

PO#2 - Sept 1900

Not Microfilmed

COMMONWEALTH OF PENNSYLVANIA. }
COUNTY OF CAMBRIA, } S'S:

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg in the said County, on the third day of Sept A. D. 1900, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Allegheny, in the said County, setting forth that they labor under inconvenience ~~for want of~~ by having a public road or highway, ~~to lead from~~ beginning at a point in a public road leading from Ashville to Childwood Springs in said Township, about 300 yards south of the bridge over Little Clearfield Creek, and ending in a public road leading from Ambley to Lynton, at a point about 100 yards West of the residence of Joseph Cox, existing by lapse of time, having been used as a public road for more than twenty years has become useless and inconvenient,

and therefore praying the Court to appoint proper persons to view and ~~lay out~~ ^{vacate} the same according to law. The Court upon due consideration had of the premises, do order and appoint J. Laird Alder SURVEYOR, and Simon Naught and Luke Sauker

VIEWERS, to view the ~~ground proposed for~~ ^{no} said road, and if they view the same, and shall agree that there is occasion for such road, they shall proceed ~~to lay out~~ ^{to 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:
J. W. Davis 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."

No. 2, Sept 15th 1900
Session, 1900

ORDER TO VIEW and
vacate a public
road in Allegheny
Township

Filed 3 Dec 1900

David Elder
Simon Naughton
Luther Barber
Viewers

CLERK DAVIS for Attys—90 CTS.
Evan T Leech

14th Jan'y, 1901 approved,
By the Court,
29 April 1901 confirmed
S. Davis Clerk

To the Honorable A. W. Barker President Judge of the
Court of Quarter Sessions of Cabarrus County, ~~North Carolina~~
We the undersigned viewers appointed by the
aforesaid Order do report: That in pursuance
thereof after having been severally duly sworn
or affirmed to perform our duties impartially
and to the best of our judgment, and having
given due public notice as required by law
and having served copies of said notice upon the
Supervisors of the territory through which such
public road is to be vacated and also upon
the County Commissioners of said County, properly
attested copies of said notice being hereto attached
all the viewers appointed by said order viewed
the ground proposed for the within mentioned road
to be vacated and the undersigned do agree that
there is occasion for vacating a portion of the public
road from a point in a public road leading from
Asheville to Wildwood Springs in Alleghany Township
about 300 yards south of the bridge on Little Charfield
Creek and ending in a public road leading
from Ausrby to Giberton at a point about 100 yards
West of the residence of Joseph Cox has become
inconvenient and burdensome the grade being 11 feet
to the 100 feet on part of the road and 14 feet
to the 100 feet on other parts of the road which
gratly & ends five degrees in elevation and ought
therefore to be vacated and have viewed and
vacated the same as follows Beginning at a point
in a public road leading from Asheville to Wildwood
Springs in said Township about 300 yards
South of the Bridge over Little Charfield Creek
thence South sixty four and one half degrees West
five hundred and six feet thence South fifty
six degrees West three hundred and forty four

feet three south forty four and one fourth degree met three
 hundred and twenty one feet south forty five and
 three fourths degree met three hundred fifty five
 south forty four met one hundred eighty nine feet
 south fifty and one half degree met four hundred
 and sixteen feet south sixty one and one half
 degree met two hundred twenty eight feet three
 south forty six degree met one hundred and
 eighty four feet three south twenty one degree
 met three hundred and twenty feet three south
 twenty nine degree met three hundred and fifty
 seven feet three south forty two and three fourths
 degree met five hundred and seventy six feet
 three south fifty two degree met six hundred
 and forty five feet three south forty two degree
 met five hundred twenty five feet three south
 thirty five and one half degree met six hundred
 seventy five feet three south forty four degree
 met five hundred fifty five feet three south
 forty seven degree met three hundred and
 seventy feet three south forty and one
 fourth degree met four hundred and fifty feet
 to a point in a public road leading from Amery to Sperton
 at a point about 100 yards west of the residence of
 Joseph Cox a plot or draft is herewith enclosed
 Witness our hand this day of November

1900

J. Heard Elder
 Simon Daughit
 W. J. Sankler

J. H. Elder	2 days	8.00
" " "	22 miles	2.20
Simon Daughit	1 day	2.00
" " "	8 miles	.80
L. J. Sankler	1 day	2.00
John Williamson	7 miles	.70
John Williamson	Chairman	1.50
		<u>18.70</u>

Receiving costs on this form & W. Davis Clerk

Peter A. Melhorn per Jno
John Melhorn
Simon Gault
L. J. Sanker
J. L. Elder

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view ~~the~~ *ground* and vacate a public road, beginning at a point in a public road leading from Ashville to Wildwood Springs, about 300 yards south of the bridge over Little Clearfield Creek, and ending in a public road leading from Ansby to Syberton, at a point about 100 yards west of the residence of Joseph Cox in Allegheny Township,

Hotel of D. G. Myers, Borough
will meet at the ~~house of~~ *house of* in the ~~township~~ *township* of Ashville
~~specified~~, on the 15th day of October, 1900 ~~189~~; at 10 o'clock A.M.
for the purpose of viewing said ground.

J. Leard Elder.

Simon Vaught.

Luke Sanker.

October 4th, 1900.

189

Viewers.

Invoice of within notice is hereby accepted

Elbg Pa
J 10/15-1900

Geo. C. Gates
Clerk to C. Comm.

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view ~~the ground~~ and vacate a public road beginning at a point in a public road leading from Ashville to Wildwood Springs about 300 yards South of the bridge on Little Clearfield Creek and ending in a public road leading from Ambury to Tylberton, at a point about 100 yards West of the residence of Joseph Cox,

will meet at the ~~house of~~ Hotel of Dr. ~~Mc~~ ^{Wright} in the ~~township~~ ^{borough} of Ashville ~~of~~ ^{of} said, on the 15th day of October 1900, at 10 o'clock A.M. for the purpose of viewing said ground.

David Elder
Simon Vaught
Luke Banker

Oct. 4, 1900 ~~189~~

Viewers:

This notice was served on
James Zwickler supervisor of Bellefleur
township on Oct 5th 1900

on Phillip Zwick supervisor of Allegheny
township on the 6 day of Oct 1900

on Frank Coons ^{supervisor of Bellefleur} the 12 day of Oct 1900

by Jacob Gerthman
supervisor of Allegheny
Twp

Oct 12th 1900

To the Honorable A. T. Parker, President
Judge of the Court of Quarter Sessions
of Lambria County:

The petition of the undersigned, inhab-
itants of the Township of Allegheny, in the
County aforesaid, respectfully represents:

That a public road beginning at a
point in a public road leading from
Ashville to Wildwood Springs in said
Township, about 300 yards south of the
bridge over Little Clearfield Creek, and
ending in a public road leading from
Armstrong to Lybeton, at a point about
100 yards west of the residence of Joseph
G. existing by lapse of time, having
been used as a public road for more
than twenty years has become useless
and inconvenient.

The petitioners therefore pray the court
to inquire of and vacate said road and
for that purpose to appoint three
persons qualified according to law, to
view said road, and inquire of the premises
and make report of their proceedings
at the next term of this court.

And they will ever pray &c.

~~James~~
Edw. A. Shukan
James A. Shukan
James A. Shukan
L. K. Crossman
Peter. Moran

~~James~~
John D. Braelby
John D. Braelby
John Shertey
John Gallagher
John E. Moran

Names

Henry J. Cooper
 James Cooper
 Wm Baker
 Ed Will
 Simon Will
 Jacob P. Stoltz
 J.B. [unclear]
 John Sisk
 Charles [unclear]
 E. H. Tomlinson
 W. M. [unclear]
 Edward [unclear]
 Frank J. Kittle
 John G. [unclear]
 Bert [unclear]
 Thomas [unclear]
 M. P. Thomas
 Jos. Shagan
 Andy [unclear]
 John [unclear]
 Philip [unclear]
 Simon [unclear]
 John E. Tomlinson

Names

P. b. Felicit.
 J. H. Sisk
 Joseph V. Schenk
 Edward [unclear]
 William [unclear]
 A. A. Baver
 Simon [unclear]
 A. J. Sill
 C. C. [unclear]
 Bert [unclear]
 Bert [unclear]
 Peter [unclear]
 Ed [unclear]
 Mike [unclear]

No. 2 Sept Sess. 1900

Petition of Inhabitants of Allegheny Township for the appointment of viewers to view and vacate a portion of a public road beginning at a point in road leading from Ashille to Wildwood about 300 yards south of bridge over Little Clearfield Creek and ending in a road leading from Amos Bay to Lyberton at a point 100 yards more or less west of the residence of Joseph Cox.

Filed 3 Sept 1900

Sept. 30 1900 J. Laird

~~Simon Vanick~~
~~Edward Sheehan~~
~~Luke Sankler~~
~~Peter Melhorn~~

appointed viewers
By the Court,

ETL

~~Simon Vanick~~
~~Edward Sheehan~~
~~Peter Melhorn~~
Simon Vanick
Luke Sankler