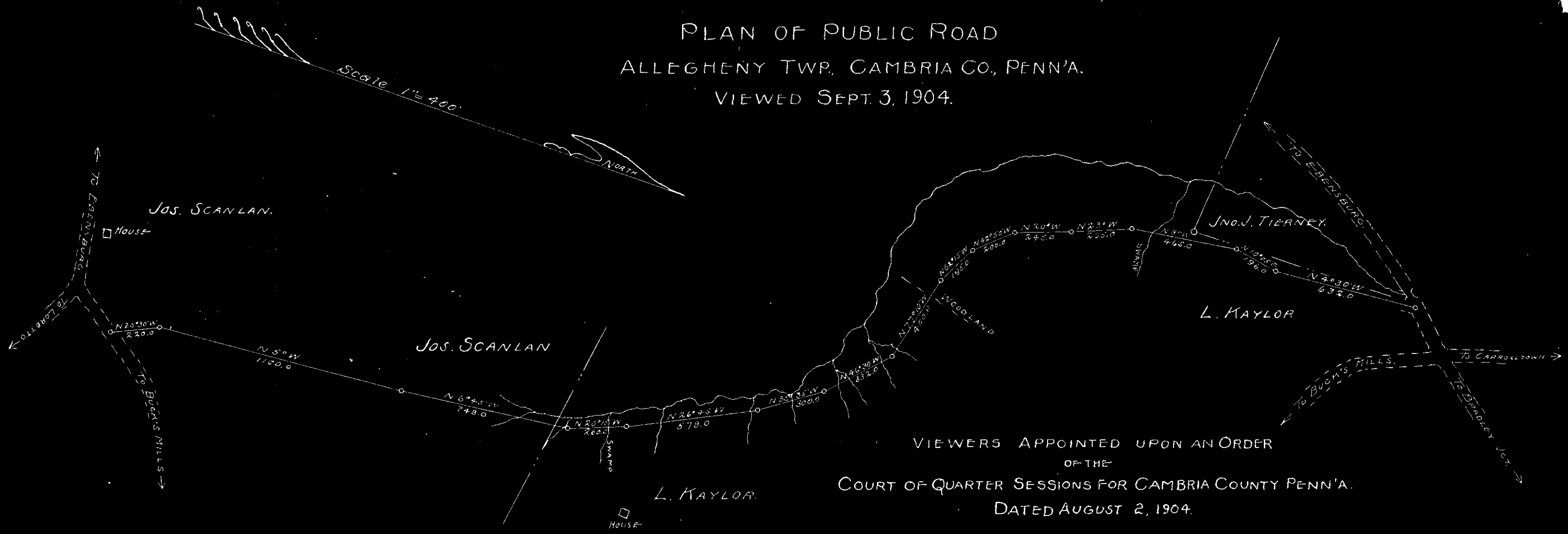


PLAN OF PUBLIC ROAD
 ALLEGHENY TWP, CAMBRIA CO, PENN'A.
 VIEWED SEPT. 3, 1904.

Scale 1" = 400'



VIEWERS APPOINTED UPON AN ORDER
 OF THE
 COURT OF QUARTER SESSIONS FOR CAMBRIA COUNTY PENN'A.
 DATED AUGUST 2, 1904.

H.C. YERGER, E. A. MELLON, PHILIP J. SANDERS.

SEPT. 5, 1904.

R.D.#4 June 1904
Not Microfilmed



Vertical text or stamp, possibly a date or reference number, located on the right side of the page.



TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF THE COURT
OF QUARTER SESSIONS OF CAMBERIA COUNTY, PA.

The petition of the undersigned citizens of the Township
of Allegheny, in said County and State, respectfully represents:

That a road laid out for public use beginning at a point on
road leading from Ebensburg, to Buck's Mill near the house of
Joseph Scanlan, to a point on road leading from Ebensburg to
Bradley Junction, entered to No. 9 March Sessions 1902 in Road
Docket No. 5 page 72, has become absolutely useless, inconvenient
and burdensome to the inhabitants of the said township by reason
of the fact that it is no longer used by the traveling public
and is an unnecessary expense to the tax payers of the same town-
ship to keep the same in repair.

They therefore pray your Honor to appoint viewers to view
the said road and report upon the propriety of vacating the same.

And they will etc.

Joseph Elig
R. A. Baver
Simon Baught
E. A. Shelham
R. W. Echenrod
Chas Echenrod
Alphonse J. Boley
Walter J. Echenrod
Joseph Boley
Andrew Buck
J. J. Yachner
J. C. Yachner
Hugh Dougherty

J. J. Biggel
Philip Elch
Joseph W. Echenrod
John Schnabel
Joseph H. Schnabel
W. Sanker
M. J. Much
Henry Behe

Frank Levy
Edw. Steens
Thomas H. Archer
V. S. Bishop
J. W. Bishop
S. Tomlinson
Edward Bore
J. T. Farabaugh
Ed. Fry
John J. Gallabro
Rev. F. Hawk
Bert Lemz
Peter Kayler
John E. Tomlinson
Chas. W. Maultz
Joe Sharp
Joseph A. Little
Peter Lick
Alex. Bradley
Geo. H. Little
John E. M. Gough
Bert Conrad
John Meloy
J. W. Schunk

Henry Schenk
& Edward Bush
Farmers & Merchants

Cambria County, ss.

J. W. G. Buck & H. F. Gahner being duly sworn according to law says that the matters set forth in the foregoing petition are true, to the best of his knowledge and belief.

Sworn and subscribed before me

this 26th day of July 1904

Simon Wright J.P.

§
§
§
§
§

W. G. Buck
H. F. Gahner

**My Commission Expires the first
Monday in May, A. D. 1906.**

1st June 1904 R. D.

Letters of citizens of the
Township of Allegheny for ap-
pointment of assessors to assess
and report upon the property
of vacant part of road
in Allegheny Township

Filed 2 August, 1904

Aug 2nd 1904. St. Stephen
Ed. Mellon Esq Philip
S. Lawrence are appointed
assessors. By the Court.

Stittell

In the matter of the proceedings to vacate road in Allegheny Township from a point near house of Joseph Scanlan

to


Point on road leading from Ebensburg to Bradley Junction

\$2.90

Received October 31st, 1904 from William J. Buck by hands of M. D. Kittell the sum of two dollars and ninety cents in payment of my fees as a viewer in above stated case.

In the Court of Quarter Sessions
of Cambria County, Pa.

No. 4 June Sessions 1904 Road Docket.



In the matter of the proceedings to vacate road in Allegheny Township from a point near house of Joseph Scanlan

to

Point on road leading from Ebensburg to Bradley Junction

\$2.40

Received October 31st, 1904 from William J. Buck by hands of M. D. Kittell the sum of two dollars and forty cents in payment of my fees as a viewer in above stated case.

In the Court of Quarter Sessions
of Cambria County, Pa.

No. 4 June Sessions 1904 Road Docket.

P. A. Sanders

In the matter of the proceedings to vacate road in Allegheny Township from a point near house of Joseph Scanlan

to

Point on road leading from Ebensburg to Bradley Junction

\$8.90

Received October 31st 1904 from William J. Buck by hands of M. D. Kittell the sum of eight dollars and ninety cents in payment of my fees as a viewer in above stated case.

In the Court of Quarter Sessions
of Cambria County, Pa.

No.4 June Sessions 1904 Road Docket.

A. B. Yeger

Boston, Ms. Feb 18 1905

Mr. Kittell,

Excusing Me

Dear Sir:

During my absence from home
I have not sent this corner although
I have not signed check and rec'd money.

Very truly yours,

W. B. Yeager

REPORT OF VIEWERS.

To the Honorable Francis J. O'Conner, President Judge of the Court of Quarter Sessions of the Peace in and for the County of Cambria State of Pennsylvania.

We, the undersigned subscribers, appointed by the within order of Court, to view the road therein mentioned, respectfully report:- That of which view due notice had been given as required by law, having been present at the view of the said road, and having all been severally sworn or affirmed, in pursuance of said order, we have viewed the said road, and are of opinion that the same has become useless, inconvenient and burthensome, and ought therefor to be vacated, for the following reasons, to wit:-

1st That it seemsto be the unanimous opinion of the inhabitants of the district that it should be, from the testimony of those present, there being no one present representing a contrary opinion.

2nd That the location of the road is on such ground that it is expensive to keep in repair, the nature of the ground being swampy and crossed by numerous small spring runs, as map accompanying will show.

3rd That in many parts of the road it is grown up in grass showing no trevall or use for some time, and therefor useless and needless to make any expenditure of time and money to keep it up.

4th That the reasons for the original granting of the ^{ROAD} has been removed namely, a mill for the grinding of feed for stock. (Elig's Mill)

Witness our hands, this fifth day of September, A. D. 1904.

A. C. Yerger
Ex. Meehan
J. J. Sanders

) I I I I I I I I I I
VIEWERS.

Yerger	2 days	\$ 8.00
	9 miles	
Mellon	1 day	2.00
	9 miles	
Sanders	1 day	2.00
	4 miles	

ROAD NOTICE.

Notice is hereby given that the undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and report to the Court upon the expediency of vacating a public road in the Township of Allegheny, in said County, leading from a point near the house of Joseph Scanlan on the road from Ebensburg to Buck's Mills to a point on road leading from Ebensburg to Bradley Junction, will meet at the house of the said Joseph Scanlan in said Township of Allegheny on Saturday the third day of September 1904 at eight o'clock A. M. to attend to the duties of their appointment; at which time and place all persons interested may attend if they see proper.

H. C. Yerger,

E. A. Mellon,

Philip J. Sanders,

Viewers.

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 Second day of August A. D. 1904, 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 have under their~~ ~~charge for want of a~~ ~~road or highway to lead from~~ a road laid out for public use beginning at a point on road leading from Ebensburg to Buck's Mill near the house of Joseph Scanlan, to a point on road leading from Ebensburg to Bradley Junction, entered to No. 9 March Sessions 1902 in Road Docket No. 5 page 72, has become absolutely useless, inconvenient and burdensome to the inhabitants of the said township by reason of the fact that it is no longer used by the traveling public and is an unnecessary expense to the tax payers of the same township to keep the same in repair

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

H. C. Yorger SURVEYOR, and

E. A. Mellon and Philip J. Sanders

VIEWERS, to view the ground ~~proposed for such road and~~ ~~view the same, and~~ ~~shall agree that there is occasion for such road, they shall proceed to lay out the same, having~~ ~~respect to the shortest distance and the best ground for a road, and in such manner as shall be~~ ~~the best way 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 unnecessary for a public ~~or private~~ road, together with a plot or draft thereof, and the courses and distances, and ~~references to the land by which the same are bounded~~

By the Court.

Attest:

B. E. Troell, Clerk.

No. 4 June SESSION, 1904.

Order to view for vacation
of public road in Allegheny
Township.

H. C. Yergger
F. A. Mellon
Phillip J. Sanders } Viewers.

Clerk Troxell *Troxell* 90 cts.

MOUNTAINEER-HERALD PRINT.

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 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. 4 June Session, 1904
Report of New Jersey
appointed to view
and vacate Public
Road in Allegheny
County

Oct. 25, 1904, approved,

Raymond

3 June 1905 confirmed.

Lo. b. Ingle Clerk.

Filed 7 Sept 1904

225

Wittig