

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

The petition of the undersigned inhabitants of the  
Borough of Spangler and of the Township of Barr, in said County  
respectfully represents:

That a part of a public road long since laid out leading  
from what is now the Borough of Spangler to the Moss Creek in  
the Township of Barr, to wit: that part of said road starting at  
a point in the Borough of Spangler at or near the planing mill  
of John S. Dumm and extending to a point in Barr Township at  
or near the residence of William McAululty Jr., has become use-  
less, inconvenient and burdensome to the inhabitants and tax  
payers of said Borough of Spangler and said Township of Barr by  
reason of the heavy grade, the washouts, the snow drifts, and  
the great expense of keeping that part of said road in fit con-  
dition for public travel.

They therefore respectfully pray your Honor to appoint  
three disinterested persons viewers to view, vacate and supply  
the part of said road so indicated.

And they will etc.

James A. McLean  
W. A. Lantz  
Joseph J. J. J.  
John J. Gray  
C. V. Flick  
Joseph A. Gray  
Hans J. Ger  
J. B. Smith  
Wm. Luther  
Wm. Dressen  
Ara. A. Gray

Joseph Gardner  
John S. Dumm  
Henry McQuinn  
Hudson Trout

P. C. Stoltz  
Giles S. Clary  
W. H. Allbon  
Thomas Dumm  
John D. Dutton  
George E. Dorman  
E. M. Flick

Lehas, Brown

Fidelis Gray

J. H. McLean

Peter Tietz

Geo. S. ...

Gilbert Gray

Andy Peters

J. A. Jackson

Andy Leslie

John Peters

J. A. Schmier

A. W. Hetrick

A. D. Euther

Richard ...

Jos. Hoveck

Jos. P. Reppner

Michael Elliott

Math. Walsh

Ronald Tolgen

Richard Shimmers

Sylvester ...

Frank ...

George Shimmers

John M. Cormier

W. H. ...

J. S. Stokes

R. Wetherow

Chas F. Luther

Edward & Shartman

James Dumm

No 5 June Term 1902 Rd

Petition of Inhabitants of the  
Township of Barr and the  
Parish of Spangler for  
appointment of viewers to  
view, vacate and supply  
part of a public road  
leading from Spangler to  
Mosa Creek

Filed 13 June 1902

Aug now June 13, 1902  
within petition presented

and H. J. Winterlightner,

D. A. Lutter sr. and

F. J. Beane are appointed

viewers. By the Court

K.L.

To the Honorable Francis J. O'Connor, President Judge of  
the Court of Quarter Sessions of Cambria County.

The petition of the undersigned inhabitants of the Town-  
ship of Barr and Borough of Spangler, in said County, respectfully  
represent:

That viewers were appointed by this Honorable Court to  
vacate and supply a public road leading from what is now the Bor-  
ough of Spangler to the Moss Creek in the Township of Barr, starting  
at a point at or near the planing mill of John S. Dumm and extending  
to a point in Barr Township at or near the residence of William  
McAnulty, Jr.

That said viewers, in pursuance of the Order of this  
Court entered to No. 5 June Sessions, 1902, R.D., viewed said road  
and filed their report to said number recommending the vacation &  
supplying as prayed for by the petitioners, said report having  
been filed on Sept. 1, 1902.

We are of the opinion that said vacation and supplying  
should not be permitted or made for the following reasons:

1. That the expense would be too great for the Township of  
Barr to bear, the road being located in said Township.
2. That the present road could be made a better road with  
less expense to the taxpayers.
3. That a large part of the proposed road passes through a  
swamp necessitating a large expense to make the same passable.
4. That the grade of the proposed road is no better than  
the present road.

5, That said proposed road will drift and become impassable in the winter.

6, That the vacation and supplying prayed for and recommended by the viewers will interfere with property owners along the old road to be vacated, as recommended, and cut their business off from the public road and traveling public damaging them and their business and necessitating the assessment of heavy damages.

7. That the majority of the inhabitants and taxpayers who travel over the said road do not favor the proposed change.

8, That the old road which the viewers recommended to vacate has been in use by the traveling public for nearly forty years.

9, They believe that the proposed change will be an expense as well as a detriment to the taxpayers and recommend that no change be made.

They pray that the above and foregoing exceptions may be filed of record in the above case and that they may be heard in support of them.

And they will ever pray, &c.

Names

Names

Anton Reby	John L. Shery
Frank Rave	Hudson Trout
Hugh Hammond	Philip Lantry
E. N. Auld	J. R. Luther
A. D. J. J. J.	P. J. Smith
John Hill	William J. J.
Henry J. J.	Henry Movie
	R. J. Williams

John Makin	Wm. Shank
Anthony Schereth	Conrad Schief
...	Isidore Groch
...	Peter Gier
...	Geo v Sherry
...	Frank H. Kirsch
Henry Beckel	Philip J. Biscoe
H. E. ...	Alex R. ...
Richard ...	Anthony Sherry
L. J. Miller	Geo. ...
John Billers	John ...
Harry ...	Adam Schereth
Charles ...	Geo ...
T. D. Williams	...
Edna Hayes	...
...	...
F. A. Fresh	...
Eugene ...	...
Joseph N. ...	...
Thomas ...	...
Wilfrid Byrne	...
Geo A ...	...
A. M. Byrne	...

Cambria County, S.S.:

Before me the Prothonotary in and for said County personally appeared L Hammond who being duly sworn according to law says that he saw all the petitioners or signers to the foregoing Exceptions sign their names, and that the facts set forth in the foregoing exceptions are true to the best of his knowledge & belief.

Sworn & subscribed before me }  
this 24th day of Oct, 1902. }

C. E. Provell  
Prothonotary

L. Hammond

No. 5 June Session, 1902.

In re Public Road from  
Sauger Borough to Horse Creek  
in Barr Township.

Exceptions

Filed 21 October, 1902,

Lavis,

HENRY HALL, PRINTER, INDIANA, PA.

To the Honorable Francis J. Conner President  
Judge of the Court of Quarter Sessions of Cambria  
County Pa. We the undersigned viewers  
appointed by the annexed 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 proved copies  
of said notices upon the supervisors of the  
territory through which such road is to be vacated  
and supplied and also upon the Commissioners of  
said County properly attested copies of said notices  
being hereto attached all the viewers appointed  
by said order reviewed the ground described  
in said order and believing that portion of the  
said road passing through lands belonging  
to A. McComb & H. McComb in Barr Township  
as shown by the draft attached has become  
inconvenient & burdensome on account of  
the hilly condition of the same the grade being  
18 feet to the 100 feet on part of the road  
and ought therefore to be vacated and have reviewed  
and vacated the same as follows beginning  
at a point in the public road leading from  
Spany, to Moss creek about 500 feet west  
of Plains Mill of John D. Durrence then

North forty nine and three fourth degrees met  
three hundred and forty feet then south  
Eighty nine and three fourth degrees met one  
hundred and twenty two feet then North  
forty five and one half degrees met two  
hundred and fifteen feet then North sixty  
four degrees met two hundred and  
sixty eight feet then North eighty four  
and one fourth degrees met five hundred  
and sixty feet then North eighty four and  
one fourth degrees met one hundred and  
forty five feet then South eighty and  
three fourth degrees met one hundred and  
forty eight feet then South sixty seven and  
one half degrees met one hundred and  
ninety eight feet then South sixty and  
one half degrees met one hundred  
and thirty two feet then South eighty  
seven and one half degrees met three  
hundred and two feet then North twenty  
six and three fourth degrees met three  
hundred and fifty feet then North  
forty six degrees met three hundred  
feet and has supplied reviewed  
adopted and laid out and do return  
for public use the following road to wit  
beginning at a point in the public road

Leading from Spangler to Moses creek  
about 500 feet west of plaining Mill  
of John D. Sumner thence North forty  
nine and three fourth degrees meet one  
hundred and sixty seven feet thence  
North thirty and three fourth degrees meet  
one hundred feet thence North twenty two and  
three fourth degrees meet one hundred feet  
thence North thirty five and one half degrees meet  
one hundred feet thence North eight one  
and one fourth degrees meet three hundred  
and eighty two feet thence North eighty eight  
and one half degrees meet one hundred  
feet thence North seventy five and three  
fourth degrees meet eighty six feet  
thence North eighty four and one fourth  
degrees meet five hundred and sixty feet  
thence North seventy six degrees meet two  
hundred feet thence South seventy seven  
degrees meet three hundred feet thence  
South fifty three and one half degrees meet  
one hundred feet thence South eighty  
three degrees meet two hundred feet  
thence North seventy six and one half  
degrees meet four hundred feet  
North forty one degrees meet two  
hundred feet thence North twenty degrees

two hundred feet then north forty seven  
degrees met two hundred feet then south  
forty one and one fourth degrees met four  
hundred and ten feet then south eight five  
and one half degrees met three hundred and  
eighty feet then south sixty degrees met four  
hundred and thirty five feet then north twenty  
seven degrees met four hundred and twenty  
feet then north fifty six degrees met  
five hundred and sixteen feet then north  
four and one half degrees met three hundred  
and sixty three feet then north thirty seven  
and one half degrees met seven hundred  
and forty two feet then north forty three  
and one half degrees met two hundred  
and thirty two feet then north fifty six and  
one half degrees met seven hundred and sixty  
two feet then north sixty two degrees met eleven  
hundred feet to a point at or near  
the residence of William McAulley Jr  
In Carr Township the road passes  
through lands of J. Hammond A McCombie  
H. McCombie A. Peters A. Raver John Kline  
Thomas Barnes & William McAulley Jr  
We have assessed or awarded to  
J. Hammond one hundred dollars damages  
to A McCombie one hundred dollars damages.

to H. M. Lombie seventy five dollar damages  
 to Andrew Peters One hundred and twenty five  
 dollars damages said road as  
 aforesaid adopted and laid out we are  
 of the opinion is necessary for a public road and  
 we recommend the same a plot or draft  
 there is herewith attached to this report  
 and made part of this report  
 Witness our hands this 29<sup>th</sup> day  
 of November 1902

J. L. Elder  
 Jacob Schirf  
 Jos. M. Huber

J. L. Elder	3 1/2 days	\$14.00
Andrew Peters	1 mile	2.00
Jacob Schirf	2 days	4.00
Jos. M. Huber	1 mile	.40
Jos. M. Huber	2 days	4.00
J. Hammond	1 1/2 miles	.90
J. Hammond	1 1/2 days	3.00
		<hr/>
		28.30

# Road Notice

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to re-view vacate & supply a public road leading from what is now the Borough of Spangler to the Moss Creek in the Township of Carr starting at a point in the Borough of Spangler at or near the planing Mill of John S. Dummer and ending at a point in Carr Township at or near the residence of William McAulley Jr - will meet at John S. Dummer's Planing Mill in the Borough of Spangler on November 26<sup>th</sup> 1902 at 9 o'clock A.M. for the purpose of reviewing the said ground

Nov 14 1902

J. L. Elders  
Jacob Schriff  
Joseph M. Hoover

Nov. 17. 1902 Service of this notice accepted for the County Commissioners - Jas. C. Gates  
Clerk

# ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground <sup>to vacate and supply a public road leading from what is now the Borough of Spangler</sup> at or near the <sup>planning Mill of John V. Dummer</sup> and ending at a point in Barr Township at or near the residence of William McAuliffe Jr

will meet at the house of <sup>John V. Dummer planning Mill in the township of Spangler Borough</sup> aforesaid, on the <sup>26</sup> day of <sup>Nov</sup> 1902, at <sup>9</sup> o'clock <sup>A.M.</sup> for the purpose of viewing said ground.

<sup>J. L. Elder</sup>  
<sup>Jacob Schriff</sup>  
<sup>Joseph M. Hoover</sup>  
Nov 14 1902 Viewers.

John B. Hill Super v  
W J Pfister Superior



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. 5 JUNE SESSION, 1902

Order to re-view road in

Barr Township

*Revised Viewers  
Filed 2 Dec 1902*

J. L. Elder

Jacob Schriff

Joseph M. Hoover

Viewers

Clerk Troxell 90 cts.

Wm. Davis

MOUNTAIN-HERALD PRINT.

*T. J. Davis*

*567*

*6*

Report of Re-reviewers.

To the Honorable Francis J. O'Connor, President Judge of the Court of Quarter Sessions of Cambria County.

We, the persons appointed by the within order of court to re-review, vacate and lay out the road therein mentioned, report that in pursuance of the said order, public notice having been given of the time and place of our meeting, as in said order directed, and all of us being present, and severally sworn according to law, we viewed the said road where the same passes through the premises of Andrew Peters and find that the same does great damage to his farm by reason of cutting off a narrow strip thereof and disconnecting the same from the rest of his land, making necessary the erection of two fences. We have valued the land taken for said road at two hundred and twenty-five dollars and estimated the material necessary for the construction of said fence at one hundred twenty-six dollars and eighty-two cents and the labor for constructing said fence eighty-six dollars and eighty-eight cents, making a total of four hundred thirty-eight dollars and seventy cents as the damage done to the land of the said Andrew Peters and recommend that the same will be allowed to him.

We further report that copies of the notice of said view were served on the Supervisors of Barr Township, and upon the County Commissioners' Clerk.

Witness our hands this 15th day of April, 1903.

Witnesses:

E. Brown

W. A. Hamilton

John S. Dunn

Jacob Kreitzer

Re-reviewers.

Statement of costs.  
Amount due W. A. Hamilton, surveyor,  
" " John S. Dunn,  
" " Jacob Kreitzer

\$6.26  
100  
\$100

Received our costs in above matter from Andrew Peters in full

W. A. Hamilton

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 March A. D. 1903, before the Honorable Judge of the said Court: Upon the petition of Andy Peters of the Township of Barr, in the said County, setting forth that

~~the Court of Quarter Sessions of the Peace of the County of Cambria, held at Ebensburg in said County on the 13th day of June A. D. 1902, directed to H. J. Hinterlightner, D. A. Luther, Sr., and L. J. Bearer, viewers appointed by the Court. That the said viewers performed their duties and filed their report September 1st 1902, that in said view they awarded your petitioner damages amounting to one hundred and twenty-five dollars. That on the 28th day of October 1902 an order to review was issued from said Court directed to J. L. Elder, Jacob Schirf and Joseph M. Hoover, who performed their duties and filed their report on the 2nd day of December 1902, The said viewers report showing an allowance of damages amounting to one hundred and twenty-five dollars to your petitioner. The report of above viewers and reviewers show that the proposed change in the public road therein mentioned, cuts a small strip of the best land belonging to your petitioner averaging in width from a point to two rods and six rods, seventy-five rods long. That this portion of his farm is rendered almost useless by reason of the fact that it would cost more to fence the strip than would justify the use of same. Your petitioner is informed that the original viewers where not aware of the fact that the old road vacated was the line of the property of your petitioner and he is informed, have since expressed themselves as having made an error under the facts and circumstances. The reviewers were appointed on petition of S. E. Hammond, and did not go over the portion of the proposed road which extends through the property of your petitioner and therefore made no change in the award of damages. The amount of land taken from your petitioner for the proposed road and the narrow strip left between it and the old road vacated, contains about four acres. The record of the proceedings had in relation to said road can be found in Cambria County Road Docket Vol. 5, page 77. Your petitioner therefore showing that great injustice has been done him in the amount of damages awarded by the said viewers therefore prays this honorable court to appoint three disinterested persons to view the said road and award him such damages as to them may seem fit and proper~~

March 2, 1903, W. A. Hamilton, Jho. S. Dumm and Jacob Kreitzer are appointed re-reviewers in accordance with the prayer of petitioners to view the ground proposed for said road, and if they view the same, and shall agree there is occasion for such road, they shall proceed to lay out the same, having respect to the shortest distance and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desires of the petitioners, and that they make report of their proceedings to the next Court of Quarter Sessions to be held for said County, stating whether they judge the same necessary for a public or private road, together with a plot of ground and the courses and distances, and references to the improvements through which it may pass.

By the Court.

Attest:

B. E. Loyell, 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."

Land \$ 225.00  
 Fence Material 126.85  
 Total \$ 351.85

No. 5, June, SESSION, 1902.

Order to rereview Road in

Barr Township.

Report of Re-Viewers  
 Dated 17 April 1903

W. A. Hamilton

Jno. S. Dumm

Jacob Kreitzer

Viewers

Clerk Troxell for Atty 90 cts.

E. L. & E.

MOUNTAIN-HERALD PRINT.

Accepted for the use of the  
 John S. Dumm  
 Jacob Kreitzer

To the Honorable Francis J.O'Connor, President Judge of the Court of Quarter Sessions of Cambria County.

The petition of the undersigned inhabitants of the Township of Barr and Borough of Spangler, in said County, respectfully represent:

That viewers were appointed by this Honorable Court to vacate and supply a public road leading from what is now the Borough of Spangler to the Moss Creek in the Township of Barr, starting at a point in the Borough of Spangler at or near the planing mill of John S. Dumm and extending to a point in Barr Township at or near the residence of William McAnulty, Jr.

That said viewers, in pursuance of the order of this Court, entered to No. 5 June Sessions, 1902, R.D. viewed said road and filed their report to said number recommending the vacation and supplying as prayed for by the petitioners, said report having been filed on Sept. 1, 1902.

That subsequent to the filling of said report exceptions have been filed to the same by the taxpayers of said districts.

Your petitioners believe that the confirmation of said report will be very injurious to your petitioners, and burthensome to the inhabitants of the districts through which the same will pass. Your petitioners therefore pray your Honor to appoint proper persons to review the said road and parts adjacent, and make report to the Court, according to law; and they will ever pray, &c.

Names

Names.

Anton R. R. R.  
Frank R. R.  
R. R. R.

John G. Sherry  
Hudson  
Philip  
Sweet  
Santley

J. Luther

Richard [unclear]

Joseph Sieb

John Bitters

Joseph Hill

Harry [unclear]

H. V. Pfister

T. S. Williams

Edward Hayes

Henry King

A. J. Lieb

A. B. [unclear]

Tracy [unclear]

A. B. [unclear]

F. D. Fresh

[unclear]

Eugene A. Byrne

[unclear]

Joseph N. Parsons

[unclear]

Wm. Shank

Henry Morris

Conrad Schief

R. S. Williams

Thomas Miller

John Mackin

Wilfrid Byrne

Antony Schereth

Geo. Howard

Georg [unclear]

Isidore [unclear]

[unclear]

Peter Gieb

[unclear]

Geo. Sherry

Henry Bechel

J. W. Byrne

H. E. [unclear]

Frank Kirsch

L. J. Miller

Walter J. [unclear]

Charles Jarbaugh

Alfred [unclear]

Anthony Sherry

Geo. Kline

John Eric

George Fritzel

Adam Schmitt

Joseph Krieger

H.C. Mitchell

J.W. Kirsch

W.A. Lischer

John Drug

Henry Baker

P. Thaler

Peter J. Bell

Alex Long

W. A. Fortney

J. W. Lutz

L. Hammond

No. 5 June Sessions 1902

Petition for Review of Road  
from Saugler Borough to  
Creek in Barr Township,

Filed 28 October, 1902,

# Review

And now Oct. 28, 1902  
the within petition was  
considered and J. L. Elder  
Jacob Schuff and  
Joseph M. Hoover  
are appointed to review  
the location or site of said  
road. By the Court

Lewis

HENRY HALL, PRINTER, INDIANA, PA.

To the Honorable Francis J. O'Connor, President Judge of the Court of Quarter Sessions of Cambria County.

The petition of the undersigned, inhabitant of Barr Township, respectfully represents:

That an order to view, vacate and supply a public road in Barr Township, was issued at a Court of Quarter Sessions of the peace of the county aforesaid, held at Ebensburg in said County on the 13th day of June, A. D. 1902, directed to H. J. Hinterlightner, D. A. Luther, Sr., and L. J. Bearer, viewers appointed by the Court.

That the said viewers performed their duties and filed their report September 1st, 1902, that in said view they awarded your petitioner damages amounting to one hundred and twenty-five dollars.

That on the 28th day of October, 1902 an order to review was issued from said court directed to J. L. Elder, Jacob Schirf and Joseph M. Hoover, who performed their duties and filed their report on the 2nd day of December, 1902. The said viewers report showing an allowance of damages amounting to one hundred and twenty-five dollars, to your petitioner. The report of above viewers and reviewers show that the proposed change in the public road therein mentioned, cuts a small strip of the best land belonging to your petitioner averaging in width from a point to two rods and six rods, seventy-five rods long. That this portion of his farm is rendered almost useless by reason of the fact that it would cost more to fence the strip than would justify the use of same. Your petitioner is informed that the original viewers where not aware of the fact that the old road vacated was the line of the property of your petitioner and he is informed, have since expressed themselves as having made an error under the facts and circumstances.

The reviewers were appointed on petition of S. E. Hammond, and did not go over the portion of the proposed road which extends through the property of your petitioner and therefore made no change in the award of damages. The amount of land taken from your petitioner for the proposed road and the narrow strip left between it and the old road vacated, contains about four acres. The record of the proceedings had in relation to said road can be found in Cambria County Road Docket Vol. 5, page 77. Your petitioner therefore showing that great injustice has been done him in the amount of damages awarded by the said viewers therefore prays this honorable court to appoint three disinterested persons to view the said road and award him such damages as to them may seem fit and proper.

And he will ever pray &c.

A.P. Andy Peters

State of Pennsylvania §  
County of Cambria. § SS:  
§

Before me, a Justice of the Peace, in and for said County personally came Andy Peters the above named petitioner, who being by me duly sworn according to law, doth depose and say that the matters and things set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed  
before me this 20<sup>th</sup>  
day of Feb, 1903.

A.P. Andy Peters

J. M. Rodney, Jr.

105 Pine Ave 1902 R.D.

Petition

of

Andrew Peters an inhabitant  
of Barr Township for a re review  
to assess damages.

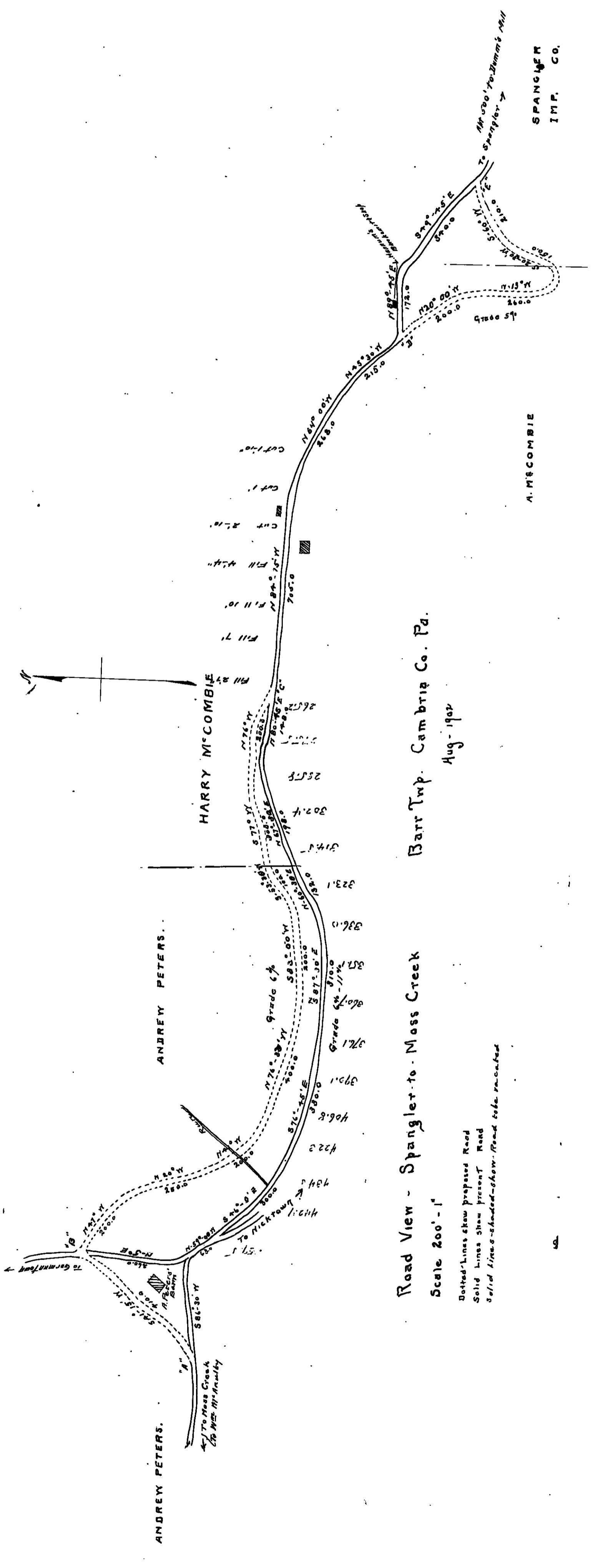
March 2, 1903,

Mr. Hamilton, your letter  
and great kindness are  
appreciated & we remain in  
accordance with the  
prayer of petition  
Respectfully  
Signed

Filed 2 March, 1903,

EVANS, LEECH & EVANS,  
ATTORNEYS-AT-LAW,  
EBENSBURG, PA.

W. H. Hamilton  
Geo. S. Deussen  
Geo. H. Knibbs



Road View - Spangler to Moss Creek  
 Barr Twp. Cambria Co. Pa.

Aug - 1902

Scale 200' - 1"

Dotted Lines show Proposed Road  
 Solid Lines show Present Road  
 Solid lines shaded - show Road to be vacated

A. M'COMBIE

SPANGLER  
 IMP. CO.

ROAD NOTICE.

The undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view, vacate and supply a part of a public road leading from the Borough of Spangler to the Moss Creek in the Township of Barr, in said County, to wit; that part of said road starting at a point in the Borough of Spangler at or near the planing mill of John S. Dumm and extending to a point in Barr Township at or near the residence of William McAnulty Jr., give notice hereby that they will meet at the planing mill of John S. Dumm on the *28<sup>th</sup>* day of *July* 1902, at *9* o'clock A.M., for the purpose of attending to the duties of their appointment; at which time and place all persons may attend if they see proper.

H. J. Hinterlightner,

Spangler, Pa., *July 16* 1902.

D. A. Luther Sr.,

L. J. Bearer,

Viewers.

*Service accepted for  
County Commissioners  
July 17, 1902.*

*Jno. C. Gales*

ROAD NOTICE.

The undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view, locate and survey a part of a public road leading from the Borough of Spangler to the Nees Creek in the Township of Barr, in said County, to wit, that part of said road starting at a point in the Borough of Spangler at or near the planing mill of John S. Dura and extending to a point in Barr Township at or near the residence of William McNulty Jr., give notice hereby that they will meet at the planing mill of John S. Dura on the *28<sup>d</sup>* day of *July* 1908 at *9* o'clock A.M. for the purpose of attending to the duties of their appointment; at which time and place all persons are invited to attend if they see proper.

H. J. Hinterlightner,

D. A. Lusher, Sr.,

Spangler, Pa., *July 16* 1908.

L. J. Deane

Viewers.

Served above notice on W. Fisher - Supervisor  
July 22, 1902 - He refused to sign but said  
he would attend meeting.

Served above notice on J. Kline for Supervisor  
July 17, 1902 - who refused to sign but said  
he would attend meeting of review  
W. H. Hamilton

We hereby accept service of the  
time and place of meeting of review

Supervisors  
of Barr Township

TO THE HONORABLE JUDGE OF THE COURT OF CAMBRIA COUNTY

STATE OF PENNSYLVANIA.

We the undersigned, appointed by the annexed order, do report that in pursuance thereof, after having been severally duly sworn; all the viewers appointed by the said order, viewed the ground of the within mentioned road; and the undersigned do agree that there is occasion for a road as desired by the petitioners; and that the same is necessary for a public road. And having had respect to the shortest distance and the best ground for such a road; we have laid it out in such manner as shall do the least injury to private property so far as practicable, agreeable to the desires of the petitioners; and return for public use the following described road to wit:-

Beginning at a point <sup>(C)</sup> in public road leading from Spangler to Moss Creek, about 500ft. West of plaining mill of John Dumm thence through the lands of the Spangler Improvement Co. S. 60° W. 210ft., thence S. 20 1/2° W. 150ft., thence through the lands of Albert McCombie N. 13° W. 260ft., thence N. 20° W. 200ft. to a point <sup>P</sup> in said public road near L. Hannum's blacksmith shop; thence along present public road N. 45 1/2° W. 215ft. to a point in said public road; thence along said public road, the following courses and distances. N. 64° W. 268ft., thence N. 84 1/4° W. to a point <sup>C</sup> in said road (this portion to be graded as indicated on the draft) thence through the lands of Harry McCombie N. 76° W. 200ft., thence S. 77° W. 300ft. to a point on line of land of Andrew Peters; thence through the lands of Andrew Peters, the following courses; S. 53 1/2° W. 100ft., thence S. 83° W. 200ft., thence N. 76 1/2° W. 400ft., thence N. 41° W. 200ft., thence N. 20° W. 250ft., thence N. 47° W. 200ft. to a point <sup>S</sup> in public road leading to Garmantown; thence going through the land of

of Andrew Peters S.41 1/4°W.410ft. to a point in present public <sup>road</sup> leading to Moss Creek, about 200ft. S.W. of Andrew Peters <sup>"A"</sup> barn

The said road being at an elevation of 6° as it was not practical to preserve it within the limit of 5°. And we do further agree that the public road from the last mentioned point to a point in Barr Township, at or near the residence of Wm McNulty Jr. is adequate for the present wants of public travel; and we further agree to return to owners of lands, the following described sections of public road, vacated:—Beginning at a point in public road, at fork of road leading to Moss Creek and Gar-mantown, thence N.5°E.260ft. through the lands of Andrew Peters.

Also beginning at a point in public road at fork of road leading to Nicktown: thence through the lands of Andrew Peters S.46°E.300ft., thence S.76 3/4°E.330ft., thence N.87 1/2°E.310ft. thence N.60 1/2°E.132ft., thence through the lands of Harry McCombie N.67 1/2°E.198ft., thence N.80 3/4°E.148ft. to a point in road. Also beginning at a point in public road, near L. Hannum's <sup>"D"</sup> shop, thence N.89 3/4°E.172ft., thence S.49 3/4°E.340ft. to a point in public road. <sup>"E"</sup>

The undersigned further report that before the said view, public notice of the time and place of meeting of viewers was given by notices posted along the line of proposed road ten (10) days before the meeting of the viewers; that printed notices were given to the Supervisors of the Township, and also to the County Commissioners of said County of Cambria as appears by copies of said notice here attached. We further report having failed to procure releases of claims from damages that may arise in opening said road, We assess for damages as follows:—Andrew Peters \$125.00; Harry McCombie \$75.00; and Albert McCombie \$100.00. We hereto annex a plot or draft of said road as laid out; stating the courses and distances.

Witness our hands and seals, this 16th day of August, 1902.

H. J. Hintermeister (Seal)

D. A. Luther (Seal)

L. J. Beaman (Seal)

G. E. Schlicher.

H. J. Hintermeister	4 days	16 00
D. A. Luther	2 d.	4 00
mileage	7 miles	80
L. J. Beaman	2 days	4 00
mileage	3 miles	30
		<u>25 10</u>

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 Thirteenth day of June A. D. 190 2, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Barr and the Borough of Spangler, in the said County, setting forth that ~~the~~

~~the~~  
~~part of a public road long since laid out leading from what is now~~  
~~the Borough of Spangler to the Moss Creek in the Township of Barr,~~  
~~to wit: that part of said road starting at a point in the Borough of~~  
~~Spangler at or near the planing mill of John S. Dumm and extending~~  
~~to a point in Barr Township at or near the residence of William~~  
~~McAmulty Jr., has become useless, inconvenient and burdensome to the~~  
~~inhabitants and tax payers of said Borough of Spangler and said Town-~~  
~~ship of Barr by reason of the heavy grade, the washouts, the snow~~  
~~drifts, and the great expense of keeping that part of said road in fit~~  
~~condition for public travel~~

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

H. J. Hinterlightner SURVEYOR, and  
D. A. Luther Sr., and L. J. Bearer

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

By the Court.

Attest:

B. E. Trofoll, Clerk.

Order to view for

vacating and supplying

public road in Barr Twp.

*Re: Viewers*  
*Giles September 1902*

H. J. Hinterlightner

D. A. Luther Str.

L. J. Bearer

Viewers.

Clerk Troxeil *for Atty's* 90 cts.

K. & L.

MOUNTAIN-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 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 all sworn; 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."

John House  
M<sup>c</sup>Anulty

William

2011 M. 29 N

Thomas Barnes

School House

297 M. 29 N

John Kline

House

222 M. 29 N

177 M. 29 N

Anthony House

River

N 43° 30' W 368

96 M. 29 N

427 M. 29 N

56 M. 29 N

Andrew Peters

083 M. 03 S 85

641.15 W 410

002 M. 14 N

002 M. 07 N

002 M. 14 N

004 M. 02 N

004 M. 02 N

018 M. 33 E 135

004 M. 02 N

004 M. 02 N

004 M. 02 N

004 M. 02 N

004 M. 02 N

004 M. 02 N

004 M. 02 N

Viewers appointed upon an order of the Court dated Oct 28 1902 J. L. Elder Sheriff and Joseph M. Hoover

Plan of the proposed Public Reading Room Township Cambria County Pa  
By J. L. Elder Nov 26 29 1902  
J. LEARD ELDER  
County Surveyor

Andrew Peters

Harry McCombie

A. McCombie

L. Hammond

Spangler Improvement Co

