield
J. D. Ritter
Viewers.

No. 1 - December - 1933.

Transferred from Page 320

The usual procedure of the notice of exhibit of schedule by all of the parties interested was waived, and a meeting of the Board of Viewers for the exhibiting of schedule was waived by mutual consent. The parties in interest, to wit: - Frank P. Barnhart, Esq. and A. F. Davis, were notified by letter from the Chairman of the Board of Viewers, under date of February 27, 1934, that the Board of Viewers had estimated and determined the amount of damages, growing out of the above matter, in the sum of four hundred fifty (\$450.00) dollars, and that their report would be filed March 5, 1934.

We are of the opinion that the damages, in the sum of four hundred fifty (\$450.00) dollars, above shown, are due and should be paid to Steven Kempa and Mary Kempa, his wife, as their interest may appear, by the County of Columbia.

Witness our hands and seals this third day of March, 1934.

Dixon Lomb.
Philip E. Gaultfield
Mahlon J. Baumgardner
Viewers.

No. 14 Sept. Term 1931 - cont'd.

Transferred from Page 270

Ebensburg, Pa. Dec. 7th - 1931, at which time and place neither of the parties nor their attorneys appeared.

Said schedule showed the damages, as estimated by the viewers, to be the sum of three thousand (\$3,000.00) dollars and the benefits one hundred fifty (\$150.00) dollars; and offsetting one against the other we estimated that the said Catherine C. Stoltz should be paid, by the county of Cambria, the sum of Twenty Eight Hundred Fifty (\$2,850.00) Dollars.

A plot or sketch (showing the location) of the premises of the said Catherine C. Stoltz, with relation to the state Highway Route No. 234, showing also the location of the house erected thereon and indicating the interruption of the access thereto by a deep cut in front of the property and in such close proximity thereto that, if said highway is graded to the right of way line, the foundation of the property will in all probability slip and allow the house to topple into the highway unless protected by a high and very substantial retaining wall - estimated to cost approximately \$2,150.00 or over. Access to the house is made so difficult that same cannot be used by the owner to the same advantage and for the same purpose as it previously had been used, viz, for serving meals to parties boarding and making roomers etc. Access to the garage on the premises has been made so awkward that same cannot be rented to same advantage as previously, and the owner has been otherwise damaged and inconvenienced.

Notice of the filing of this report has been given to the parties interested and unless an appeal be taken therefrom or exceptions filed to said report within thirty days from the date of filing same, this report shall be confirmed absolutely.

Witness our hands this day of December - a. D. 1931

Philip E. Caulfield
J. D. Ritter
A. M. Shoemaker
Viewers

Transferred from Page 269

No. 3 Sept. Ass. 1931 cont'd.

width, where same crossed the lots of the said Thomas Brandt, of seventy to eighty-five feet, (the exact width as indicated on two state highway maps not corresponding).

That the highway as laid out crossed the premises of the petitioner at an angle, thereby taking and cutting his property much more than had it crossed directly from side to side.

That his garden has been cut in two by the new road and the greater portion of same taken for the right of way of the new highway and the small portions left on either side are so small that they are of little or no practical use to the owner.

That the right of way of the new highway has already so interfered with the use of one or more of the owners small buildings as to render them of almost no value to him.

That the right of way passes so close to the residence of the owner of the premises as to be almost against the porch attached thereto besides taking almost all of his grass plot, some small fruit trees and a grape arbor.

That the surface water from along the highway has been diverted from its natural course and turned directly through the center of the small garden plot left him on the northerly side of his house, that between what ground has actually been taken and the interference with the use of what remains actually deprives the owner of between three fourths and four-fifths of his three lots and much interferes with the use and enjoyment of the balance.

Accordingly we have estimated that Thomas Brandt has sustained damages in the sum of \$680.00 which should be paid him by the County of Cambria.

A. M. Shoemaker
Philip E. Caultfield
J. D. Ritter
Viewers

Witness our hands this 18th day of November, A.D., 1931.

Notice - Unless exceptions to the above report or an appeal is taken within thirty days from the filing of same it shall be confirmed absolutely.

Viewers, Per. A. M. Shoemaker.

No. 4. Sept. Sess. 1932. cont'd.

Transferred from Page 287

Thus having viewed the above described road; the viewers did, Dec. 29th. 1932., meet again at the Court House, in Ebensburg, Pa. where parties for and against the vacation of the road appeared; with their attorneys; and were heard. and having thus viewed the road in question and heard the testimony the parties in interest had to offer, the undersigned viewers are of the opinion that the piece of road viewed and as indicated in the attached order of the Court and draft, is necessary for the convenience and accomodation of the traveling public and therefore should not be vacated.

Witness our hands this 30th. day of December, A. D. 1932.

Louis E. Kaylor
James McLean

Viewers.

Transferred from Page 284

No. 1 sept. sess. 1932. cont'd.

Said piece of road as viewed and laid out, beginning on the Colver-Bakerton road; as indicated on the attached order of the court, and extending thence over the piece of road formerly vacated, south 20° 05' east 328 feet, south 41° 25' east 391 ft., south 25° east 329.5 ft; south 5° 40' east 461 ft. south 9° 25' east 322.9 ft., south 19° 16' west 572.4 ft. to the Blacklick creek, and south 42° west 60 ft. to the southerly terminus of the piece of road proposed to be laid out.

For the reasons above set forth the viewers believe the piece of road in question is necessary for the use and convenience of the public as a public road and therefore recommend same be opened and maintained as such.

Witness our hands this 18th day of October, A.D. 1932.

A. M. Shoemaker
L. E. Kaylor
James McCann
Viewers

Transferred from Page 289

located No. 6. Sept. 1932.

indicated on the attached draft or put in some reasonably permanent type of conduits; to prevent the caving in and choking up of the stream at this point which would in all probability dam back the water on the property adjacent to the north side of the road proposed to be vacated, to the inconvenience and detriment of the owner thereof.

Witness our hands this 21st. day of December, A.D. 1932.

A. M. Shoemaker
J. D. Ritter
R. E. Kaylor
Viewers

Cont'd. No. 5 Sept. Dec. 1932

Transferred from Page 288

north $1^{\circ}30'$ east 89.6 ft.; north 39° west 502 ft.; north $36^{\circ}30'$ west 564.5 ft.; north $44^{\circ}30'$ west 744.3 ft.; north 38° west 922.1.; north 29° west 536.5 ft.; north $57^{\circ}30'$ west 152.6 ft.; north $76^{\circ}30'$ west 235.5 ft., and north 60° west 2117.4 ft. to the Flinton - Patton road, at Glendale, said point of ending being more particularly described as Route 165 and the point of ending at approximately 5280 ft. northward from the juncture of the Schwartz Road with said Traffic Route No. 165.

The undersigned viewers recommend that said portions of the above described road between points indicated on the attached draft as between "A" + "B" and between "C" + "D" be left open as private roads for the accomodation of the adjacent property owners.

Witness our hands this 5th. day of December. A.D. 1932.

A. M. Shoemaker
James M. Cannon
Louis E. Kaylor
Viewers.

a point in Traffic Route 193 Rural Route 11016, 1760 feet West of the intersection of the boundary line between Richland Township and Conemaugh Township, measured along the center line of said route, thence North 88 Degrees 24' East 950 feet; thence South 79 Degrees 42' East 520 feet; thence South 84 Degrees 30' East 452 feet; thence South 4 Degrees 18' East 335 feet to the place of ending, a point on said highway at the intersection of the boundary line between Richland Township and Conemaugh Township, a distance of 910 feet, measured along the center line of said highway from its intersection with Traffic Route 193. This portion of the highway being 2257 feet, we vacate as a public highway and make same a private road; said portion thus vacated and retained as a private highway is shown on the blueprint hereto attached in the color red. That in so far as the public highway is concerned, the same has likewise become useless, inconvenient, and burdensome and we, therefore, vacate the same and make it a private highway.

In witness whereof, we have herewith set our hands and seals this second day of March, in the year of our Lord one thousand nine hundred thirty-five.
(1935)

A. E. Wickey
James McCann,
Mahlon J. Baumgardner
Witnesses.

Transferred from Page 334

No. 1 - Dec. Sess. 1934 cont'd.

to this report shall be filed or an appeal taken within thirty days from the date of filing the same it shall be confirmed absolutely.

Witness our hands this twenty-fifth day of February A. D. 1935.

A. M. Shoemaker
James McLann.
Viewers.

ascertained by running south 89 degrees 35 minutes west 149.9 feet from the center of the iron bridge over the Blacklick creek and extending thence the following courses and distances, south 34 degrees west 145.5 feet, south 56 degrees west 112.2 feet, south 46 degrees west 155 feet, south 84 degrees 40 minutes west 153.5 feet, north 84 degrees 40 minutes west 324 feet, south 82 degrees west 279.9 feet, south 89 degrees west 885 feet and south 85 degrees 45 minutes west 630 feet to the line dividing the county of Cambria from the county of Indiana.

In viewing the aforesaid piece of public road the viewers ascertained that there are no persons residing along same except at the north easterly terminus, on the White Mill property, in close proximity to the Benjamin Franklin Highway; that there are no improvements from said White Mill to the Indiana county line and no cleared land whatsoever; and that from where the piece of road viewed meets the same at the county line the portion in the county of Indiana has long since been vacated.

Accordingly we recommend the piece of road viewed be vacated.
Witness our hands this 29th day of April A.D. 1935.

A. M. Shoemaker
James McCann
P. M. Kinney
Viewers

No. 3 - December sess. 1934.

Transferred from Page 336

as practicable agreeable to the desire of the petitioners and at the same time do the least injury to private property.

Said road as laid out by us occupies a dedicated right of way sixty (60) feet in width and designated as a portion of main street and Frederick street on the Wiselband Park Plan of Lots and is shown colored green on the blue print hereto attached and made a part hereof, beginning at the intersection of main street in the Village of Salix with a public road leading from Salix to Lovett and Wilmore at a distance of 630 feet measured along the center line of said road from its intersection with the road leading from Salix to St. Michael and South Fork; thence by the way of main street $S. 12^{\circ} 15' W. 1472.0$ feet to the center line of Frederick street; thence by Frederick street $N. 77^{\circ} 45' W. 75.0$ feet to the place of ending, at the intersection of Frederick st. in the Village of Salix with a public road at a point southwardly 340.0 feet measured along the center line of said road from the intersection of a public road leading from Salix to Johnstown by the way of Coles ^{corner} brook, all of which is shown on said blue print aforementioned. All of the property adjoining said road is laid out in building lots.

In as much as the location of the proposed road occupies dedicated highways there are no condemnations or land taken, therefore, taking into consideration the damages sustained and the benefits to be derived by the opening, improving and maintaining of said proposed new road, we assess no benefits and no damages to any of the abutting property owners.

After viewing the premises and taking into consideration all of the matter before us, we are of the opinion that the road as prayed for by the petitioners and laid out by us is necessary and convenient, and will not impose any unnecessary or unreasonable burden upon the taxpayers of Adams Township by reason of opening, improving and maintaining said new road, therefore, we recommend that the prayer of the petitioners be granted.

Witness our hands this 7th day of March, A.D. 1935.

S. E. Dickey
 Dixon Lomb
 P. M. Kinney
 Viewers

Transferred from Page 332.

Hundred and Fifty (4750) feet from the intersection of said road with main street in the Borough of Franklin, and ending at a point at the intersection of Griffith street, and East First street in the village of Bow Air distant Five Hundred Seventy-five (575) feet from the intersection of the said Griffith street with the road leading from the Borough of Franklin to the Frankstown Road.

We viewed the site and locality of the road proposed to be supplied and laid out and made a very careful personal inspection of the ground between the points designated in the Petition and the order. We are all of the opinion that the road prayed for in said Petition should be supplied, because of the dangerous condition and lay out of the road which we are about to vacate; said road meeting the highway leading from the Borough of Franklin to the Frankstown Road is exceedingly dangerous and almost inaccessible.

We, therefore, authorize the laying out of a public highway in the Township of Conemaugh, Cambria County, Pennsylvania, beginning at the intersection of said Griffith Street, and Fourth Avenue, a public highway, and East First street in the Village of Bow Air in Conemaugh Township, Cambria County, Pennsylvania, a distance of Six Hundred and Forty-two (642) feet from the intersection of said Griffith street with the road leading from the Borough of Franklin to the Frankstown Road, Rural Route #11013, known as the Buckley Hill Road, sometimes called the Conemaugh Road; thence south Fifty six (56) degrees, Twenty-two (22) minutes East, Four Hundred and Forty-six (446) feet; thence south Thirty-one (31) degrees Thirty-eight (38) minutes West, Two Hundred Eighty-four (284) feet to the point of a curve to the left, having a radius of Two Hundred and sixty-two (262) feet; thence by said curve an arc distance of One Hundred and seventy-one and Forty-eight Hundredths (171.48) feet to a point of tangent; thence by said tangent South Five (5) degrees Fifty-two (52) minutes East, One Hundred and seventy-five (175) feet to the place of ending in the Rural Route #11013, a distance of approximately Eight Hundred (800) feet Eastwardly from the intersection of Griffith street. The total length of said road to be supplied and laid out is Ten Hundred and seventy-six and Forty-eight Hundredths (1076.48) feet as is indicated on a blue print hereto attached and made a part of this report, said blue print showing the portion of the highway to be laid out being colored in green.

We have very carefully examined the road to be vacated and have found, as hereinabove stated, that the road as now used and prayed for vacation was carefully examined, and we find as above stated the accessibility and the availability of the road as it leads off the Conemaugh Road leading from the Borough of Franklin to the Frankstown Road is hazardous and almost inaccessible, and, therefore, we are of the opinion and agreed that the road be vacated as a public or Township highway and be retained as a private road, said road being in the Township of Conemaugh as aforesaid, being described as follows:

Beginning at a point in Rural Route #11013, known as the Buckley Hill road, sometimes called the Conemaugh Road, leading from the Borough of Franklin to the Frankstown Road, at a point Eastwardly from the intersection of the said road with main street in the Borough of Franklin, a distance of Four Thousand seven Hundred and Fifty (4750) feet measured along the center line of said road; thence south seventy-eight (78) degrees Thirty minutes East Two Hundred (200) feet; thence north Fifty-two (52) degrees no minutes East Two Hundred and Eighty-four (284) feet; thence north Thirty-three (33) degrees, Thirty-eight (38) minutes East One Hundred and Thirty-two (132) feet; thence North Ten (10) degrees, Eighteen (18) minutes East Twenty-six (26) feet to the place of ending, at the intersection of Griffith street, Fourth Ave and East First street in the village of Bow Air, a distance of six hundred and Forty-two (642) feet from the beginning at the intersection of Griffith street with Rural Route #11013. Section of the highway thus vacated as a public road and to be retained as a private lane, being six hundred and Forty-two (642) feet in length and colored red on the blue print hereto attached and made a part hereof.

Continued on next page -

Continued:

We are of the opinion and agree that a public road is necessary, and we authorize the laying out of the road according to the above descriptions and the accompanying drafts. The road extends through the property of the heirs of William Malzo, and we are informed that a release has been given by the legal heirs of William Malzo. We therefore, assess no damages to the abutting property owners, through whose land the road we have hereinabove laid out passes.

We are also of the opinion that the road hereinabove described should be vacated and a private road made of same, that the same has become useless, burdensome and inconvenient.

In witness whereof, we have hereunto set our hands and seals this First day of December, A.D. 1934.

S. E. Dickey. seal

Mahlon J. Baumgardner. seal

No. 4 March sess. 1935. Cont'd.

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north 69 degrees 15 minutes west 397.1 feet, north 44 degrees 10 minutes west 265.7 feet, north 89 degrees 30 minutes west 426.3 feet, south 84 degrees west 338 feet, south 65 degrees 45 minutes west 365 feet, north 84 degrees west 302 feet, north 65 degrees west 142 feet, north 44 degrees 30 minutes west 187 feet, north 24 degrees 35 minutes west 315 feet, north 34 degrees 40 minutes west 471 feet, north 47 degrees 15 minutes west 357 feet, north 86 degrees 40 minutes west 360.5 feet, south 66 degrees west 257 feet, and south 57 degrees 30 minutes west 352 feet to the northerly side of the St. Charles Catholic Cemetery property, the place of ending designated on the attached order.

To repair the piece of road sought to be vacated, which from all indications on the ground had not been used by the public since the advent of the automobile, and; so far as the viewers can see or ascertain; there is no occasion nor necessity for its being repaired or any expense being put on the road at this time; accordingly we recommend that the said piece of road should be vacated, as a public road, but left open as a private road from the Mary Davis farm to the point of ending at the south westerly terminus.

A plot, or draft showing the location with the courses and distances of said piece of road is hereto attached and made a part of this report.

Witness our hands this 29th day of April. A. D. 1935.

a. m. Shoemaker
James McCarroll
P. M. Kinney
Viewers.

No. 3 March sess. 1935 cont'd. Transferred from Page 339

fifteen (15) degrees twenty minutes (20) West one hundred sixty three (163) feet, North one (1) degree East two hundred fifty-four (254) feet, North twenty nine (29) degrees West thirty-two (32) feet, North sixty (60) degrees fifteen (15) minutes West, one hundred forty seven (147) feet, South eighty nine (89) degrees thirty-five (35) minutes West two hundred ninety-six and eight tenths (296.8) feet, North seventy-three (73) degrees ten (10) minutes West seventy one (71) feet, North thirty two (32) degrees twenty (20) minutes West sixty-six (66) feet, North seven (7) degrees East, two hundred thirty-five (235) feet, North fifteen (15) degrees East one hundred eighty five (185) feet and North forty (40) degrees West five hundred thirty two and seven tenths (532.7) feet to Station No. 534+10 on said Highway, Route No. 422.

That the road has become inconvenient and burdensome and we therefore recommend that the entire road be vacated as a public highway, and that that portion of the road as indicated between points A and B as shown on the plan hereto attached be retained as a private road.

In Witness whereof, we have herunto set our hands this 30th day of April, in the year of our Lord One Thousand Nine Hundred and Thirty-five.

James McEann
P. M. Kinney
A. M. Shoemaker
Viewers

No. 5 March - 1935 - cont'd.

Transferred from Page 341

report and herewith returned for public use, which shows said bridge and section of new road required, as follows; said bridge is located at a point on Laurel Run northwardly a distance of 332.00 feet or at state Highway station 642+32 measured along the center line of Route 11025 from the center of the driveway to the property of A. J. Wees, section of highway to be supplied, beginning at a point measured along the center line of said Route 11025 N. $2^{\circ}45'$ E. 202.66 feet from the center line of driveway to the property of A. J. Wees at state Highway station 641+02.66. the point of a 10 degree curve to the left having an angle of $34^{\circ}48'$ with a radius of 573.69 feet, thence by said curve in a northerly direction a distance of 348.00 feet to state Highway station 644+50.66 the place of ending; said portion of highway to be vacated is shown in red and said portion to be supplied is shown in green on plan attached hereto.

The approaches and site of the proposed new bridge and the section of new highway required will occupy private property.

We are informed that Deeds of Release and Quit claim have been obtained by the Department of Highways of the Commonwealth of Pennsylvania, therefore, we assess no benefits and no damages to Steven Wees, Norman Betz, F. Hoover, W. R. Kirby and Ed. Bodenschatz, abutting property owners.

During the view several citizens of the aforesaid Borough and Township, the officials of the Borough of Summerhill and the supervisors of the Township of Croyle were present and heard. We have estimated that the total cost of a new county bridge at this location will approximate \$3300.00. We have also estimated that in addition to the work already executed and the steel beams furnished by Cambria County now at the site of the work, that the cost of the remaining material to be appropriated and supplied to complete this bridge under the original L. W. D. project, which is still available, will be approximately \$650.00. We find that the erection of the new bridge and the finishing of the additional appropriation would be burdensome upon the taxpayers and more than they reasonably should bear.

After considering all the matters before us, we are of the opinion that said section of highway should be vacated and said new section supplied and that a new bridge is necessary for the traveling public and that the prayer of the petitioners should be granted. We further recommend that this bridge should be finished as an L. W. D. project with county aid, that is, the County of Cambria to appropriate \$650.00 for the additional material required, thereby making a county aid bridge instead of a county bridge.

Witness our hands and seals this 18th day of May A. D. 1935.

James McEann
A. M. Shoemaker
J. C. Wickey
Viewers

Transferred from Page 321-

No. 2 Dec. Sess. 1933

In re: Petition of inhabitants of Johnstown, and the Township of Stonycreek and Conemaugh to lay out a public road

petitioners and at the same time do the least injury to private property.

A plot or draft hereto attached and made a part hereof shows the plan of the proposed new road and the courses and distances. The road as laid out passes through the property of Roman C. Widmann, now a laid out part of lots on a 40 foot width highway of said plan of lots, Mary Beilestein, Cambria Iron Company, Anthony Haas et al.

We were unable to secure a release of damages from the abutting property owners along the route of the proposed new road, therefore, taking into consideration the damages, sustained and the benefits to be derived by the opening, improving and maintaining of said new roads, we assessed no benefits and no damages to any of the abutting property owners. During the view on the grounds a number of the petitioners and residents and representatives of the supervisors of Conemaugh Township and the commissioners of Stonycreek Township were present, and heard and after viewing the premises and taking into consideration of all of the matter before us, we are of the opinion that the road as prayed for by the petitioners and laid out by us is necessary and convenient, therefore, we recommend that the prayer of the petitioners be granted. We, however, would further recommend that the order for opening the road be limited at this time, to that section of the proposed new highway from the beginning to its intersection with the line between Stonycreek Township and Conemaugh Township.

Witness our hands this 7 day of March - A.D. 1934.

James McEann
Mahlon J. Bumgardner
S. E. Dickey

13- October- 1936. Petition for Rule filed.

And now - October - 13th - 1936, the foregoing petition having been presented in open court, read and considered, and a rule is granted upon W.C. Berkebile, W. F. Reams, and Frank Slachta, road supervisors of Conemaugh Township, Cambria County, Pennsylvania, to show cause why they should not be adjudged in contempt of court for failure to obey the order of this court issued June 21 - 1934, requiring them to open for public travel that portion of said public road lying within the said Township of Conemaugh as viewed and layed out by the viewers appointed by this court in proceedings entered to No. 2 of December sessions, 1933; returnable the second Monday of November, 1936.

By the Court
McKerrick, Judge

9 Nov. 1936. Answer to Rule to show Cause filed.

December Sessions - 1932

Transferred from Page 290

and Mahlow J. Baumgardner, Viewers.

We are satisfied that the necessity for a public highway exists, and therefore, we lay out for the use of the public a highway beginning at a point at the intersection of a highway leading to Winber, an abandoned highway, distant 400.60 feet from said intersection to the dividing line between Paint Township, Somerset County, and Adams Township, Cambria County; thence from said point, which is 400.60 feet distant from said intersection to the point of beginning at the dividing line between Somerset and Cambria Counties; thence North $19^{\circ}58'$ East 340.15 feet to a point; thence North $51^{\circ}4'$ East 515 feet to a point; thence North $21^{\circ}33'$ East a distance of 647 feet to a point at the intersection of a road leading from Elton to Bedford in the village of #42, in the Township of Adams, Cambria County, Pennsylvania. The portion of the road we herewith lay out is indicated in green on the blue prints hereto attached and made a part of this report.

We therefore, lay out for public use the road hereinabove described, with courses and distances, and as shown more particularly on the blue print hereto attached.

In witness whereof, we have herunto set our hands and seals this 17th. day of February, in the year of our Lord one thousand nine hundred thirty three (1933)

Mahlow J. Baumgardner
Philip E. Caulfield
James McCarroll

Viewers.

No. 1 June Sessions 1935 cont'd.

Transferred from Page -342-

nesses, we proceeded to estimate and determine the damages and benefits and have concluded that Bertha Brady has sustained damages in the sum of Two Hundred Seventy Five (\$275.00) Dollars, which amount should be paid to her by the county of Cambria, over and above any benefits which result to her other than the general benefits resulting to all parties abutting or adjacent to the new highway.

Unless exceptions thereto shall be filed or an appeal taken within thirty days from the date of filing same it shall be confirmed absolutely.

Witness our hands this 16th day of October, A. D. 1935.

P. M. Kinney
 Mahlon J. Baumgardner
 Dixon Lomb.
 Viewers.

Transferred from Page 296

piece of road to build and further that the Township of Broyle, at this time, is in financial straits to such an extent that they are unable to see any-way to build even an inexpensive piece of road.

The viewers observed further that to adopt the other lay-out suggested by the engineer, Mr. Thomas, it would be necessary to start same in East Taylor Twp; where under this order we have no jurisdiction;

We have ascertained further that the piece of road viewed and suggested would accommodate a very considerable amount of traffic between South Fork and Johnstown and do so without the necessity of same traversing the very dangerous steep hill on the Frankstown road near the city of Johnstown.

Witness our hands this 1st day of April, A.D. 1933.

J. D. Ritter
 A. M. Shoemaker
 L. E. Kaylor
 Viewers.

No. 2 - June Sessions - 1935. Cont'd.

Transferred from Page 343.

We found that the road in Blair County has been improved up to the Cambria County Line, and were informed that the road proposed to be laid out adjoining Clearfield County, would likewise be improved and make a connecting link to what is known as a Tyrone Pike.

There were approximately sixty-two people present at the time of the View, which included the Supervisors of Reade Township together with Fred Fees, Counsel Petitioner; the petition having been signed by twenty-six (26) persons, including the supervisors of Reade Township.

We continued our inspection with reference to the grade and find that the grade is 2% and that if the road prayed for be opened, would be a short cut from Bellwood to points now far removed by reason of circuitous route. While we were making an inspection of the ground between the points designated in the petition and order, there travelled over this road a number of trucks in both directions, as well as other motor vehicles, thereby establishing the necessity of laying out said portion of the highway. All of the Viewers were present.

We are of the opinion and agree that a public road between the points mentioned, is necessary and that we authorize the laying out of a road according to the accompanying draft. We therefore, lay out and recommend for public use, a road as follows:

Beginning at a point on the County Line between Clearfield and Cambria Counties, just southeast of the foundation of the barn on the Clinton Farm, (now property of the Lipton Water Company) thence by an old road formerly the Township Road leading from Smith's Mills Road to Lipton, S. $19^{\circ}56'$ E, 415.5 feet; thence S. $32^{\circ}20'$ E, 400.0 feet; thence S. $48^{\circ}20'$ E, 222.0 feet; thence S. $30^{\circ}40'$ E, 210.0 feet; thence S. $49^{\circ}30'$ E, 248.0 feet to a point on the line between Cambria and Blair Counties, the place of ending, said ending being southeasterly a distance of 1495.5 feet from the beginning herein described, said portion of proposed public road being colored green on blue print hereto attached and made a part of this report.

Witness our hands and seal this 12 day of August A.D. 1935.

Mahlon J. Baumgardner
S. E. Dickey
P. M. Kirby
Viewers.

Transferred from Page 286

In re: View and Vacate
Road in Munster and
Washington Townships

south 58° east 85 ft., south 47° east 431 ft. - south 28° east
194.5 ft. - south 31° east 500 ft. - south $21^{\circ} 40'$ east 509 feet -
south 5° east 217 ft. - south 69° east 921 feet - and south
 2° east 231 ft. - to a point approximately 7920 ft. south
from Suckett (on the William Penn Highway) on the
public road leading from Suckett, to the Borough of

Lilly, in Washington Township, said County and State.

The undersigned viewers hereby recommend that the portions of the above de-
scribed road between points on the attached draft indicated by the letters "A" + "B"
and between "C" + "D" be left open as private roads for the use and benefit of the
owners of the lands to which these portions will give access.

Witness our hands this 5th day of December, A. D. 1932.

Minority Report filed.

A. M. Shoemaker

J. D. Ritter

Louis E. Taylor -
Viewers.

4. June Session 1935 cont'd.

Transferred from Page 345.

A day was set, of which the parties had written notice when we would again meet at the Court House to exhibit our schedule of benefits and damages and hear such evidence at that time as they might submit, and met accordingly but no testimony was offered.

The Viewers met and carefully reviewed the whole situation taking into consideration every detail brought to their attention and prepared said schedule of benefits and damages and offsetting ones against the other concluded as evidenced by said schedule, a copy of which is hereto attached.

From our observations it is clear that the Logan J. Brown property has been divided by the new road; that some thirty five acres thereof lying on top of the hill to the northerly side of the improved road has been practically isolated from the balance of the farm and buildings thereon; that a number of seedlings were removed, several fruit trees destroyed and some timber trees cut in the course of grading, that the work as carried out necessitated a deep cut and a large fill together with lesser cutting and filling in other places; that the water line was cut and there was much evidence that the source of water supply had been cut off; several long strips of fence had been cut down and destroyed; the owner required to change the approach to his recreation park, etc, etc, and that he had been required to vacate his residence and remain out of same for a considerable period of time while much heavy blasting was being done in the deep cut just north of the residence, and that a small piece of land on the southerly side of said road had been cut off from the remaining portions and that a somewhat hazardous condition in crossing from the residence to the recreation park had resulted due to the location of the new road and the grade of same.

Having thus considered these matters at length giving due weight to all such items we have estimated and determined that Logan J. Brown has sustained damages in the sum or amount of Eighteen Hundred Twenty Five (\$1825.00) Dollars; which amount should be paid by the County of Cambria; and no benefits, except those incident to all others abutting the new highway layout; which are not deductible.

A copy of notices served, posted, published and exhibited together with a sketch of said improvement and the property affected are hereto attached and made a part of this report.

Unless exceptions hereto are taken or an appeal filed within thirty days from the filing of same it shall be confirmed absolutely.

Witness our hands this 22nd day of October - A. D. 1935.

A. M. Shoemaker

P. M. Kinney

James McEann

Viewers

Transferred from Page 283

In re: laying out a public Highway, in the Township of Upper Yoder, County of Cambria, State of Penna.

North $84^{\circ}11'$ east 148.1 feet; South $75^{\circ}30'$ east 603.2 feet, and south $59^{\circ}30'$ east 23 feet, more or less, to the point of ending at the intersection of the line between upper Yoder Township and the Borough of Peruda.

In making the above referred to view we observed that the road as asked for by the Petitioners would not be a through road.

That it would not accommodate the general travelling public.

That it would accommodate about six or eight families who now are required to travel from two hundred to eight hundred fifty feet over a private road to reach the improved highway.

That the new road if laid out would be almost parallel with and scarcely two hundred feet from the improved highway below.

Witness our hands this 5th day of September A.D. 1932

A. M. Shoemaker

J. E. Dickey
Philip E. Caulfield
(Viewers)

Transferred from Page 331

like an opportunity to be heard at another time owing to the absence of one of the members of their board; whereupon we adjourned to meet again at the Court House in Ebeburg October- 20th- at 9:30. a.m., when and where the same two supervisors attended; together with several of the petitioners; and testified, in substance, that the Township did not have sufficient funds to construct the road in question, but admitted there was need for such a road as laid out.

In the opinion of the viewers there is occasion for a public road from the Summerhill - New Germany road to the said Pringle Hill cemetery and that the cost of constructing same is not excessive unreasonable nor incommensurate with the necessity: accordingly we recommend the piece of road as laid out for a public road.

Witness our hands this 22nd day of October, A.D. 1934.

W. M. Shoemaker
P. M. Kinney
James. McCand
Viewers.

9 Jan. 1939 Return of Supervisor filed

Transferred from Page 279.

No. 3. March - Sessions - 1932.

In re: Vacating Road in
Blacklick Township, Cambria
County, Pennsylvania.

public road leading from Belsano to Colver,
via Preisser's Crossing, at a point approx-
imately 6600 feet northeastward along said
road from its juncture with the Belsano-Nicktown
road and extends thence as follows, north 53° east
287.6 feet, north 29° east 760 feet, north 19° east
40 feet, north 7°30' east 704.5 feet, north 10°05'
east 166.5 feet, north 6°20' east 796 feet, north
32°45' west 95 feet, north 42°30' west 134.2

feet, north 24°30' west 100.3 feet, north 41°45' west 236 feet, north 35° west 168
feet, north 48°15' west 326 feet, north 39° west 85 feet, north 21°15' west 111 feet,
north 36° west 319 feet, north 60°30' west 173 feet, north 49° west 96.5 feet, north
61°30' west 190 feet, north 62°30' west 63 feet, north 22° west 74 feet, north 75° west
96 feet, north 61° west 64 feet, north 47°30' west 110 feet, thence crossing the north
branch of Elk Creek north 41° west 74 feet and continuing north 48°30' west 249.5
feet, north 60° west 134 feet, north 44° west 256.8 feet, north 39°30' west 100 feet,
north 47°30' west 383 feet, north 43°15' west 394.5 feet, north 56° west 136 feet,
north 54° west 187 feet, north 43°30' west 200 feet, north 44°50' west 196 feet, north 49°
west 100 feet, north 61° west 189.8 feet, north 56° west 350 feet and north 41°30'
west 215 feet to the westerly terminus at a point approximately 9785 feet north-
ward along the Belsano-Nicktown road from its juncture with the Belsano-Colver
road.

The Viewers found the road in question to have fallen into disuse and the bridge
that at one time spanned the Elk Creek to be entirely gone and where said road
has been crossed by the C. & D. railroad in two places no crossings have ever been
put in and except for the one farm, indicated on the plot hereto attached
and made a part of this report, there is no one living along the same.

Witness our hands this 2nd day of June A. D., 1932.

A. M. Shoemaker
James McEann
F. C. Kaylor
Viewers.

Transferred from Page 282.

In re: Vacation of Road
in East Carroll Twp.

just south of Carrolltown Borough; to Chest Spring, adjoining said last mentioned road 7920 feet eastward, along same, from its junction with said Route 62.

The viewers find that the piece of road sought to be vacated has fallen into disuse by the traveling public, no doubt due to the construction of improved highways leading from either end of this particular road to all populated districts and places of public interest.

That there are not over two occupied farms along same from which the residents thereof cannot reach the improved highways without using this stretch of road.

That there are three hills on said road each of which is quite steep.

Witness our hands this 6th day of September, A.D. 1932

A. M. Shoemaker
J. B. Kaylor
James McEann
Viewers

March Sessions - 1932

TRANSFERRED FROM PAGE 277

In re: Vacating Road
in Blacklick Twp.

We find and report that there is no necessity for said public road, and recommend that the route of said road, as hereinabove described in detail, be vacated.

There were no property owners present at the time the view was made demanding a hearing, particularly due to the fact that the road in question has not been used by anyone for many years, and that the portion of said road, of which this is a part, situate in the Township of Cambria has been vacated for a number of years. The road traverses through the land of Clark Edwards, now James Pack, which is cultivated land, and the remaining portion of the road passes through woodland all of it being owned by the Ebensburg Coal Company.

Therefore, taking in consideration all the matters before us, we are of the opinion that the road to be vacated has become useless, inconvenient and burdensome to the taxpayers of Blacklick Township, and recommend that the said road be vacated according to the courses and distances hereinabove described in detail.

Witness our hands and seals this fourth day of June -
a. d. 1932.

Mahtow Baumgardner - seal
S. E. Dickey - seal
James McCann - seal

March sessions - 1932

Transferred from Page 278

No. 2. March - 1932.

In re: Petition of Supervisors of Dean Township to vacate abandoned parts of a public road.

That that portion of said old public road beginning at station 977-783 and extending thence north $36^{\circ}30'$ east 197 feet and north 13° east 188 feet to station 980-145, on said new improved highway should be vacated.

That that portion of said old public road beginning at station 1003-157 and extending thence north (00°) 117 feet and north 20° east 378 feet to the juncture

of the Buckhorn road should be vacated; and from thence on through the village of Depart and out to the new improved public road should not be vacated.

That that portion of said old road, the beginning of which is ascertained by beginning at station 1030 and running thence south 69° east 549 feet and south $73^{\circ}40'$ east 305 feet to the point of beginning and that portion of said old road extending north 31° east 214.7 feet, north $37^{\circ}30'$ east 223 feet, north 72° east 501 feet, north 6° west 336.5 feet, north $2^{\circ}30'$ east 395.7 feet, north $29^{\circ}30'$ west 384.6 feet, north $11^{\circ}30'$ west 456.5 feet, north $5^{\circ}45'$ east 710.5 feet, north $3^{\circ}45'$ west 602 feet and north $26^{\circ}30'$ west 298 feet to station 1066-118, on said new improved highway, should be vacated.

That that portion of said old road beginning on said new improved highway at station 1066-153 and extending thence north ($21^{\circ}30'$ west 551 feet, north 3° west 385 feet, north 10° west 310.5 feet, north 18° east 244 feet, north 41° east 352 feet, north $32^{\circ}30'$ east 341 feet, north 42° east 1110 feet north 36° east 387 feet, north 23° east 1156 feet, north $43^{\circ}35'$ east 335.5 feet, north 57° east 322 feet, north $51^{\circ}15'$ east 245 feet, north $28^{\circ}40'$ east 256 feet and north $10^{\circ}55'$ east, to the intersection of the public road in the village of Dean with the public road leading to Dougherty's Mines should be vacated; The last portion of which however, approximately 630 feet, from a point on said old road opposite station 1121-180, on the new improved highway, to the last mentioned intersection we recommend should be left open as a private road.

That that portion of said old road beginning at the concrete Bridge, located by running from the intersection of the Dougherty's mine road along said old road these courses and distances, viz: North $8^{\circ}30'$ east 628 feet, north 28° east 198 feet, north $50^{\circ}30'$ east 458 feet, north 40° east 579 feet and north 37° east 280 feet to said concrete Bridge; and extending thence north $50^{\circ}50'$ east 1313 feet, and north 44° east 1013.5 feet to a point on the westerly side of said new improved highway at station 1173-142, approximately 1450 feet southward along said new road from the said Reade Township line, should be vacated.

The above portions of road recommended to be vacated we have found to have become useless, inconvenient and burdensome and no longer necessary for the accommodation of public travel.

Witness our hands this 11th day of June A.D. 1932.

A. M. Shoemaker
James McCann
Philip E. Caulfield
Viewers

Transferred from Page 275

In re: Petition vacating road
 along Blacklick Township,
 Cambridge County, Pennsylvania,
 Cambridge, County, Penna.

north 62° west 634 feet, north 69° west 528 feet,
 north 66° west 535 feet, north 85° west 536 feet,
 north 67° west 225 feet, north 55° 30' west 351 feet,
 north 68° west 519 feet, north 71° west 534 feet, north
 85° west 470 feet, north 81° 30' west 469.5 feet, north 71°
 west 1174 feet, north 85° 30' west 594 feet, north 70°
 30' west 366 feet, north 68° west 700 feet, north 66° 15'

west 1544 feet to the westerly terminus of the piece of road proposed to be vacated at the juncture of the old clay like with the new Benjamin Franklin Highway.

For the convenience of the various individuals living adjacent thereto the viewers recommend that the portions of road between points indicated on the attached draft between "a" and "B", between "B" and "C", between "D" and "E" and between "F" and "H" be left to remain open as private roads.

The viewers have found that the old clay like for almost the entire length of the piece of road viewed is practically paralleled by the new Benjamin Franklin Highway which now accommodated all the through traffic and thus renders the portion of said old clay like viewed unnecessary for the accommodation of the general public, hence the recommendation that same be vacated as a public road.

Witness our hands this 10th day of March, A.D. 1932.

A. M. Shoemaker

J. D. Ritter

H. E. Kaylor

Viewers

Transferred from Page 276.

In re: Vacating Road
in Blacklick Twp.

However, we recommend that the said piece of road be left to remain open as a private road for the use and convenience of those living in the immediate neighborhood thereof.

The said piece of road as described in the attached order and viewed by the undersigned viewers takes the following courses and distances, as indicated on the plot or draft hereto attached and made a part of this report, viz: Beginning on the Cambria-Indiana Turnpike, known also as the old Clay Pike, at a point 2071 feet westward along same from its intersection in the village of Bethel with the Nicktown-Beulah road and extending thence South $5^{\circ}20'$ West (nineteen hundred ninety one (1991) feet; south 52° west three hundred and seventy seven (377) feet; south 30° west two hundred (200) feet; south 26° west six hundred forty eight (648) feet, and south 69° west one hundred and thirty (130) feet to the point of ending, as indicated on said attached order, on the public road leading from the village of Cardiff Eastward to the said Nicktown-Beulah road.

The piece of road in question has fallen into disuse by the public by reason of the recently constructed Benjamin Franklin Highway, a few hundred feet northward from the northerly end of this piece of road and the newly improved hard surfaced road leading past the southerly end of same; both of which serve to divert the public traffic from the piece of road viewed.

Witness our hands this 17th day of March, A.D., 1932.

A. M. Shoemaker
L. E. Kaylor
J. D. R. Sters
(Viewers)

No. 8. June sessions - 1931

Transferred from Page 260

In re: View to Establish
Public Road in West
Taylor Township, Cambria
County, Pennsylvania

necessity. Pursuant to said request it was mutually agreed by and between all of the parties that said view be continued until Friday, August, 7-1931, at one-thirty O'clock P.M. Eastern Daylight Savings Time, at the offices of the County, in the First National Bank Building, corner of main and Franklin streets, Johnstown, Cambria County, Pennsylvania, for the purpose of taking testimony

Pursuant to said continuance had thereto, we met in the County Rooms, in the First National Bank Building aforesaid, on Friday, August - 7, 1931, at one thirty O'clock P.M. Eastern Daylight Savings Time, for the purpose of hearing all testimony. The Supervisor's withdrew their objections to the laying out of said road, if the Petitioners did not insist that the road be laid out any further than is shown in green on a blue print hereto attached and made a part of this report. The Petition asked that the road continue for a considerable distance beyond the said point, as indicated in green on said blue print. The Petitioners being satisfied with the request of the Board of Supervisor's, we accordingly laid off a public highway, as is indicated in green on a blue print hereto attached and made a part of this report.

We, therefore, lay off, for the use of the Public, a highway beginning at a point at intersection of a public highway known as the Tannersville Road, leading from Johnstown to Chickaree School, and known as the Brick Road, westwardly 400 feet from the intersection of the dirt road leading from the end of the brick road to Chickaree School; thence from said point north $30^{\circ} 35'$ West 267 feet to station 1; thence north $36^{\circ} 10'$ west 205.26 feet to station 2; thence north $35^{\circ} 36'$ west 528.73 feet to station 3; thence north $19^{\circ} 11'$ west 1194.2 feet to station 5; ending at a private lane and intersecting with a private lane, said last mentioned private lane being a portion of the road petitioners had petitioned should be laid out as a public highway.

There is hereto attached and made a part of this report, a Release of Damages executed by all property owners abutting on the hereinabove described proposed public highway. All of the parties thus affected having executed the release of damages except one, Nelson Berkebile. The Board of Viewers assess no damages to Nelson Berkebile for the reason that said road greatly benefits the said Nelson Berkebile and far exceeds any damages which may accrue to him. The Board of Viewers have taken into consideration all of the facts involved in the case, and believe that this compromise is fair and equitable to the Board of Supervisor's of the Township of West Taylor, as well as the petitioners.

We, therefore, lay off for public use the road hereinabove described, and as is shown on a blue print hereto attached and indicated by green.

Witness our hands and seals this 11th day of August, A.D. 1931

A. E. Dickey
Dixon Tomb

Transferred from Page 239.

of these places in traveling to and from South York and places in that neighborhood and vice versa. Further a portion of the road both is already constructed and with but little work and no very considerable expense, at least half of the distance can be made passable and, all told, the grade is very good considering the rough territory through which it passes.

Witness our hands this 2nd day of February, A.D. 1931.

A. M. Shoemaker.

J. D. Ritter

Adam Shuman

Viewers

Transferred from Page 237.

S. 48° W. 185.8 ft., S. 42° 30' W. 126.2 ft., S. 57° W. 139 ft., S. 46° W. 948.7 ft., S. 36° W. 98 ft., S. 46° W. 243.3 ft., S. 48° W. 227 ft., S. 25° 10' W. 71.4 ft., S. 79° 30' W. 117.6 ft., S. 48° W. 2467 ft., S. 51° W. 405.4 ft., S. 45° W. 311.5 ft., S. 36° 30' W. 437.6 ft., S. 28° 30' W. 402 ft., S. 13° 30' W. 396.5 ft., S. 4° E. 338 ft., and S. 15° 10' W. 143 ft. more or less along the improved highway to the northerly end of

Lilly Borough at the point indicated on the attached order of the board.

There is now one living along the northerly end of the road for a distance of about one and three fourths miles more for about half a mile of the southerly end.

In the opinion of the viewers the road is no longer necessary for the accommodation of the traveling public.

There are three families living on the west side and two on the east side of the P. R. R. and those on the west side reach the present road by two very dangerous grade crossings; that these parties can all secure another outlet to the public roads.

That those on the west side of the P. R. R. could secure one of three ^{other} outlets which would be safe by means of which they could reach the public highway and those on the east side could reach the improved highway between Crosson and Lilly Borough.

We are of the opinion that the township should not be required to keep the road for the accommodation of these few individuals and that the danger of the grade crossings is such that those now using same should for their own safety secure another outlet.

In all we are of the opinion that the road in question should be vacated.

Witness our hands this 5th day of November, A.D. 1930.

Adam Shuman

J. D. Ritter

A. M. Shoemaker

Viewers

See Nos. R. D. 1 and 2 June Sessions, 1959, for vacation of Road.

Transferred from Page 198

practicably agreeable to the desire of the petitioners and at the same time do the least injury to private properties, said sections of road to be supplied are described as follows: First, Beginning at a point in the new concrete road extending from South Fork to Johnstown and known as State Highway Route No. 53, 4500 feet measured along the center line of said Frankstown Road in a southerly direction from its intersection with the Buck Road leading from Frankstown Road to St. Michaels and ending in the old Frankstown Road at a point 4126.9 feet measured in an easterly direction along the center line of the old Frankstown Road from the intersection of the Viaduct Road at the Mt. Hope Evangelical Church and Cemetery. Second, Beginning at the point in the old Frankstown Road at the intersection of the Viaduct Road at Mt. Hope Evangelical Church and Cemetery, and extending in a southerly direction 1462 feet to the new concrete road known as State Highway Route No. 53, said ending in the said Route No. 53 being in any easterly direction a distance of 2926 feet measured along the center line of said concrete road from its intersection with the old Frankstown Road. Said roads proposed to be supplied are colored red on the blue print hereto attached and made a part hereof.

The plot or draft attached hereto shows the courses and distances along the center line of the roads proposed to be vacated and supplied, also the improvements and the names of the abutting property Owners. We made an effort to secure a release of damages being unable however to secure releases from property Owners other than those hereto attached, therefore, taking into consideration the damages sustained and the benefits to be derived by the vacation of said portions of the Frankstown Road and the supplying of the two new sections of highways, improving and maintaining of said new roads, we assessed both damages and no benefits to any of the abutting property Owners.

After carefully considering all matters before us we are of the opinion that that portion of the old Frankstown Road and Grantingtown Road colored in green on the blue print should be vacated and the two sections of new roads colored red on the blue print should be supplied, as the portion of the road to be vacated is dangerous, burdensome and inconvenient and the sections of the new roads prayed for and laid out by us are necessary and convenient. Therefore, we recommend that the prayer of the Petitioners be granted so far as it complies with the locations shown on the plan attached hereto and made a part hereof.

Witness our hands this 27 day of February A.D. 1924.

S. E. Dickey
Philip E. Casfield
District Judges
Univ.ers

Transferred from Page 214.

21 May 1930 Petition for Rule to Show Cause filed.

Upon inquiry of two members of the Board of Viewers who acted in this proceeding, it appears that the general public were purchasing and receiving coal at the tipple at which the road ends, that there was a store and school house in the immediate vicinity of the terminus of this road. we are of the opinion that the rule asked for should not be granted, but that a decree should be entered *nunc pro tunc*, complying with Rule 311 of the Rules of Court of Cambria County.

By the Court.
Evans, P.J.

And now, May 13th, 1930. The attention of the Court having been called to the fact that a decree as required by Rule 311 of the Rules of Court of Cambria County, and upon inquiry of two members of the Board of Viewers acting in this proceeding, Mr. Baumgardner and Mr. Shymbaher, it appearing that the tipple at the terminus of the road in question, serves the general public with coal; that there is a store and a school house in the immediate vicinity as well as twenty-two houses, all occupied; we enter the following decree *nunc pro tunc*, to wit:

And now, May 13, 1930, after due consideration, it is ordered and decreed that the report of the viewers finding that the road in question is necessary for public travel, is confirmed and ratified as of the 9th day of September 1929.

By the Court.
Evans, P.J.

Transferred from Page 204

which point of intersection is about thirteen hundred fifty (1350) feet distant from the Southeastly direction of said Berkley Road with the Sell Street Public Road leading from the City of Johnstown; thence from said point through the center of Bronx Street as shown on Plan of Lots aforesaid, North thirty-three (33°) degrees fifteen (15') minutes East six hundred thirty four and ninety-three hundredths (634.93) feet to a point in the center of Congress Street on aforesaid Plan; thence along center of Congress Street, South fifty-three (53°) degrees no minutes East two hundred eighty-nine and ninety-seven hundredths (289.97) feet to a point on the center of an unnamed alley on said Plan; thence along said center South thirty-three (33°) degrees fifteen (15') minutes West six hundred fifty-six and fourteen hundredths (656.14) feet to a point; thence North fifty-three (53°) degrees no minutes West a distance of seventy (70) feet to the center of Berkley Road aforesaid, which point is distant about sixteen hundred sixty (1660) feet in a Southeastly direction from the aforesaid point of intersection of said Berkley Road with the Sell Street Public Road above mentioned, all of which said road lies in the Township of Upper Loder, Cambria County, Pennsylvania.

We further report that we did not obtain the leases from any of the abutting property owners on said road for the reason that in the opinion of the Viewers the benefits derived from the laying out and opening of said road are far in excess to any damages that may accrue to any of the property owners affected by the said laying out and opening of the road hereinabove described.

Witness our hands and seals this first day of June, in the year of our Lords one thousand nine hundred twenty-nine (1929).

Mahlon J. Baumgardner. (Seal)
 Philip E. Caulfield (Seal)
 Dixon Tomb (Seal)

Transferred from Page 203

In going over the road as laid out the viewers have concluded that a few slight changes in the location of the proposed new road will improve the alignment of the new road and at the same time accommodate the public perhaps better and those living in the vicinity thereof almost equally, as well with slight damages to one property owner over whose land some fences and turkeys we have assessed damages as hereinafter stated.

The proposed new road as laid out by the re-viewers takes the following courses and distances, viz: Beginning at the Western terminus, as specified on the attached order, on the public road leading from Amshy to Doretta by way of Shindley City where said road meets the Allegheny Township line and Centerville Thence, as indicated on the plot or draft hereto attached and made a part of this report: North 46° East 1367 feet. North 40° East 463 feet. North 43° East 212 feet. North $52^{\circ} 05'$ East 947 feet. North $60^{\circ} 45'$ East 676 feet. North $45^{\circ} 45'$ East 496 feet. Thence turning to the right with a radius of 249.2 feet for a distance of 196.8 feet. Thence South $77^{\circ} 30'$ East 218 feet. South $60^{\circ} 44'$ East 234 feet. South $18^{\circ} 15'$ East 261 feet. Thence turning to the left with a radius of 68 feet for a distance of 82 feet. Thence North 79° East 369 feet and North 73° East 310 feet to the north easterly terminus mentioned in said attached order, on the Shertons Ashville road.

Having failed to secure a release of damages from Frank Meloniski we have awarded him three hundred dollars damages.

On the attached draft the relative location of the proposed new road and also the present road between the terminus via Shindley City and as comparison of the grades may be noted.

Witness our hands this 23rd day of October, A.D. 1929.

Adams Shumgar
A. M. Shoemaker
J. D. Ritter

Viewers.

Transferred from Page 219.

We further report that the benefits and advantages derived from the laying out and opening of said road are far in excess to any damages or disadvantages that may accrue to any of the property owners through whose lands the proposed road is laid out. Therefore, we allow no damages to any of the property affected by the laying out and opening of the road hereinafter described.

Witness our hands and seals this fifth day of December, A.D. 1929.

Phelix E. Bauffield (Seal)
Mahlon G. Baumgardner (Seal)
Dixon Lamb (Seal)

December Sessions 1927.

Transferred from Page 184

of the piece of road proposed to be vacated and the piece of road recommended to be vacated from the Northernly to the Southernly terminus takes these 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 $49^{\circ} 30'$ West 264 feet, South 63° West 242 feet, South 59° West 254 feet, South $50^{\circ} 15'$ West 138 feet, South 47° West 172 feet, South $52^{\circ} 30'$ West 178 feet, South $59^{\circ} 30'$ West 335 feet and South 52° West 285 feet to the Southernly terminus 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 Dushart 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 Dushart 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
G. D. Ritter
Abraham Shumans
Viewers

June Sessions 1925

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feet to a point in center line of Maple Street; thence along center of Maple Street North Three (3°) degrees East a distance of Five Hundred Forty two and five tenths (542.5) feet to a point at center, the intersection of Maple Street and Commonwealth Avenue; thence through the center of Commonwealth Avenue North Eighty six (86°) degrees Thirty ($30'$) minutes West a distance of Nine Hundred and Fifty (950) feet to a point the center of Commonwealth Avenue and Lakeview Street; thence through and along the center of Lakeview Street North Eleven (11°) degrees Twenty ($20'$) minutes West a distance of Five Hundred and Thirty nine (539) feet to a point and the center of the road leading from Portage to Johnstown, said point being the terminus.

We allow no damages to the abutting property owners as affected by the laying out of the above roads, because we consider the advantages which will accrue to the respective properties by reason of the laying out of the said roads are equivalent to all the damages which will be sustained by them.

Streets and alleys as indicated in the draft hereto attached, except the portion of Blair Street in Portage Borough have been laid out and dedicated but have not been opened as public thoroughfares.

Witness our hands this Fifth day of September A. D. 1925.

A. M. Shoemaker
Philip E. Caulfield
Markon J. Baumgardner.
Treas.

March Sessions 1925
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We are of the opinion and agree that a public road between the points mentioned is necessary and that we authorize the laying out of the road according to the accompanying draft. We therefore lay out and return for public use the road as follows:-

Beginning at a point on the State Aid Highway leading from Mahan to Geitrop; thence along said Laurel Avenue South Fifty-one (51) degrees Six (6) minutes East Three Hundred Twenty (320) feet to a point; thence South Four (4) degrees West Three and 28/100 (3.28) feet to a point; thence South Fifty-one (51) degrees Six (6) minutes East along what is known as Laurel Avenue, a distance of Seven Hundred Eight and 5/10 (708.8) feet to a point on Laurel Avenue; thence through lot No. 44 on the Plan as shown on Arthur Park, Woodland Section Plan of Lots North Thirty-eight (38) degrees Fifty-four (54) minutes East a distance of Two Hundred Twenty (220) feet to Maple Street; thence by Maple Street North Twenty-four (24) degrees Twenty-five (25) minutes East Eight Hundred (800) feet to the ending at the intersection of Birch Avenue on the Oakmont Plan of Lots now a Township Highway.

We further report that we endeavored to obtain from the owners of the land upon which the said road is located, which affects Lot No. 44 heretofore mentioned, release of the damages which may occur or seem likely to occur by reason of such location. We were unable to secure such release, therefore we allow no damages because we consider the advantages which will accrue to their respective properties by reason of the road are greatly in excess of all damages which will be sustained by them.

Witness our hands and seals this Twenty-ninth day of August A.D. 1925.
Morton J. Baumgardner
Philip E. Bailefield
S. E. Dickey
Viewers

March Sessions 1924.

Transferred from Page 120

1 June 1925. Report of Viewers filed.

And now, June 1, 1925. The within and foregoing report of viewers appointed by this court to assess damages, if any, sustained by Edwin Dillon by reason of the opening of a public road through his lands in Elder Township, Cambria County, Pennsylvania, as in said report fully set forth, having filed their report, and the same having been read and considered, the court on due consideration do approve and confirm the same. It appearing from the said report that a copy thereof was served upon the Commissioners of Cambria County with a notice that the same would be presented for confirmation on this date, the Clerk is directed to mark the same confirmed absolutely unless exceptions be filed thereto within 30 days, and if no exceptions be filed within 30 days and after said report has been so confirmed absolutely, the court do further direct that the sum of One Thousand Dollars (\$1,000.00) be paid to the petitioner, Edwin Dillon, by the Treasurer of Cambria County out of moneys of the county in his hands.

By the Court.
E.

2 July 1925 confirmed absolutely

Frank S. Robb, Clerk

13 July 1925 certificate of Superior filed

March Sessions 1924.

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120 ft. S. 49° W. 79 ft. S. 71° W. 252 ft. S. 27° W. 70 ft. and S. 4° W. 434 ft. to point marked "B"; the second beginning at point marked "B" and extending thence S. $20^{\circ} 30'$ W. 260 ft. and S. 31° E. 297 ft. to point marked "D"; and the third beginning at point marked "E" and extending N. $72^{\circ} 30'$ W. 565 ft. S. $71^{\circ} 45'$ W. 279 ft. and S. $56^{\circ} 30'$ W. 396 ft. to point marked "J."

The jurors having failed to obtain releases of damages from the owners of property over whose lands the above road was laid out and whom they consider were injured have awarded them damages as follows: To Harry W. Gates, Three Hundred Dollars; to Peter Gabe, One Hundred Dollars; to John Stabler, Forty Dollars; and to James McKee, One Hundred Fifty Dollars.

Witness our hands this 28th day of February, A.D. 1924.

A. M. Shumaker
Adam Shuman
J. D. Ritter

Jurors.

29 May 1925 Certificate of Supervisors filed.

September Sessions: 1917

Transferred from Page 2.

West 275 ft., North 59° 45' West 289 ft., North 56° West 336 ft., North 63° 30' West 352 ft., North 57° 40' West 133 ft., North 33° West 118.5 ft., North 26° 30' West 106 ft., and North 19° West 112 ft. to the public road thence along the public road North 46° West 314 ft. then over land of Sylvester Bradley North 86° 45' West 80 ft., North 29° 15' West 185 ft., South 43° 15' West 102 ft., South 77° 35' West 90 ft., and South 86° West 32 ft. to the point of ending specified as the easterly terminus in the attached order.

Not having secured release of damages from the Pennsylvania Railroad Co. we have assessed them forty dollars damages and the other parties who have not agreed to release any claims for damages we are of the opinion have not or will not sustain any injury by reason of the opening of the road as laid out and therefore we have assessed them no damages.

Although there is another road between the points of beginning and ending specified, the location of the present road is such that with the exceedingly heavy grades on it for a considerable distance and the trouble on same from storms; which frequently makes it impassable, and the mail route being from Bradley Junction watered past the other terminus of the proposed new road and the route inspector urging the citizens in the vicinity to endeavor to secure a more favorable road between these points we believe the road as laid out necessary for the accommodation of the public.

Witness our hands this first day of December, A.D. 1917.

Adams Shuman
J. D. Ritter
A. M. Shoemaker
Viewers.

7 Nov. 1924. Petition for Rule to Show Cause filed.

Nov. November 3, 1924. The within petition having been read and considered, the court do thereupon grant a rule upon the petitioners for the road in the above mentioned proceedings to show cause why the order to open the road as described therein should not be vacated, the exceptions heretofore filed thereto be reinstated and the road supervisors of the Township of East Carroll permitted to file exceptions on behalf of said township to the report of the viewers heretofore filed in the above stated proceedings. Returnable on the first Monday of December next.

By the Court.
E.

1 Dec. 1924. Answers filed.

9 Feb. 1925 Ons Argument List.

2 March 1925 Petition for Appointment of Viewers filed.

And now, to wit, March 2, 1925. The within petition read and considered by the court, and the court appoint A. M. Shoemaker, E. E., Adams Shuman and J. D. Ritter, viewers to view the site of the road described in the within petition and report to the next term of court.

By the Court.
M.

3 March 1925. Order to View issued.

1 April 1925 Report of Viewers filed.

23 April 1925 Exceptions to Report of Viewers filed.

10 Aug. 1925 Ons Argument List.

31 Aug. 1925 Petition for Re-review filed.

And now, August 31st, 1925. The within petition read and presented to court, and Adams Shuman, J. D. Ritter and A. M. Shoemaker, Esq. appointed viewers, as within prayed for.

By the Court.
E.

31 Aug. 1925. Order to Re-review issued.

7 Sept. 1925 Petition to Extend Time for filing Report.

Now, September 7th, 1925. The foregoing petition being read and considered and a continuance of said referred to order of the court is hereby granted as prayed for.

By the Court.
Samuel Lemmon Reed,
P. J. O. C. S. P.

9 Oct. 1925 Report of Reviewers filed.

14 Dec. 1925 Approved. By the Court.
E.

March Sessions 1923

Transferred from Page 94

road in Adams Township and instead thereof supplying a piece of road in Boyle township, both in said county and state, respectfully report:

That having given due legal notice of the time and of the time and place of meeting of the viewers, appointed to view the roads as aforesaid, to the commissioners of Cambria County and the Supervisors of the said Townships of Adams and Boyle and having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini of the roads to be viewed, and having each been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability: All of us met at the time and place appointed in accord with the notices so given and having of our view and carefully viewed the piece of road suggested to be vacated as well as the piece of road recommended to be supplied, and are all of the opinion that the prayer of the petitioners desiring to vacate and supply, as aforesaid, should be granted.

The said piece of road desired and recommended to be vacated as well as the piece of road laid out and recommended to be opened: a plot or draft of which is hereto attached and made a part of this report: take the following courses and distances, viz: That portion recommended to be vacated beginning at the terminus near Ruthford Station, indicated on the attached order of the Court, and definitely and more fully described in the original petition for the appointment of viewers and indicated on the draft hereto attached (as also are the other termini of both pieces of road herein referred to), and extending thence South $74^{\circ}12'$ West 422.6 feet, thence North $54^{\circ}23'$ West 991.9 feet, thence North $30^{\circ}40'$ West 690.85 feet, thence North 45° West 222.9 feet, thence North $42^{\circ}27'$ West 969.4 feet, thence North $52^{\circ}48'$ West 229.3 feet, thence North $63^{\circ}48'$ West 484.3, thence North $48^{\circ}10'$ West 644 feet, thence North $37^{\circ}20'$ West 756.7 feet, thence North 89° West 181.6 feet, thence North $50^{\circ}40'$ West 483.4 feet, thence North $41^{\circ}56'$ West 543 feet to the juncture of the Lovett-Dunbar road and terminus of the piece of road in Adams Township desired vacated, and the piece of road recommended to be supplied from the same point of beginning, above referred to, near Ruthford Station, takes the five following courses and distances: North $39^{\circ}46'$ West 2075 feet, North $43^{\circ}50'$ West 269.4 feet, North $47^{\circ}52'$ West 2310.8 feet, North $44^{\circ}12'$ West 772 feet and North $40^{\circ}08'$ West 756 feet to the terminus on the public road at the U. B. Church just East of the Village of Lovett.

The road suggested to be vacated is already in need of two more substantial bridges of approximately twelve and twenty-four feet spans and the amount necessary to construct such bridges and for reasonable grading: in the event of building a permanent road, which looks certain to happen soon: all necessary drains can be constructed and the new road opened and graded, which said new road is the convenient and natural one for the traffic and the grade and alignment far superior to that of the old location.

Witness our hands this 8th day of October, A. D. 1923.

Adams & humans.

J. D. Putter

A. M. Shoemaker.

Viewers.

7 April, 1924. Petition for leave to file exceptions names pro tract.

And now, April 7, 1924, after due consideration leave granted to file exceptions granted to be heard at 1:30 P. M. April 14, 1923.

By the Court.

E.

7 April, 1924. Exceptions filed.

14 April 1924 Additional Exceptions filed.

11 August 1924. Opinion of Court filed.

And now, Aug 11, 1924, after due consideration the exceptions are dismissed and the report of the viewers confirmed.

By the Court.

Ernie P. J.

(Transferred from Page 489)

with a driveway of not less than eighteen feet in the clear, in the center, and with two foot paths for pedestrians, one on either side of the driveway, and with a span not exceeding thirty four feet in the clear between the abutments, which will be more than sufficient to take care of all the water passing thereunder, even during periods of highest water, and that the center line of the suggested new bridge should line with the center of Bridge Street, as suggested on the plat or draft hereto attached and made a part of this report, which shows the dimensions and relative locations of the old bridges, now standing, and the suggested size and location of the new structure recommended in their stead.

Witness our hands this 14th day of October, A.D. 1922.

A.M. Shoemaker

J.D. Ritter

Adam Shuman

Viewers

6 Aug. 1923 Plans, specifications, contract and bond filed

Nov. 6 Aug. 1923 the within plans, specification, contract and bond are approved.

By the Court.

M^c Lam.

29 October 1923 Petition for appointment of Viewers filed.

And now, October 29, 1923, the within petition read and considered and J. D. Ritter, Adam Shuman and A. M. Shoemaker are appointed Inspectors to inspect the Bridge over Blubaker Run in Hastings Borough.

By the Court.

E.

31 October 1923 Order to View issued

8 November 1923 Report of Viewers filed

10 December 1923 Approved.

By the Court.

E.

September Sessions 1921

(Transferred from Page 63)

27 August 1923 Petition for appointment of Viewers filed

And now, August 27, 1923, the within petition presented, read and considered, and J. D. Ritter, Adam Shuman and A. M. Shoemaker, Esq., are appointed Viewers to inspect said Bridge and make a report to the Court as within prayed for.

By the Court

E.

28 Aug. 1923 Order to Inspect issued

6 Sept. 1923 Report of Inspectors filed

10 Sept. 1923 Approved

By the Court

E.

September Sessions 1922 -
(Transferred from Page 79)

No. 3.

premises according to notice given at the Public School Building in the Village of Lilestouck on the 20th day of February A.D. 1923 at 10 o'clock A.M. and proceeded with the duties of our appointment.

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.

We are of the opinion and agree that a public road between the points mentioned is necessary and that we authorize the laying out of a road according to the accompanying draft. We therefore lay out and return for public use a road, as follows:-

Beginning at a point 1680 feet from the beginning of proposed road to Route #276 at Grant Avenue and Railroad Street in the Borough of South Fork at the Center of Wilson Street and Mountain Avenue; thence from said center point North seventy-four (74°) degrees five (5') minutes East three hundred forty-five (345.65) feet to a point; thence North seventy (70°) degrees thirty-seven (37') minutes East four hundred eighty-two (482.85) feet to a point; thence North sixty-five (65°) degrees East eighty-seven and (87.11) feet to a point; thence following a curve shown on the blueprint a distance of two hundred twelve and five tenths (212.5) feet to a point; thence North eighty-six (86°) degrees fifteen (15') minutes East one hundred eighty-two and (182.84) feet to a point; thence North eighty-six (86°) degrees forty-four (44') minutes East four hundred twelve and (412.90) feet to a point; thence following a curve as shown on the blueprint a distance of two hundred sixteen (216) feet to a point; thence North seventy-five (75°) degrees fifty-six (56') minutes East five hundred sixty-nine and (569.95) feet to a point; thence South sixty-three (63°) degrees fifty-three (53') minutes East one hundred sixteen and seven hundredths (116.7) feet to a point; thence South eighty-one (81°) degrees fifty-one (51') minutes East five hundred sixty-seven and (567.9) feet to a point; thence following a curve as shown on the blueprint a distance of two hundred and thirty-five (235) feet to a point; thence North eighty-six (86°) degrees twenty-four (24') minutes East twenty-five and (25.45) feet to a point; thence North three (3°) degrees twenty-eight (28') minutes East two hundred seventy-nine and (279.85) feet to a point; thence North seventy-eight (78°) degrees fifty-eight (58') minutes East six hundred ninety-one and (691.70) feet to a point; thence South eighty-three (83°) degrees thirty-two (32') minutes East one hundred thirty-five and (135.71) feet to a point; thence following a curve as shown on the blueprint a distance of fifty-seven and (57.59) feet to a point; thence North fifty-five (55°) degrees and fifty two minutes (52') East three hundred thirty and (330.85) feet to a point; thence along a curve as shown on the blueprint a distance of three hundred eighty-one and (381.66) feet to a point; thence from said point North fifty-two (52°) degrees three (3') minutes East a distance of three hundred ninety-one and (391.92) feet to a point; thence from said point following a curve as designated on the blueprint a distance of one hundred seventy-five and (175.16) feet to a point; thence North thirty-four (34°) degrees thirty-two (32') minutes East one hundred and sixty-nine and (169.45) feet to a point; thence following a curve as shown on the blueprint a distance of one hundred seventy-six and (176.57) feet to a point; thence North sixty (60°) degrees fifty-three (53') minutes East one thousand twenty-two and (1022.90) feet to a point. The intersection of the Township of Croyle, and the Borough of Sunnyside said point being one thousand four hundred fifteen (1415) feet from the proposed road to intersection of said road with the township road, ending from Sunnyside Borough to Route #272 near Munday's corner the place of ending. Said courses and distances are all designated on a blue print a copy of which is hereto annexed and made a part of this report.

We were unable to obtain releases from the property owners through whose land the proposed road is located, therefore we declare for benefit and award no damages.

Witness our hands this third day of March A.D. 1923.
Lura P. Owen
Dixon Tomb
Mahlon J. Baumgardner
Viewers.

16 Dec. 1924 Release of Damages filed.
16 Dec. 1924 Release of Damages filed.

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(transferred from page 84)

No. 5.

and $5/10$ (787.3) feet to a point; thence from said point North fifty-two (52°) degrees forty-nine ($49'$) minutes East two hundred thirty-six and $4/10$ (236.3) feet to a point; thence North seventy-two (72°) degrees fifty-seven ($57'$) minutes East one hundred seventy-six and $6/10$ (176.6) feet to a point; thence from said point North fifty-eight (58°) degrees twenty-six ($26'$) minutes East two hundred nineteen and $6/10$ (219.6) feet to a point; thence North thirty-seven (37°) degrees ten minutes ($10'$) East one hundred fifty-three and $6/10$ (153.6) feet to a point; thence North twenty-five (25°) degrees twenty-one ($21'$) minutes East two hundred and three and $4/10$ (203.2) feet to a point; thence from said point North forty-nine (49°) degrees forty-six ($46'$) minutes East five hundred eighty-eight and $4/10$ (588.1) feet to a point; thence from last mentioned point North fifty-one (51°) degrees fifty-five ($55'$) minutes East five hundred twenty-eight (528) feet to a point; thence North fifty-four (54°) degrees twenty-seven ($27'$) minutes East one hundred fifty-three and $6/10$ (153.6) feet to a point; thence North seventy-nine (79°) degrees forty-nine ($49'$) minutes East one hundred seventy-eight (178) feet to a point; thence following a curve as shown on the blue print a distance of one hundred twenty-four and $79/100$ (124.79) feet to a point; thence North thirty-eight (38°) degrees thirty-six ($36'$) minutes West two hundred and eight (208) feet to a point; thence following a curve as shown on blue print a distance of one hundred sixty-six and $68/100$ (166.68) feet to a point; thence South seventy-nine (79°) degrees forty-three ($43'$) minutes East a distance of one hundred twelve (112) feet to a point; thence North eighty-four (84°) degrees forty-three ($43'$) minutes East a distance of three hundred eighty-six (386) feet to a point; thence North seventy-four (74°) degrees twenty-four ($24'$) minutes East three hundred ten and $3/10$ (310.3) feet to a point; thence from said point South forty-eight (48°) degrees thirty ($30'$) minutes East three hundred eighty-eight and $3/10$ (388.3) feet to a point; thence from last mentioned point North eighty-two (82°) degrees twenty ($20'$) minutes East a distance of one hundred eighty-one and $4/10$ (181.6) feet to a point in the center of a public road leading to Minersville a distance of one thousand four hundred and thirty-seven (1437) feet to the intersection of the Rosedale road said road being a brick road leading from Minersville to the William Penn Highway, said last mentioned point in center of the aforesaid road being the end of the proposed road. The total length of the proposed road from the place of beginning to ending of said proposed road being five thousand six hundred and one and $67/100$ (5601.67) feet.

That no release was secured from the Hawk Refractory Company, a corporation through whose lands the said road is located and that we therefore respectfully assess no benefits and assess no damages to the above named Hawk Refractory Company.

Witness our hands this 3rd. day of March A. D. 1923.

Philip E. Caulfield
Dixon Tomb
Mahlon J. Baumgardner
Viewers.

Transferred from Page 236

After a general discussion and conference it was compromised by and between all parties in attendance, that the roads proposed to be vacated should be vacated, and that the road proposed to be supplied should be supplied. We therefore are of the opinion that it is to the interest of the traveling public, and recommend that the piece of public road leading from Union to the Ebensburg-New Germany Road, leading from the southerly end of the Lutheran Church property, and extending in a westerly direction along said road to a point 327 feet Eastward from its intersection with a public road leading in a southeasterly direction from the Pittsburgh-Philadelphia Turnpike to Summerhill should be vacated, and instead thereof a piece of road beginning at the last mentioned point on the road from Union to the Ebensburg-New Germany Road and ending on public road leading from Pittsburgh-Philadelphia Turnpike at Stewart's Run to New Germany, at a point 1351 feet Eastward along said last mentioned road from its intersection with the said Union-Ebensburg-New Germany Road should be supplied instead of that portion of the road vacated.

The said piece of road supposed to be vacated, beginning on the Ebensburg-New Germany Road just South of the Lutheran Church property, taking the following courses and distances, viz: South $66^{\circ}45'$ West 495 feet, South $71\frac{1}{4}^{\circ}$ West 174 feet, South $67^{\circ}30'$ West 478.5 feet, South 66° West 322 feet, South $73^{\circ}15'$ West 366 feet, South $69^{\circ}10'$ West 348 feet, South 73° West 269 feet, South $70^{\circ}15'$ West 668 feet, South $72^{\circ}20'$ West 682 feet, South 34° West 82 feet, South 81° West 991 feet, South 82° West 314 feet, South $72^{\circ}45'$ West 230 feet, South $88\frac{1}{4}^{\circ}$ West 203 feet, North $72^{\circ}30'$ West 157 feet, North 60° West 162 feet, North $73^{\circ}20'$ West 612.5 feet, South 50° West 289 feet, South $76^{\circ}30'$ West 232 feet to a point of ending of the piece of road proposed to be vacated.

That we believe the heretofore described road has become useless, inconvenient and burdensome, and therefore we vacate the same, and the piece of road suggested to be supplied for said road heretofore vacated, beginning at a point of ending of that road to be vacated, taking the following courses and distances, viz: North $42^{\circ}30'$ East 1982.5 feet, North $42^{\circ}5'$ East 352.6 feet, North 48° East 281 feet, North 57° East 218 feet, North $46^{\circ}30'$ East 310 feet, North 73° East 288 feet, North 83° East 343 feet, North 89° East 864 feet, North $89^{\circ}30'$ East 234.5 feet, North 78° East 356 feet, North 74° East 999 feet, North 68° East 332 feet, North $58^{\circ}30'$ East 349 feet, North 54° East 1014 feet to a point at public road leading from the Pittsburgh-Philadelphia Turnpike at Stewart's Run to New Germany.

A plot or draft of the road heretofore vacated and the road heretofore proposed to be supplied is filed with the original report filed in the Office of the clerk of courts in and for Cambria County, Pennsylvania.

This Viewers wish to state in this report that the Supervisors of Jackson Township agreed to present a petition to the Court of Quarter Sessions, asking that a road be supplied beginning at a point not less than 1375 feet from its intersection with the Pittsburgh-Philadelphia Turnpike near Stewart's Run and to meet the road proposed to be vacated at a point at the dividing line between the Lutheran Church property and the adjoining property owner, which is indicated on the blue print attached to the Report filed by the Viewers in the first instance. This is merely a suggestion and has nothing to do with the present proceedings.

The members of the Board of Viewers feel that the road proposed to be vacated is absolutely useless, inconvenient and burdensome and should be vacated; and that the road proposed to be supplied has a uniform grade and is by far a better location for the road than the road we hereby vacate.

The Board of Supervisors of Jackson Township and the petitioners have authorized the Board of Viewers to file in this their report that neither the supervisors nor the petitioners will take an appeal from the findings heretofore agreed to, nor will they ask for re-reviews.

Witness our hands and seals this twenty-eighth day of March, in the year of our Lord one thousand nine hundred thirty-one (1931).

Philip E. Baulfield (Seal)
 Mahlon J. Baumgardner (Seal)
 Dixon Lomb (Seal)
 Viewers.

6P

December Sessions, 1922

(Transferred from Page 53)

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 on the premises and by notice served upon the Commissioners of Cambria County, and upon the Secretary for the Board of Supervisors of the Township of Richland, at least ten days prior to the time of making of said view; evidence of which is shown by copies of said notice hereto attached; that we met upon the premises according to the notice given at the Dand Still farm on the 8th day of February A. D. 1923 at 10:30 o'clock A. M. and proceeded with the duties of our appointment.

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.

We are of the opinion and agree that a public road is necessary and that we authorize the laying out of the road according to the accompanying draft. We therefore lay out and return for public use a road as follows: ~~beginning~~ beginning at the center of the road at a point on the Solomon Run Road at the Highland School three thousand nine hundred and fifty (3950) feet Eastwardly along said Solomon Run Road from Calvary Church and a distance of one thousand and forty (1040) feet in a Northerly direction at Highland School; thence from the starting point being the center of aforesaid road the place of beginning North fifty-five (55°) degrees ten (10') minutes East one thousand five hundred twenty-two (1522) feet to a point at the side of a proposed road which was viewed and recommended in a Report to the Court of Quarter Sessions of Cambria County, Pennsylvania entered to Number 3 December Sessions 1922, the road being supposed touching land of the Wilmore Coal Company on the one side and lands of John Barron and Oliver Messerschmidt on the other side.

We further report and are of the opinion and agree to vacate the road beginning at the top of Bellmans Hill at a point one thousand seven hundred thirty-seven (1737) feet Westwardly from the Highland School and two thousand nine hundred thirty-seven (2937) feet Westwardly from the intersection of the Solomon Run Road with a public highway leading from the Borough of South - to the Village of Gristown, said portion to be vacated extends from its point of beginning in a Northwardly direction one thousand thirty-five (1035) feet to a point of proposed new highway said last point or Northerly terminus of said road being at the Dand Still farm two thousand eight hundred ninety-six (2896) feet Eastwardly from a point on the Solomon Run Road at the Calvary Church along said road and being on the proposed new road leading from said Church to a highway leading from South Fork to Gristown, on the following courses and distances: - South twenty-six (26°) degrees thirty (30') minutes West two hundred sixty (260) feet to a point; thence South fifty-five (55°) degrees thirty (30') minutes West seven hundred seventy-five (775) feet to a point.

That we have secured release of Oliver Messerschmidt through whose land the proposed road is located, in consideration of the advantage said property owner expects to derive for the same if said proposed road is confirmed, has released the Commissioners of Cambria County and the Supervisor of Richland Township from any damage that has or may accrue to him for and on account or by reason of the locating, opening or using of said road or that might accrue to him from said road by any reason whatsoever. The release of said land owner is more fully set forth on a Release of Damages as attached and made a

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part of the report entered to No. 3 December Sessions, 1922, and filed in the office of the Clerk of Quarter Sessions of Cambria County, Pennsylvania on March 5th, A. D. 1923.

We were unable to secure a release of damages from the Wilmore Coal Company, therefore we assess no benefits and no damages.

Witness our hands this third day of March A. D. 1923.

Philip E. Caulfield

Adam Shuman

Mahlon J. Baumgardner
Viewers.

(P)

December Sessions, 1922

(Transferred from Page 82)

of said supplying road and said point being 2015 feet Northwardly from the intersection of said public highway leading from South Fork to Linstown with the aforesaid Solomon Run Road at it it now located, respectfully report:-

That they were truly 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 on the premises and by notice served upon the Commissioner of Cambria County and upon the Secretary of the Board of Supervisors of the Township of Richland, at least ten days prior to the time of making the said view, evidence of which is shown by copies of said Notice hereto attached; that we met upon the premises according to notice given at the Calvary Church on the 8th day of February A.D. 1923 at ten o'clock A.M. and proceeded with the duties of our appointment.

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.

We are of the opinion and agree that a public road between the points mentioned is necessary, and that we authorize the laying out of a road according to the accompanying draft. We therefore lay out and return for public use a road as follows: *Beginning at a point at Calvary Church on the Solomon Run Road three thousand four hundred seventy-three (3473) feet Eastwardly from its intersection with the public highway at Meyers School House said last mentioned highway bisecting the aforesaid road at said School House and extending across it in a Northwardly direction; from said point having Radius 222.3 feet one hundred seventy and two tenths (170.2) feet to a point; thence North eighty-two (82°) degrees twenty-three (23') minutes East Eight hundred fifteen (815) feet; thence Radius 854.9 feet a distance of two hundred eighty-one and four tenths (281.4) feet to a point thence South seventy-eight (78°) degrees fifty-one (51') minutes East six hundred thirty-four and three tenths (634.3) feet to a point; thence Radius 473.7 feet a distance of two hundred eighty-seven and two tenths (287.2) feet to a point; thence North seventy-two (72°) degrees twenty six (26') minutes East a distance of seven hundred seventy-five and eight tenths (759.8) feet to a point; thence Radius 257.9 feet a distance of three hundred fifty-eight and nine tenths (358.9) feet thence South thirty-six (36°) degrees four minutes (4') East a distance of one thousand three hundred three and eight tenths (1303.8) feet to a point; thence Radius 955.4 feet a distance of two hundred fifty-six and nine tenths (256.9) feet to a point; thence South fifty-one (51°) degrees twenty-nine (29') minutes East nine hundred eighty-one (981) feet to a point in the public highway leading from Killip of Linstown to South Fork to Linstown.

And we do also vacate that portion of said Solomon Run Road at a point three thousand four hundred seventy-three (3473) feet Eastwardly along said road from the intersection with the public road at Meyers School House which said highway bisects the aforesaid road at said School House extending across it in a Northwardly direction to Frankstown Road in a southerly direction to the Linstown and South Fork Turnpike; thence from said starting point South forty-five (45°) degrees East four hundred eight (408) feet to a point; thence South seventy-five (75°) degrees fifteen (15') minutes East four hundred fifty-eight (458) feet to a point; thence South eighty-four (84°) degrees ten (10') minutes East seven hundred fifty-eight (758) feet to a point; thence South (75°) degrees East three hundred thirty-four (334) feet to a point; thence North eighty (80°) degrees twenty-five (25') minutes East two hundred sixty-one (261) feet to a point; thence North one (1°) degree fifteen (15') minutes West three hundred ten (310) feet to a point; thence South thirty-five (35°) degrees East five hundred (500) feet to a point; thence South thirty-two (32°) degrees thirty-six (36') minutes East to a point; thence South thirty-five (35°) degrees East five hundred seventy-seven (577) feet to a point being the terminus of said road vacated.

That we have secured release of the persons through whose land the said proposed road is located, in consideration of the advantages said property owners expect to derive from the same if said proposed road is confirmed, have released the said Commissioner of Cambria County and Supervisors of Richland Township from any damages that there may accrue to them for or on account of the locating, opening, widening of said road or that might accrue to them from said road by any reason whatsoever. The following are the names of the persons who have released and forgiven all the persons affected: - Albert G. Bloom, O. N. Messersmith, John Barron, the release of the above named land owners is more fully set forth on a Release of Damages hereto attached and made a part of this report.

We were unable to secure a release of damages from the Wilmore Coal Company, therefore we assess no benefits and no damages; a copy of a letter of the Wilmore Coal Company with reference to release of damages is hereto attached and made a part of this report.

Witness our hands this 30th day of March A. D. 1923.
Philip E. Caulfield
Adam Shuman
Mallon J. Baumgardner
Viewers.

December Sessions, 1922.

(Transferred from Page 41)

been filed at March Sessions, 1923, of this Court and no exceptions having been filed thereto, the said report was submitted to the Grand Jury at June Sessions, 1923, who upon consideration thereof are of opinion that the aforesaid bridge is necessary and that the erection thereof would entail greater expense than the Borough of Spangler should bear and therefore recommend that the expense of constructing said bridge be borne by the County of Cambria, it is therefore ordered and decreed that the report of the Viewers and the recommendation of the Grand Jury be approved and entered of record and that a copy thereof be furnished to the Commissioner of Cambria County by the Clerk of Court of Quarter Sessions thereof.

By the Court
E

28 Dec. 1923 plans, specifications, contract and Bond filed.

Now Dec. 28, 1923, the within plans, specifications, contract and bond are approved.

John E. Evans.
Pres. Judge.

4 August 1924. Petition for Appointment of Inspectors filed

And now Aug 4, 1924. The within petition read and considered and A. M. Shoemaker, Adam Shuman and J. D. Pitter are appointed Inspectors to inspect Bridge over Susquehanna River in Spangler Bor.

By the Court.
E.

5 August 1924. Order to Inspect issued.

15 August 1924. Report of Viewers filed

John Sessions 1922
 (transferred from Page 75)

along same land South Sixty (60) degrees thirty (30) minutes West Two Hundred Eighty Two (282) feet; to a point; thence along the last mentioned land and land of Al Villegas heirs, South sixty-five (65) degrees fifty (50) minutes West Six hundred seventy-five (675) feet to a point; thence across the last mentioned land South Sixteen (16) degrees thirty-nine (39) minutes West one hundred seventy and seven tenths (170.7) feet to a point in the center of road leading from Frankstown, Road to Franklin known as the Clapboard Run Road.

We further report that we endeavored to obtain from all the owners of land upon which the said road is located, releases of the damages to arise by reason of such location; we were unable to secure releases thereof; therefore we allow no damages to the respective owners, because we considered the advantages which will accrue to their respective properties by reason of the said road, are equivalent to all damages which will be sustained by them.

We further report and are of the opinion and agree to vacate that portion of the road beginning at a point on road 3800 feet distant from the road leading from Frankstown Road to Mineral Point and Franklin on land of George Hartis leading South thirty-four (34) degrees East Two Thousand three hundred eighty-two (2382) feet to a point in the center of road leading from the Frankstown Road to Franklin, said road being known as the Clapboard Run road.

Witness our hands and seals this fifteenth day of August
 A. D. 1922.

Philip E. Caulfield
 S. E. Dickey
 Mahlon J. Baumgardner.
 Viewers.

(Transferred from page 77)

of the viewers having been filed at December Sessions, 1922, of this Court and no exceptions having been filed thereto, the said report was submitted to the Grand Jury at March Sessions, 1923, who upon consideration thereof are of opinion that the aforesaid bridge is necessary and that the erection thereof would entail greater expense than the Borough of Hastings should bear and therefore recommend that the expense of constructing said bridge be borne by the County of Cambria, it is therefore ordered and decreed that the report of the viewers and the recommendation of the Grand Jury be approved and entered of record and that a copy thereof be furnished to the Commissioners of Cambria County by the Clerk of Court of Quarter Sessions thereof.

By the Court
E.

Report of Viewers

To the Honorable, the Judges of the Court of Quarter Sessions of Cambria County, Pennsylvania.

We, the undersigned members of the Board of viewers of Cambria County appointed by your honorable Court, upon the attached order, to view the site and determine as to the necessity for a new and more substantial bridge over Brubaker Run on Bridge Street, in the Borough of Hastings, 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 and to the Council of the Borough of Hastings and having them accept service of notices hereto attached, and to the public by printed hand bills posted in public and conspicuous places at and near the site of the bridge to be viewed; and having been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability; all of us met at the site of the proposed new bridge in accord with the notices so given and having carefully viewed the premises, investigated and inquired into the necessity for a new and more substantial bridge over Brubaker Run on Bridge Street in the Borough of Hastings, as aforesaid, and are of the opinion that a new, wider and more substantial bridge for the safety and accommodation of the traveling public is necessary at the point designated in the order of the Court and hereinabove referred to and are of the further opinion that the expense of constructing a suitable bridge at the place designated will be more than is reasonable that the taxpayers of the said Borough of Hastings should be required to bear and therefore recommend that the County of Cambria bear the expense of constructing the same. The undersigned further desire to report that the present old bridge is but 13 feet 8 inches in width, in the clear, and is 74 feet 6 inches long, between abutments, and that alongside of this bridge - which was not designed to take care of any considerable amount of traffic nor to provide for the safety of pedestrians - is an old foot bridge approximately five feet wide and eighty feet long; and that now both the joice and plank on the old road bridge are in a bad state of delapidation, as is likewise the foot bridge which was built just to the North side of the main bridge; which was not built on line with the street. Accordingly, we beg leave to suggest that in constructing the new bridge, herein recommended, that it should be not less than thirty feet wide,

Transferred to Page 479)

June Sessions 1921
 Transferred from page 57

No. 1.

12 Feby. 1923 Petition for appointment of Inspectors filed
 And now, February 12, 1923, the within Petition read and considered
 and J. D. Ritter, Adam Shurpau and A. M. Shoemaker, Esq, appointed
 to inspect Bridge over Laurel^{Lick} Run in East Carroll Township.
 By the Court.
 E.

13 Feby. 1923 Order to Inspect issued

27 Feby 1923 Report of Inspectors filed

December Term 1919
 Transferred from page 36

No. 1.

1 August Petition for Appointment of Inspectors filed.

And now August 1, A. D. 1921 the within Petition read and considered and J. G. Ritter, A. M. Shoemaker and Adam Shuman are appointed to inspect the within mentioned bridge and to make report thereof to the Court at the next term beginning September 5, 1921

Samuel Lemmon Reed.

President Judge of the Orleans Court.

Specially presiding.

1 August 1921 Order to inspect issued.

5 Sept 1921 Report of Inspectors filed.

5 Sept 1921 approved.

By the Court

Transferred from page 73.

on the 24th day of May A.D. 1922, at nine o'clock A.M. Standard Time, and proceeded with the duties of our appointment.

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.

We are of the opinion and agree that a public road between the points mentioned is necessary, and that we authorize the laying out of a road according to the accompanying draft.

We therefore lay out and return for public use a road as follows:
 * Beginning at a point in the center of the road leading from a lane connecting with the Millerick Road thence North thirty-one (31°) degrees forty-two (42') minutes West one thousand six hundred ten and two-tenths (1610.2) feet to a point; thence North 0° fifty-five (55') minutes East seven hundred ninety-two and eight-tenths (792.8) feet to a point on the Millerick Road.

We further report that we endeavored to obtain from all the owners of land upon which the said road is located, releases of the damages to arise by reason of such location, we were unable to secure the releases therefore we allow no damages to them because we consider the advantages which will accrue to their respective properties by reason of the road are equivalent to all damages which will be sustained by them.

We further report and are of the opinion and agree not to vacate that portion of road beginning at intersection of the road opposite the premises of Sarah and Henry Miller and public road leading to Elm, thence North forty-seven (47°) degrees, twenty (20') minutes East nine hundred thirty-two (932) feet to a point; thence North sixty (60°) degrees eleven (11') minutes West eight hundred and eighteen (818) feet to a point; thence North twenty-six (26°) degrees twelve (12') minutes East ten hundred and thirty (1030) feet to a point on Elm Avenue.

Witness our hands and seals this 3rd day of June A.D. 1922.

Philip E. Daughfield
 S. E. Dickey
 Mahlon J. Baumgardner
 Viewers

Transferred from Page 49.

12 Sept. 1921 Petition for appointment of Viewers to assess damages ^{filed}
Decree.

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

By the Court.

19 Sept. 1921 Order to View issued.

5 Dec. 1921 Report of Viewers filed 30 days to file exceptions.

14 Dec. 1921 Petition for appointment of Viewers filed.

21 Dec. 1921 Order to View issued

Decree.

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

By the Court
Edams.

11 March 1922 Report of Viewers filed.

6 March 1922 Report of Viewers filed 5 Dec. 1921 Confirmed

Frank C. Robb.
Clerk.

21 March 1922 Appeal to the Court of Common Pleas filed.

11 April 1922 Confirmed

Frank C. Robb.
Clerk.

17 April 1922 Receipt of Michael Nemitz & withdrawal of appeal filed.

Ebensburg Pa. April 12, 1922.

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

Michael ^{his} _{mark} Nemitz.

Witness

Eva Miller

September Term 1917.

No 3.

In re Proceedings to Reconstruct
Improve and Repair Main
Trunk Road in West Taylor
Township.

6 May 1919 Petition of Supervisors for amended
order Increasing County Aid from \$26,000.00 to \$46,000.
Now, May 6, 1919, the foregoing petition having been
presented and read, upon due consideration thereof
and it appearing that due notice of the presenta-
tion of this petition has been given to the County
Commissioners of Cambria County, the Court taking into consideration the facts
heretofore found in this proceeding, as well as the matters set forth in the petition,
find that the revenue of the Township of West Taylor, together with the amount
heretofore awarded from the County of Cambria, is insufficient for doing said work
in a substantial manner, and hereby orders and directs the County Commissioners
of Cambria County to give financial aid and assistance to the said Township
of West Taylor in the doing of said work in the amount of Forty six Thousand
Dollars, or so much thereof as may be necessary. The said sum of Twenty six
Thousand Dollars originally awarded to said Township of West Taylor herein under
date of January 22, 1918 to be hereby increased by the sum of Twenty Thousand
Dollars or so much thereof as may be necessary, and making the total amount
awarded herein equal the sum of Forty six Thousand Dollars if the same be
found necessary. The said work to be done as recommended by the viewers
and to be carried on and completed in all respects in the manner provided
by law.

Payments by the County Commissioners of the additional sum of Twenty
Thousand Dollars under this order to be made ^{out} of the funds provided
for the fiscal year 1919.

By the Court
Marlin B. Stephens
Pres Judge.

Transferred from Page 250.

to the Ford's Corner - Ivin Rocks road, and thence north 4°30' west 156 ft. to the terminus of the piece
of road proposed to be supplied
Witness our hands this 11th day of May, A.D. 1931.

Adam Shuman
A. M. Shoemaker
J. D. Ritter.

Having been unable to secure a release of damages from Mrs. Danb Koro, through and over whose
land the new road, as laid out, passes, we have assessed her damages at Thirty Dollars.

A. M. Shoemaker

Dated May 11th 1931.

September Sessions 1924

Transferred from Page 132

degrees Thirty (30') minutes East a distance of Four Hundred Forty (440) feet to a point; thence North Thirty-five (35°) degrees East a distance of One Hundred Eighty-eight (188) feet to a point; thence North Nine (9°) degrees Fifteen (15) minutes East a distance of Eighty-five (85) feet to a point; thence North Thirty-two (32°) degrees Thirty (30') minutes West a distance of Six Hundred Six and Nine tenths (606.9) feet to a point and terminus of said road.

And we also recite that portions of said road now laid out and open beginning at a point on what is known as the Mountain Road Eighteen Hundred (1800) feet from intersection with the Crumer Pike as follows: Beginning at said point of intersection of the Crumer Pike and the road proposed to be laid out as above described North Thirty-five (35°) degrees Ten (10') minutes East Six Hundred Fifty-eight (658) feet to a point in a curve with radius of One Hundred feet; thence North Sixty-one (61°) degrees Twenty-five (25') minutes West seven hundred Sixty-six (766) feet to a point; thence North Sixty-one (61°) degrees Twenty-five (25') minutes West in a curve Two Hundred eighty-two and two-tenths (282.2) feet; thence North Forty-two (42°) degrees Thirty (30') minutes West Two Hundred Forty-four and five tenths (244.5) feet to a point; thence North Thirty-seven (37°) degrees Ten (10') minutes West Forty-six and fifty one one hundredths (46.51) feet to a point, being the terminus of said road recited.

We did not endeavor to secure release of damages of the persons through whose lands the said proposed road is located for the reason that we believe the advantages and benefits derived by said property owners, because of the said road is greater and counteracts and disadvantages or damages as may accrue to the respective property owners. Therefore we assess no benefits and no damages.

Witness Our Hands this first day of December A.D. 1924.

S. E. Dickey
Philip E. Maulfield
Mahlon J. Baumgardner
Vikkers.

December Sessions 1921

(Transferred from Page 67)

9 October 1922 Contract and Specifications filed.
And now October 9, 1922 the within plans, specifications, contract and bond are approved.

By the Court.

E.

4 Dec. 1922 Petition for appointment of Inspectors filed.

Decree.

And now, Dec. 4, 1922, the within Petition read and considered and Philip Cauffield, M. J. Brumgardner and S. E. Kickey appointed Inspectors on the within mentioned Bridge, and to make report thereof to the Court.

Samuel Lemmon Reed.

President Judge of the Orphans
Court, Specially presiding.

5 Dec. 1922 Order to Inspect issued.

8 Jan. 1923 Report of Inspectors filed.

12 February 1923 Approved.

By the Court.

E.

Transferred from Page 39

21 February 1921 Petition to pay damages into Court filed
Decree

And Now Feb. 21 - 1921 the foregoing petition having been duly read and considered, it is hereby ordered, adjudged and decreed that on the payment of Twenty five dollars (\$25.00) by the petitioner, J. W. Burkhardt, to the Clerk of the Court of Quarter Session, in full of damages assessed against him in favor of Mary M. Grove in the report of viewers by this Court to lay out a private road leading from petitioner's farm in Jackson Township to a point in the public road leading from Denco to Burkhardt, in said Township, the order for the opening of the said private road shall be issued to the said petitioner J. W. Burkhardt

Samuel Legmon, Recd.

President Judge of the Olyphant Court
Specially Proceeding

21 February 1921 Received from Leech and Leech, Atty for J. W. Burkhardt Twenty five (\$25.00) Dollars

\$25.00

50

Ans 270

24.50

Paid 2/23/21 to Mrs. A. M. Grove. Check No. 3784
Adgeley
H. Pa.

June Term 1919
 Transferred from Page 29

served and posted as aforesaid and having gone over, viewed and carefully considered the whole situation and are of the opinion that that portion of the road between the terminus, designated on the attached Order of Court, which is indicated on the attached draft as lying between and following the direction of "A" "B" "C" "D" "E" and "F" should be vacated and that the piece of road thus vacated should be supplied by a piece of road lying between and taking the direction of "A" "G" "H" "I" and "J" on the attached draft which is hereto attached and made a part of this report.

The portion of road herein recommended to be vacated takes the following courses and distances; beginning at the point indicated by the letter "A" on the attached draft, and extending thence North 76° East 174 feet, North 30° East 308 feet, North $23^{\circ} 35'$ East 593 feet, North $11^{\circ} 08'$ East 112 feet, North $33^{\circ} 50'$ East 133 feet, North 55° East 182 feet, North $65^{\circ} 15'$ East 51 feet and South $81^{\circ} 50'$ East 336 feet to the point indicated by the letter "F" on said draft, and the portion of road recommended to be supplied between the points indicated on said draft by the letters "A" and "J" take these courses and distances, viz:

North $57^{\circ} 15'$ East 170 feet, North $43^{\circ} 48'$ East 196 feet, North $42^{\circ} 20'$ East 1897 feet, North $30^{\circ} 30'$ East 60 feet and North $15^{\circ} 13'$ East 100 feet.

Having failed to obtain releases of damages from George C. Felix, D. N. King or the owner of the small corner of unimproved property noted on the attached draft at letter "H"; we have assessed damages to George C. Felix in the sum of six hundred fifty dollars and to D. N. King in the sum of one thousand dollars and to the owner of the small strip of unimproved land above referred to we have awarded no damages, feeling that no injury will be sustained by him.

Witness our hands this twenty eighth day of February, A. D., 1920.

UPL 1 1921 CERTIFIED

A. M. Shoemaker
 J. D. Ritter
 D. E. Hickey
 Reviewers.

4 Dec 1920 Appeal filed.

Appeal.

And now comes Isaac N. King by his attorney Charles C. Greer, and appeals from the decree of final confirmation in the above stated case to the Court of Common Pleas of the County of Cambria and prays for a trial of the question of damages by jury according to the course of the common law and avers that he is aggrieved by the said decree in the matter of the damages allowed by the said reviewers, said damages being inadequate in amount.

Isaac N. King
 by his attorney
 Charles C. Greer.

4 Dec 1920 Appeal filed.

Appeal.

And now comes George C. Felix by his attorney Charles C. Greer and appeals from the decree of final confirmation in the above stated case to the Court of Common Pleas of the County of Cambria and prays for a trial of the question of damages by jury according to the course of the common law and avers that he is aggrieved by the said decree in the matter of the damages allowed by the said reviewers, said damages being inadequate in amount.

George C. Felix
 By his attorney
 Charles C. Greer.

June Term 1919.

16 December 1920 Rule to show cause filed

Rule to show cause why the final confirmation of the report of reviewers should not be stricken off as prayed, granted.

Returnable Jan'y 5th 1921.

By the Court.

15 February 1920 On Argument List

31 May, 1921 Petition to change route + new location filed.
Decree.

And now, the 31st day of May, 1921, the within petition read and upon consideration the Court approves such change as indicated on the annexed map or draft and decree the new location to be a public road to all intents and purposes and the old location shall be taken and deemed to be vacated.

By the Court.

Evans.

J.

6 June 1921 Petition for withdrawal of Appeal filed

And now, May 14, 1921, the exceptions to the report of reviewers and reviewers filed in the above stated proceedings on the part of Isaac N. King and George C. Felix, respectively, are hereby withdrawn.

Charles C. Green

Attorney for Isaac N. King and
George C. Felix.

Withdrawal allowed.

By the Court.

March Term 1918.

Transferred from Page 11.

2 June 1919 Amended petition of Commissioners of Stonycreek Township for County Aid in Reconstructing Road filed.

Now, June 2nd, 1919, the foregoing petition having been presented and read, and upon due consideration of the same, and it appearing that notice of the presentation of this petition had been made to the County Commissioners of Cambria County, the Court taking into consideration, the facts heretofore found in this proceeding, as well as the matters set forth in the petition, find that the revenue of the Township of Stonycreek, together with the amount heretofore awarded from the County of Cambria, is insufficient for doing said work in a substantial manner, and hereby orders and directs the County Commissioners of Cambria County to give financial aid and assistance to the said Township of Stonycreek in the doing of said work in the amount of Fifty Two Thousand Dollars (\$52,000.00) or so much thereof as may be necessary. The work to be done as recommended by the viewers and to be carried on and completed in all respects in the manner provided by law.

It is further ordered and decreed that the width of that part of said road to be improved by and the same is hereby fixed at twenty feet between the curb line and that a clay driveway shall be provided on the southerly side of said road of not less than eight feet in width.

Payments by the County Commissioners under this order to be made out of the funds provided for the fiscal year 1919.

By the Court.

Marlin B. Stephens
Pres. Judge.

1 Sept 1919. Petition to Amend order of Court of June 2, 1919, filed.

Now this 1st day of September 1919, the foregoing petition having been presented and read, the prayer of the petition is granted and the order entered on the 2nd day of June 1919, to No 3 March Term 1919 in the above proceedings is amended as to the width of said road as follows:

It is further ordered and decreed that the width of that part of said road to be improved be and the same is hereby fixed at 18 feet between the curb lines and that a clay drive way shall be provided on the southerly side of said road of not less than 8 feet in width.

By the Court.

June Sessions 1926

Transferred from Page 161

dedicated highway known as Harmon Street North twenty-eight (28°) degrees fifty-four (54') minutes East seven hundred forty three (743) feet to the intersection of the center line of a dedicated highway known as Cannon Street; thence along Cannon Street North sixty-one (61°) degrees six hundredths (06') minutes West six hundred twenty-two and fifty-seven hundredths (622.57) feet to the center line of a dedicated highway known as Derby Street; thence along Derby Street North thirty-five (35°) degrees twenty (20') minutes East two hundred fifty six and thirty-four hundredths (256.34) feet to a point of a curve to the right; thence by said curve to the right having a radius of twenty-five feet a distance of thirty-six and forty six hundredths (36.46) feet; thence south sixty-one (61°) degrees six hundredths (06') minutes East three hundred twenty four and sixty-nine hundredths (324.69) feet to a point of a curve to the left; thence by said curve to the left having a radius of forty-two (42) feet a distance of one hundred twelve and fifty-two hundredths (112.52) feet; thence North thirty-four (34°) degrees thirty-five (35') minutes West three hundred sixty-five and nine tenths (365.9) feet to the point of a curve on the line of the city of Johnston at the end of the present brick pavement. The proposed road as laid out being colored green on blue plan hereto attached and made a part hereof. Said proposed road being composed of streets already laid out and dedicated on the Boston Plan of Lots laid out by Kress & Ott, therefore, same already being a dedicated highway.

We allow no damages to the abutting property owners, as affected by the laying out of the above road because we consider the advantages which will accrue to the heretofore properties by reason of the laying out of the said road as equivalent to all the damages which will be sustained by them.

Witness our hands this fourth day of December, A.D. 1926

L. E. Turkey
Mehlon J. Baumgardner
Philip E. Baulfield
Treasurers.

Transferred from Page 19. March Term 1919.

To vacate and supply
road in East Taylor Prop. }

and Supervisors were present. After viewing the premises we adjourned until the 15th day of May A.D. 1919 at 10:00 o'clock A.M. at which time we met in the Judges Chambers, 1004 Johnston Trust Building, Main Street, Johnston, Pa., where all evidence and testimony of interested parties were heard.

That after due consideration of all the matters before us we are of the opinion that the road prayed for by the Petitioners and laid out by us is necessary, which should be a permanently constructed road and that the portion of road proposed to be vacated by reason of laying out of the new road will become useless, inconvenient and burdensome therefore that the prayer of the Petitioners be granted.

Witness our hands this 31st day of May A.D. 1919.

J. E. Dickey
John H. Harrocks,
Adam Shuman
Viewers.

July 1925 certificate of Supervisors filed.

September Sessions 1921
(Transferred from Page 62)

Bridge in Bar Top }

15 October 1923 Petition for appointment of Viewers filed.

And now Oct. 15, 1923 the within petition presented, read and considered and A. M. Shoemaker and J. D. Ritter and Adam Stuman are appointed Viewers to inspect said Bridge and make a report to the Court as within prayed for.

By the Court.
Rud. P. J. O. C.
Specially Presiding.

17 October 1923 Order to View issued.

24 Oct. 1923 Report of Viewers filed.

10 Dec. 1923 Approved
By the Court
E.

March Term 1919

No 5

In re Petition of Citizens of Reade
Township for the Appointment of
Viewers to lay out Public road lead-
ing from Daugherty's Mines to Fallen
Timber

While many signed the petition to vacate the road in 1916, a large num-
ber of whom resided a considerable distance from the road and to whom it
could make little difference if the road were vacated or not while the present
petition is signed by some thirty two persons, most of whom reside near
Frugality, and some eight have signed both petitions and one or more
who signed the first but not the second appeared in person and requested
that the report of viewers should be in favor of the road being opened.

Witness our hands this 31st day of May A.D. 1919.

A. M. Shumaker,
Adam Shuman
J. D. Pitter

September Term 1920
 (transferred from Page 44)

No. 1.

27 Nov. 1922. Petition for Rule to show cause why road should not be opened filed
 and now Nov. 27th. 1922, within read and considered. Rule granted.
 as prayed for. Returnable First Monday of January 1923.

By the Court.

4 Dec. 1922 Acceptance of service filed

E.

December 1st. 1922 Service accepted of the within Rule.

Geo. C. Heim

Attorney for within named Supervisors

1 January 1923 Answer to Rule to show cause filed.

13 February 1923 on Argument List.

and now April 16, 1923 after due consideration
 rule discharged.

By the Court.

E.

March Term 1918.

No. 1.

In re Reconstruction of a
Section of Millcreek Road
in Upper Yoder Township

to the Ligonier Pike in said Township, is in a dangerous condition and in need of reconstruction and that the revenue of the said Township of Upper Yoder is insufficient to pay the cost of said reconstruction in a substantial manner, it is hereby ordered and directed that the Commissioners of said Cambria County shall give assistance to the said Township of Upper Yoder in the said re-

construction in a sum not exceeding \$112,223.44, a sum not exceeding (20,000) Twenty Thousand Dollars, to be paid by the County during the year 1918, a sum not exceeding \$46,111.72 to be paid during the year 1919, and a sum not exceeding \$46,111.72 to be paid during the year 1920, the said Township of Upper Yoder agreeing to pay like sums during the said respective years; such reconstruction to proceed at the instance of the said Township Supervisor under the supervision of the said County Commissioners or an inspector appointed by them, and all work and things necessary to be done in accordance with plans and specifications heretofore submitted to the State Highway Department of the Commonwealth of Pennsylvania and approved by said department, which plans and specifications are hereto annexed, made part hereof and marked respectively Exhibits "A" and "B."

By the Court

Francis J. O'Connor
Judge.

11 Sept 1918 Petition of Supervisors filed

Now Sept 11, 1918 the within petition having been read and considered, it is ordered and directed that part of the former decree, which read as follows, to wit:

"It is hereby ordered and directed that the Commissioners of said Cambria County, shall give assistance to said Township of Upper Yoder, in the said reconstruction in a sum not exceeding \$112,223.44, a sum not exceeding (\$20000) Twenty Thousand Dollars to be paid by the County during the year 1918, a sum not exceeding \$46,111.72 to be paid during the year 1919, and a sum not exceeding \$46,111.72 to be paid during the year 1920," be amended to read as follows, to wit:

"It is hereby ordered and directed that the Commissioners of said County of Cambria shall give assistance to the said Township of Upper Yoder in the said reconstruction in a sum not exceeding \$152,303.44, a sum not exceeding Twenty Thousand (\$20000) Dollars to be paid by the County during the year 1918, a sum not exceeding \$66,151.72 to be paid during the year 1919, and a sum not exceeding \$66,151.72 to be paid during the year 1920."

By the Court

Francis J. O'Connor,
Judge.

1 April 1919 Petition Release and Map filed.

Now April 1, 1919, the within petition having been read and considered, the prayer of the petition is granted and the within map or draft is hereby approved, and it is further ordered, directed and decreed that the said new location is hereby approved and the same shall hereupon be taken and deemed to be a public road to all intents and purposes and the old location shall be taken and deemed as vacated.

By the Court.

1 April 1919. Petition release and map filed.

Now April 1, 1919, the within petition having been read and considered, the prayer of the petition is granted and the within map or draft is hereby approved and it is further ordered, directed and decreed that the said new location is hereby approved and the same shall hereupon be taken and deemed to be a public road to all intents and purposes and the old location shall be taken and deemed as vacated.

By the Court.

28 April 1919 Petition to substitute and annex plans and specifications in place of the ones approved by the Court under date of June 10, 1918 filed.

Now, April 1, 1919 the within petition having been read and considered, it is ordered directed and decreed that the prayer of the petitioners be granted and that the within plans and specifications be substituted instead of the plans and specifications approved by the decree of the Court of June 10, 1918.

28 April 1919

By the Court.

28 April 1919. Petition to amend the Order of the Court dated Sept. 11, 1918.

Now April 22, 1919 the within petition having been presented and considered, it is Ordered and Directed that the aforesaid Decree be amended to read as follows: "It is hereby ordered and directed that the Commissioners of said Cambria County shall give assistance to the Township of Upper Yoder in the said reconstruction in a sum not exceeding \$194,162.50, a sum not exceeding \$20,000 to be paid by the County during the year 1918, a sum not exceeding \$87,081.25 to be paid during the year 1919, and a sum not exceeding \$87,081.25 to be paid during the year 1920."

By the Court

Francis J. O'Connor, Judge

The Counsel for petitioners as well as H. B. Hefley one of the Commissioners appeared and joined in Request for the entry of the above and foregoing order.

Francis J. O'Connor, Judge.

21 May 1919 Plans and specifications filed as ordered in decree of Court dated Apr. 1, 1919

12 June 1919 Petition filed.

September Sessions 1917.

No 1. Transferred from Page 1.

to Onnanhuda at a point 1218 ft., from the intersection of said road with the main street of the Village of Onnanhuda and 6058 feet from the intersection of said Lloydell and Onnanhuda road with the public road leading from Beaverdale thru Lloydell to Dunlo as specified in the attached order.

Having failed to secure releases of damages and being of the opinion that no damages will be suffered by the parties thru and over whose land the said road is laid out, we have assessed no damages.

The road as laid out will be of great accomodation to the traveling public, particularly between Cambria and Bedford counties and besides being laid out at a nice grade and over good ground for a public road is one that, considering its length, will cost very little to open and maintain.

Witness our hands this first day of December A. D. 1917.

Adam Shuman,

Jes. K. Shryock,

A. M. Shoemaker

Viewers.

12 June 1918. Petition for Rule to show cause filed.

And now June 11, 1918 within petition read and considered and Rule is granted upon the Supervisors of Summerhill Township as within named to show cause why they should not be attached for contempt of Court for failure to comply with the orders of the Court in above stated matter.

Rule returnable the first Tuesday of August.

By the Court.

16 July 1918 Answer to petition for Rule to show cause filed.