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RO# 2

Sep. 1919

IN THE COURT OF QUARTER SESSIONS OF CAMBERIA COUNTY.

TO THE HONORABLE THE JUDGES OF SAID COURT:

The petition of the undersigned, citizens of the Township of Blacklick, in said County, respectfully showeth:

That a road has long since been laid out from a point at or near the Cardiff Hotel to Twin Rocks, part of which road, -beginning at a point at the Cardiff Hotel, which point is one hundred and thirty-six feet distant from the point where the road leading from Seldersville to Cardiff intersects with the road leading from Bethel to Nanty Glo, and ending at a point on said road, at the Catholic Cemetery, which point is two thousand and twenty-six and five-tenths feet from where the said road intersects the public road leading from Nanty Glo to Twin Rocks or Belsano, -is not now and has not been for sometime in use by the general public, and has not, therefore, been kept in repair by the Supervisors of said Township, and is in a dangerous condition.

That your petitioners conceive said part of said road as set out in detail above, is now become useless, inconvenient, and burdensome.

Your petitioners therefore pray the court that the said road may be vacated, agreeably to the Act of the General Assembly in

such case made and provided.

And they will ever pray, &c.

<u>A. H. Folchman</u>	<u>Bebeano Pa.</u>
<u>J. J. Edwards</u>	<u>Belsano Pa.</u>
<u>G. W. Hoffman</u>	<u>Buttletown Pa.</u>
<u>James Walker</u>	<u>Buttletown Pa 9/6-1919</u>
<u>W. R. Forsythe</u>	<u>" " 10/6/19</u>
<u>Dr. C. F. ...</u>	<u>Buttletown Penna</u>
<u>Henry McCallister</u>	<u>" "</u>
<u>Richard J. ...</u>	<u>Hilltown Pa</u>
<u>Thos. J. ...</u>	<u>" "</u>
<u>Wm. ...</u>	<u>" "</u>
<u>Walter Llewellyn</u>	<u>" "</u>
<u>B. H. ...</u>	<u>" "</u>
<u>Albie Burk</u>	<u>" "</u>
<u>Charles ...</u>	<u>" "</u>
<u>Just ...</u>	<u>" "</u>
<u>Frank ...</u>	<u>" "</u>
<u>James A. Caldwell</u>	<u>" "</u>
<u>John Bradley</u>	<u>" "</u>
<u>L. W. ...</u>	<u>Bipede "</u>
<u>James A. ...</u>	<u>" "</u>

STATE OF PENNSYLVANIA | SS:
COUNTY OF CAMBRIA |

Before me, the subscriber, a Justice of the Peace in and for said county, personally came J. W. Bracken, who being duly sworn according to law doth depose and say that the matters and facts set forth in the above and foregoing petition are true and correct to the best of his knowledge and belief.

Sworn and subscribed before me,
this 20th day of October, A. D.,
1919.

J. W. Bracken

George Williams
Prothonotary

CERTIFICATE.

I hereby certify that I have made a diligent search of the records in the Court of Quarter Sessions of Cambria County, Pa., and find there no record of the dedication of a road in Blacklick Township, from Bethel to Twin Rocks.

Russell Weale

TO THE TOWNSHIP SUPERVISORS OF BLACKLICK TOWNSHIP, AND THE COUNTY COMMISSIONERS OF CAMBRIA COUNTY, PENNSYLVANIA:-

GENTLEMEN;

You are hereby notified that an application will be made to the Court of Quarter Sessions of said County of Cambria, on Tuesday, the twenty-first day of October, A. D. 1919, at ten o'clock, A. M., for the appointment of viewers to view the premises and report to the court the expediency of vacating part of a public road, which said part of said public road begins at a point at the intersection of the road leading from Twin Rocks to Bethel with the road from Seldersville to Nanty Glo and Twin Rocks, and extends to a point on said road leading from Bethel to Twin Rocks, which said point in said road is two thousand and twenty-six and five-tenths feet in a north-and southwesterly direction from the point where said road from Twin Rocks to Bethel is met by a road to Nanty Glo.

October _____, 1919.

J. W. Braeken

October _____, 1919.

I hereby accept service of the above notice for the Commissioners of Cambria County.

October _____, 1919.

We hereby accept service of the above notice.

Alfred Miller
J. W. Braeken

Super-
visors of
Blacklick
Township
Cambria
County,
Penna.

No 2 September Term 1919.

In the Court of Quarter Sessions of Cambria County.

PETITION of citizens of Blacklick Township to vacate a part of a public road in Blacklick Township, Cambria County, Pennsylvania.

Filed 21 October 1919.

AND NOW, October 21, 1919.

A. M. Shoenberger

Johnston & Gooch

J. D. Rees

are appointed as viewers, as within prayed for.

Respectfully

Filed

LEECH & LEECH
ATTORNEYS-AT-LAW

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

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

We, the undersigned members of the board of viewers of Cambria County appointed by your honorable Court, upon the attached order, and therein directed to view and determine as to the propriety of vacating a certain piece of public road in Blacklick Township, said county and state, 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 the Supervisors of Blacklick Township, by having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places along and in the vicinity of the terminal points of the piece of road proposed to be vacated; and having been first duly qualified 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 in accord with the notices so given and having gone over and carefully viewed the premises, we are of the opinion that the piece of road in question should not be vacated.

Said piece of road proposed to be vacated; a plot or draft of which is hereto attached and made a part of this report; takes the following courses and distances, viz:— Beginning, at the Easterly termini as specified on the attached order, near the Cardiff Hotel and running thence S. $61\frac{1}{2}^{\circ}$ W. 416 ft., S. $26^{\circ} 30'$ W. 346 ft., S. 79° W. 1412 ft., N. $1^{\circ} 45'$ W. 276 ft., S. $79^{\circ} 30'$ W. 320 ft., S. 80° W. 1476 ft., N. 89° W. 186 ft., N. $68^{\circ} 30'$ W. 400 ft., N. $43^{\circ} 30'$ W. 264 ft., West 428 ft., S. 83° W. 339 ft., S. 65° W. 362 ft., N. $83^{\circ} 30'$ W. 301.5 ft., N. $64^{\circ} 15'$ W. 139 ft., N. 44° W. 188 ft., N. 24° W. 318 ft., N. 34° W. 480 ft., N. $46^{\circ} 30'$ W. 354 ft., N. 86° W. 356 ft., S. 65° W. 256 ft., & S. 57° W. 354 ft. to the South Westerly termini; near the Catholic Cemetery as noted on attached order; on said public road leading from Cardiff to Twin Rocks.

The viewers find that whereas there are some three families living

along said piece of road which petitioners desire vacated, besides upwards of eighteen families living in houses of the Inland Coal Co. who use said road, which is the only public outlet for the twenty or more families and two other coal companies; all of whom would be required to travel over a private road in case the road in question should be vacated or petition the Court for another public road which, owing to the nature of the land in this vicinity, would naturally be laid out over the road now asked to be vacated; otherwise the only practical outlet would be a road crossing the main line of the Cambria and Indiana Railroad at grade: which in all probability the Public Service Commission, under the circumstances, would not permit.

Witness our hands this twenty ninth day of November, A. D., 1919.

A. M. Shoemaker

John H. Horrocks

J. D. Ritter

Viewers.

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and pass upon the propriety of vacating a piece of public road in Blacklick township, Cambria county, Pa., from a point near the Cardiff Hotel to a point at or near the Catholic Cemetery, on the road leading from near said Cardiff Hotel to Twin Rocks:

will meet at the place of beginning, near the Cardiff Hotel, in the township of Blacklick aforesaid, on the 12th. day of November, 1919, at 9:15 o'clock a. m. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

John H. Horrocks,

J. D. Ritter,

Viewers.

Oct., 31st. 1919.

Now, November 12, 1919, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pa.

James W. Blume
Chief Clerk

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and pass upon the propriety of vacating a piece of public road in Blacklick township, Cambria county, Pa., from a point near the Cardiff Hotel to a point at or near the Catholic Cemetery, on the road leading from near said Cardiff Hotel to Twin Rocks:

will meet at the place of beginning near the Cardiff Hotel, in the township of Blacklick aforesaid, on the 12th. day of November, 1919, at 9:15 o'clock a. m. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

John H. Horrocks,

J. D. Ritter,

Oct., 31st., 1919. 191

Viewers.

Now, Nov. , 1919, service of the within notice is hereby accepted by the undersigned Supervisors of the township of Blacklick, Cambria County, Pa.

Alfred Miller
J. W. Bracken
William Lambing
Supervisors.

Costs of View.

J. D. Ritter

1/2 Days \$11.25

67 miles @ 5 Cts. 3.35

\$14.60

John H. Horrocks

1 Day on View 7.50

44 miles

2.20

9.70

A. W. Shoemaker

Sifting Order \$ 9.00

6 Days 45.00

103 miles (3 trips) 5.15

Engineering work 30.00

\$89.15

DEC 11 1918 CERTIFIED

Commonwealth of Pennsylvania, }
County of Cambria. } SS.

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the 21st day of October A. D. 1919, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Blacklick, in the said County, setting forth that they labor under inconvenience ~~to vacate part of public road~~ road or highway, ~~to vacate part of~~

That a road has long since been laid out from a point at or near the Cardiff Hotel to Twin Rocks, part of which road, beginning at a point at the Cardiff Hotel, which point is one hundred and thirty-six feet distant from the point where the road leading from Seldersville to Cardiff intersects with the road leading from Bethel to Nanty Glo, and ending at a point on said road, at the Catholic Cemetery which point is two thousand and twenty six and five-tenths feet from where the said road intersects the public road leading from Nanty Glo to Twin Rocks or Belsano- is not now, and has not, been for sometime in use by the general public, and had not, therefore, been kept in repair by the Supervisors of said Township, and is in a dangerous condition.

That your petitioners conceive said part of said road as set out in detail above, is now become useless, inconvenient and burdensome.

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

A. M. Shoemaker, surveyor, and

Johnathan Horrocks, and J. D. Ritter
to be vacated

viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such ~~road~~ ^{vacation} they shall proceed to ~~vacate~~ ^{vacate} the same, having respect to the shortest distance and the best ground for a road, and in such manner as shall do the least injury to private property, and also be as far as practicable, agreeable to the desires of the petitioners, and that they make a report of their proceedings to the next Court of Quarter Sessions to be held for said County, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances, and references to the improvements through which it may pass.

By the Court.

Attest:

Frank C. Robb, Clerk.

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to view and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to endeavor to procure from the person or persons over whose land such location may be made releases from all claims for damages that might arise from the opening of such road or the building of such bridge; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof signed by a majority of their number, and return the same, together with all releases obtained, to the Court of Quarter Sessions, and the damages so assessed shall be conclusive, or may be subject to appeal, review or modification, as may be provided by existing laws in the different counties of this Commonwealth."

"The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desire of the petitioners."

"The viewers, as aforesaid, shall make report at the next term of said Court, and in the said report shall state particularly: First, who of them were present at the view, second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a public or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances, and noting briefly the improvements through which it may pass; and, whenever practicable, the viewers shall lay out the said roads at an elevation not exceeding five degrees (except at the crossing of ravines and streams), where, by moderate filling and bridging, the declination of the road may be preserved within that limit."

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]

NO. 2	September Session, 1917
Order to view	vacate
Part of Public road in Blacklick Township beginning at the Cardiff Hotel and ending at a point on road leading from Seldersville to Cardiff at the Catholic Cemetery.	
Viewers:	
A. M. Shoemaker,	
Johnathan Horrocks	
J. D. Ritter	
Clerk	Robb.
	90 cts.
	Filed 3 December 1917

5 December 1917 Approved

By the Court

