

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

The petition of the undersigned citizens of the Township of Cambria, County of Cambria, respectfully represents:

That they labor under great inconvenience for the want of a Public Road to begin with a Public Road leading from Ebensburg to Bradley Junction, at a point at the bend in said Road on the farm of Burns & Dunn in the Township of Cambria, and to end in the same Public Road at the point on the Division Line between the properties of Burns & Dunn and Jos. A. Noel.

The petitioners, therefore, pray the Court to appoint Three Persons qualified according to law to view the ground proposed for such road, and if they should see occasion to lay out the same to inquire of and vacate the Public Road which is now opened between points above designated, which last mentioned Road will by reason of the laying out of the proposed Road become useless; And make record of their proceedings to the next Court.

NAMES.

NAMES.

J. S. Davis

A. P. Pyes

W. J. Harris

Paul Lilly

Geo. E. McKay

Eli Betts

Richard E. Jones

D. J. Davis

G. J. Davis

Harry W. Evans.

Harvey Russell

Howard Gussler

J W Judson

George Lutz

J C Warren

A. A. Harvey

J W ~~Harvey~~

Joseph Tauer

Les Lloyd

D J Reese

Wm W James

J A Devereaux

Charles H. Murphy

M L Murphy

W. F. Murphy

Michael Murphy

William E Jones

Erhard Ahles

County of Cambria, SS.

Before me a Justice of the Peace in and for said County personally came E. M. Burns who being duly sworn according to law, deposed and said that the within petition is true to the best of his knowledge and belief.

Sworn and subscribed to before me this the 1 day of June 1907.

E. M. Burns

A. J. Waters.

Justice of the Peace

Commission Expires May, 6th, 1912

No 5. June Sessions 1907.

IN THE COURT OF QUARTER
SESSIONS.

PETITION OF CITIZENS OF CAM
BRIA TOWNSHIP TO LAY OUT
AND VACATE A ROAD, LEADING F
FROM A POINT AT THE BEND IN
THE PUBLIS ROAD ON THE FARM
OF BURNS & DUNN TO A POINT
ON THE DIVISION LINE BETWEEN
THE PROPERTIES OF BURNS &
DUNN AND JOS A NOEL.

Filed 3 June, 1907.

AND NOW JUNE THIRD, 1907,

THE WITHIN PETITION READ

AND

J. L. Elder Jr.

Edwin J. Bennett

and Joseph A. Wood

APPOINTED VIEWERS.

By the Court

REED.

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

Rep of View
We, the undersigned viewers, appointed by
the annexed order respectfully report
That, in pursuance thereof, after having been
severally sworn or affirmed to perform our duties
impartially and according to the best of our
judgment, and having given due public
notice as required by law, and having served
notice upon the County Commissioners, and
also upon the Supervisors of Cambria
Township. One supervisor being present
at the view. All the viewers appointed
by said order met on Aug. 23, 1907 and
viewed the ground proposed for the within
mentioned road, and the undersigned
do agree that the road mentioned in
said order should be vacated and
supplied as desired by the petitioners,
for the reasons that it is difficult to drain,
and in winter becomes impassable on account
of snow drifts.

We have therefore vacated the following road
Beginning on the public road leading from
Ebensburg to Bradley Junction at the bend in
said road on the farm of Burns & Dunn
in Cambria Township. Thence north five degrees
west, eight hundred and seventeen feet, thence
north twenty nine degrees, thirty minutes east

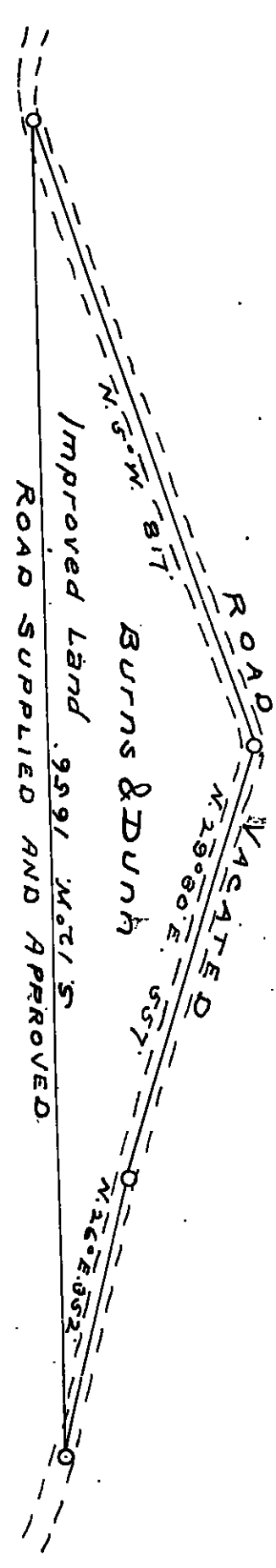
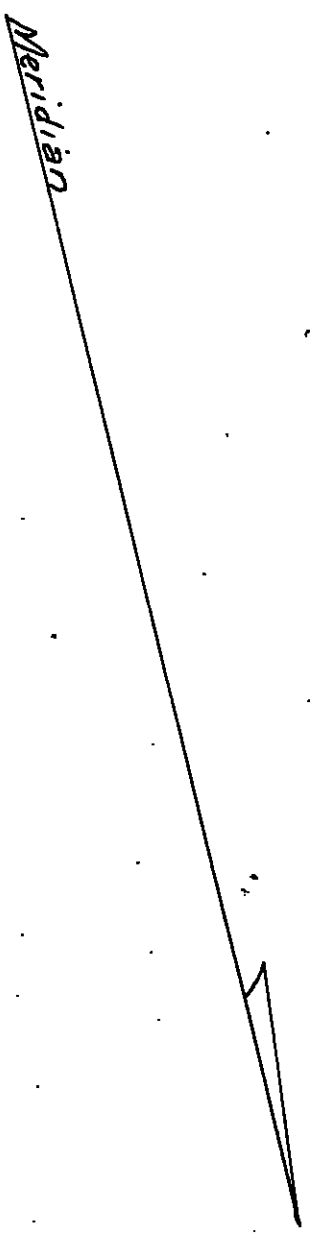
five hundred and fifty seven feet, thence north
 twenty six degrees east three hundred and
 fifty two feet to the division line between
 the properties of Burns & Dunn and Jos. A. Noel
 And do return for public use the following
 described road, Beginning at the point
 last above mentioned thence south twelve
 degrees west sixteen hundred and fifty
 six to the end in the road above mentioned.
 No damages being awarded.

A plot or draft is hereto attached and
 made part of this report.

Witness our hands this 4th day of Sept.
 1907

J. L. Elder, Jr.
 J. A. Noel
 E. J. Bennett

J. L. Elder, Jr.	2 days	10.00
mileage		.10
order		.90
Jos. A. Noel	1 day	5.00
mileage		.10
E. J. Bennett	1 day	5.00
mileage		.10
John Karschner	(chain)	1.50
G. J. Austin	"	1.50



PLAN OF

PROPOSED PUBLIC ROAD IN

CAMBRIA TWP, CAMBRIA CO. PA.

Scale: 1" = 200'. Viewed Aug. 23. '07.

J. L. Elder,
Surveyor

Viewers appointed upon an order of the
Court of Quarter Sessions, dated 3rd June '07.
J. L. Elder, Jr. Evan V. Bennett, and Joseph A. Noel.

ROAD NOTICE.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ~~ground vacate~~, and supply a portion of the public road leading from ~~Cheshburg to Bradley Junction~~, beginning at a point at the bend in said road on the farm of Burns & Dunn, and ending at a point in the same public road at the division line between the properties of Burns & Dunn and Joseph A. Noel in Cambria Township

will meet at the house of Hotel Bender, in the Borough of Cheshburg ^{Borough} ~~of~~, on the 23rd day of August 1907, at 9 o'clock A.M., for the purpose of viewing said ground.

J. H. Elder, Jr.
Evan J. Bennett
Joseph A. Noel

Viewers.

Aug 10 1907.

Service accepted for Co. Commrs.

J. B. Delmar
Clerk

ROAD NOTICE.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground vacate and supply a portion of the public road leading from Ebersburg to Bradley Junction, beginning at a point in said road at the bend on the lands of Burns & Dunn and ending at a point in the same public road at the division line between the properties of Burns & Dunn and Jos. A. Noel in Cambria Township.

will meet at the house of Hotel Bender in the Borough of Ebersburg ^{Borough} ~~at~~ on the 23rd day of August 1907, at 9 o'clock A.M. for the purpose of viewing said ground.

J. H. Elder, Jr.
Evan J. Bennett
Joseph A. Noel
Viewers.

Aug. 10 1907.

Service of within Notice is
hereby accepted,

Supervisors { W. R. Parvland
L. J. Hughes

Wm. H. [unclear]
[unclear] [unclear]
[unclear] [unclear]

Commonwealth of Pennsylvania, }
County of Cambria. }

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 June A. D. 1907, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Cambria, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from

begin with a Public Road leading from Ebensburg to Bradley Junction at the point at the bend in said road on the farm of Burns + Dumon in the Township of Cambria, and to end in the same Public Road at the point on the Division Line between the properties of Burns + Dumon and Jos. A. Noel. The petitioners, therefore, pray the court to appoint Three Persons qualified according to law to view the ground proposed for such road, and if they should see occasion to lay out the same to inquire of and vacate the Public Road which is now opened between points above designated, which last mentioned Road will by reason of the laying out of the proposed Road become useless; And make record of their proceedings to the next court.

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

J. L. Elder, Jr. surveyor, and Erwin J. Bennett and Joseph A. Noel

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, ^{and vacate old road} 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:

L. E. Trull, 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. 5, JUNE SESSION, 1907

Order to view, layout and locate a road in Lumbia Township

Filed 6 Sept 1907

Viewers.

J. C. Elders Jr.
 Estan J. Bennett
 Joseph C. Noel

Clerk 90 cts.

X C
 Reed

BRASSARD MOUNTAIN-HERALD ELECTRIC PRINT.

1 Oct. 1907, approved and breadth fixed at thirty feet,

12 June 1908 confirmed

S. S. Kinshead
 Clerk