

4 Dec 1907
Rat. Microfilm

ROAD NOTICE

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County to view the ground for a public road or highway to lead from a point at the line of the Borough of South Fork in Cambria County, at Grant street, and, ending at a point on the Frankstown road, at or near the farm of Leon Smay in Croyle Township, in Cambria County, will meet at the Council Chamber, in the Bank Building, in the Borough of South Fork, on Wednesday the 5th day of February, 1908, at 8-30 o'clock A. M., for the purpose of viewing said ground.

John G. Broad,
Lyman Sherbine,
R. Harry Shaffer, } Viewers.

I hereby except service of the above notice.
January, 25th 1908.

Simon Schmitt Supervisor of
Croyle Twp.

ROAD NOTICE

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County to view the ground for a public road or highway to lead from a point at the line of the Borough of South Fork in Cambria County, at Grant street, and ending at a point on the Frankstown road, at or near the farm of Leon Smay in Croyle Township, in Cambria County, will meet at the Council Chamber, in the Bank Building, in the Borough of South Fork, on Wednesday the 5th day of February, 1908, at 8-30 o'clock A. M., for the purpose of viewing said ground.

John G. Broad, }
Lyman Sherbine, } Viewers.
R. Harry Shaffer, }

I hereby except service of the above notice.
January, 23, 1908.

J. B. Lehman
Commiss. Clerk.

Commonwealth of Pennsylvania }
County of Cambria } SS

Personally appeared before me a Justice of the Peace in and for said county John G. Broad, Lyman Sherbine and R. Harry Shaffer, viewers above named who being duly sworn according to law deposes and say that they will "impartially and according to their best judgment" perform the duties of their appointment as viewers.

Sworn and subscribed before me
this 5th day of February A.D. 1908

James Gregory
Notary Public

MY COMMISSION EXPIRES FEB. 27th, 1911.

R. Harry Shaffer
Lyman Sherbine
John G. Broad

Whereas, by an order of the court of Quarter Sessions of Cambria County dated the sixth day of January A.D. 1908, directed to R. Harry Shaffer, John G. Broad and Lyman Sherbine, a certain public road, running from a point at the line of the Borough of South Fork in Cambria County, at Grant street, to a point on the Frankstown road or near the farm of Leon Smay in Croyle Township in said County, was laid out and located runs through and over the lands of Jacob C. Stinson, George B. Flenner, Leon Smay, John Hice, Alex Story and South Fork Cemetery Association

in said Township and County;

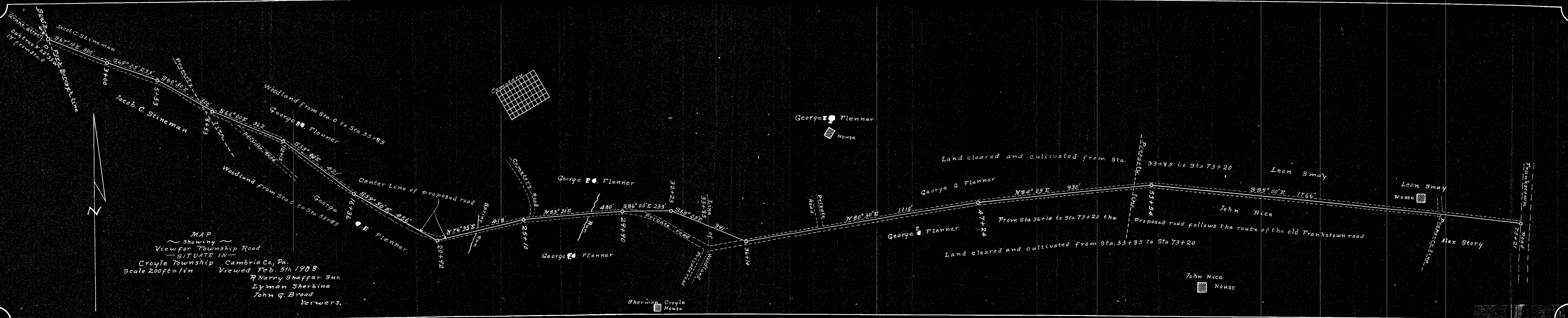
THEREFORE, Know All Men By These Presents; That we the undersigned through whose lands said road is located, in consideration of the advantages we expect to derive from the same if confirmed as well as for the further consideration of the following sums to us in hand paid by the Commissioners of said County on the opening of the road, to wit:

To <u>Jacob C. Stinson</u>	\$	<u>None</u>
To <u>George B. Flenner</u>	\$	<u>None</u>
To <u>Leon Smay</u>	\$	<u>None</u>
To <u>John Hice</u>	\$	<u>None</u>
To <u>Alex Story</u>	\$	<u>None</u>
To <u>South Fork Cemetery Association</u>	\$	<u>None</u>
To	\$	
To	\$	
To	\$	
To	\$	

do hereby release the County of Cambria from all damages that have or may accrue to us, or either of us, for or on account or by reason of the locating, opening or using of said road, or that might accrue to us from said road for any reason whatsoever.

Witness our hands and seals this 17th day of Feb, A.D. 1908.

John F. Hice (seal)
George B. Flenner (seal)
Thomas L. Smay (seal)
West Croyle (seal)
Chas. T. B. ... Pres. (seal)
of South Fork Cemetery Assn. (seal)
 _____ (seal)
 _____ (seal)
 _____ (seal)



MAP
 ~~~~~  
 showing  
 View for Township Road  
 ~~~~~  
 SITUATE IN
 Croyle Township Cambria Co., Pa.
 Scale 200ft = 1in Viewed Feb. 5th 1908
 R Harry Shaffer Sur.
 Lyman Sherbine
 John G. Broad
 Viewers.

Land cleared and cultivated from sta. 33+85 to sta 73+20
 Leon Smay
 John Hice
 From sta 36+14 to sta 73+20 the
 Proposed road follows the route of the old Frankstown road
 Land cleared and cultivated from sta. 33+85 to sta 73+20
 John Hice
 Alex Story

Frankstown
 Road
 73+21

In the matter of proceedings §
for road in Allegheny Township §
from a point on road leading §
from Chest Springs to Gallitzin §
at line between land of Tibertus §
Lenz and Gus McElhenny, to a §
point at the Weakland School §
House on road leading from Chest §
Springs to Loretto §

In the Court of Quarter Sessions
of Cambria County, Pa.
No. 4 December Sessions 1907
Road Docket.

Exceptions to Report of Viewers.


1. It does not appear from the report of viewers that they endeavored to procure from John Boes, through whose improved land the proposed road runs, a release from all claims for damages that might arise from the opening of the proposed road, and no damages were assessed to the said John Boes.

2. Two of the viewers, to wit, J. L. Elder and W. H. Pruner, were not impartial persons, they having served as viewers in a former proceeding entered to No. 4 March Sessions, 1907, Road Docket, and having reported to the Court in favor of laying out a road between the same termini and practically over the same route.

3. John Cox who was appointed by the Court as one of the viewers, did not serve as a viewer, and did not sign the report.

4. Joseph L. Cox, who was not appointed by the Court as one of the viewers, did serve as a viewer and did sign the report.

5. The former proceeding entered to No. 4 March Sessions, 1907 seeking to have a road laid ^{out} between the same termini and practically over the same route, as in the present proceeding, remains undisposed of by the Court, and pending disposition of that case by the judgment of the Court the present proceeding is irregular.


Attorney for John Boes.

Cambria County, ss.

John Boes being duly sworn according to law, says that the matters set forth in the foregoing Exceptions are true, as he verily believes.

Sworn and subscribed before me this 25th day of May, 1908.

W. L. Leary J.P.

BY COMMISSION EXPIRES FIRST MONDAY IN MAY 1912.

E. A. Sheehan, (Supervisor)

J. A. Farabaugh (Supervisor)

J. N. Sawville

Michael M. Cullough

Robert M. Cullough

Henry Schenk

John Grimm

Thomas Hayas

John Boes

Mathias Schenk

Andrew Bradley

Valentine Bishop

A. V. Bishop

Bert Conrad

Alfred Boes

Aug. E. Farabaugh

John McLaugh

A. J. Bill

Austin Bill

Joseph Flick

Edward Boes

W. J. Baker

W. W. Buck

A. J. Long
E. di. Parvirk
J. A. Steberger
D. J. Larny

G. L. J. Graw
M. H. Johnson

Alvin E. Epperson

Patricia E. Epperson
Gene E. Epperson

Frank Sherry
Bert Epperson

C. V. Little

H. Thomas Jr.

W. P. Sherry

G. A. Sherry

R. M. Sherry

Andrew Beck
William Boas

No. 4 Dec. Sessions 190⁷ . . .

Road Docket.

In the matter of the proceedings for road in Allegheny Township, from a point on road leading from Chest Springs to Gallitzin at line between lands of Tibertus Lenz and Gus McElhenry, to a point at the Weakland School House on road leading from Chest Springs to Loretto.

Filed 1 June, 1908.

Exceptions to Report of
Viewers.

Kittell.

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

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

That they labor under great inconve-
nience for want of a public road or highway
beginning at a point at a corner or on line
of land between the lands of Tibertus Lenz and
Gus McElheny, on the public road leading
from Chest Springs to Gallitzin, in Allegheny
Township, to or ending at a point, at the
Weakland School House, on the public road,
leading from Chest Springs to Loretto, in
said Township of Allegheny.

The petitioners therefore pray the Court
to appoint three persons qualified accord-
ing to law to view the ground proposed
for such road and if they see occasion,
lay out the same and make report of
their proceedings to the next term of this Court,
And they will ever pray, &c.

Names

Names

Edward Serry
Rev. Ferdinand Kittell

John Hertzog
Frank J. Kittell
John D. Brucilly

Peter A. Melhorn

John D. Little

John D. Little
J. H. Bazel
A. G. Malaney

Augustine Wilkerson
 Frank Watt
 Eino Melhorn
 Joseph Beiswenger
 Joseph H. Willis
 Hader Cox
 Rufus Springfield
 Conrad Beiswenger
 A. G. Smith
 William Gallen
 J. G. Gallen
 George
 J. Hammond

Alvin G. Johnson
 William Baker
 Henry J. Cooper
 James G. Cooper
 Albert J. Lindstrom
 G. A. Storm
 E. Smith
 James Hartline
 B. W. Davis
 Jacob Brubaker
 George Hammond

John Petrus
 Harvey Orskold
 J. L. Morko
 Mike Sukroja
 Alex Brandy
 James Williams
 John E. Moran
 Marky
 Hugh
 Thomas
 Edward
 John
 John
 Ed. Ekeno

Cambria County ss,

Before me personally came Edward
Lenz who being duly sworn according to
law doth depose and say that the facts
matter and things set forth in the foregoing
petition are true.

Sworn and subscribed,
before me this day
of January A.D. 1908,

Edward Lenz

J. J. Kuster,
Clerk C. C.

To *John Hertzog*... and *James Harabough*, supervisors of Allegheny Township, Cambria County, Pennsylvania:

You are hereby notified that, on the 21st day of January, 1907, at ten o'clock in the forenoon, a petition will be presented to the Court of Quarter Sessions of Cambria County, at Ebensburg, by certain inhabitants of the said Township of Allegheny, setting forth that they labor under great inconvenience for want of a public road or highway, to begin at a point at corner or on line of and between the lands of Tibertus Lenz and Gust McElheny, on the public road leading from Chest Springs to Gallitzin, in Allegheny Township, and to end at a point at the Weakland School House, on the public road leading from Chest Springs to Loretto, in said Township of Allegheny, and asking the said Court to appoint viewers to view the ground proposed for such road, and, if they see occasion, to lay out the same, and report to the Court, according to law, when and where you may appear, or be represented, if you see proper.

J. W. Leech,

Harvey Roland,

Attorneys for Petitioners.

I hereby certify that, on the *21st* day of *December*, 1907, I served the above notice upon *John Hertzog & James Harabough*, supervisors of Allegheny Township, by handing *him* a true copy thereof personally *to each of them*, and informing him of the contents thereof, *there being only two supervisors in office.* *Edward Serr*

Quarter Sessions
No 4 Sessors 1907 Rd.

Petition of Inhabitants
of Allegheny Township, Cam-
bria County, to appoint
viewers to view and lay
out a public road, Begin-
ning at a point at a corner
on line of land between
Sebertus Lenz and Gus Mel-
honey on the public road
leading from Chest Springs
to Gallitzin, in said Township,
ending at a point at the
Weakland School House
on the public road lead-
ing from Chest Springs to
Loretto.

Filed 21 January, 1908.

Jan 21, 1908, the within
petition read and consider-
ed and J. L. Elder, Geo
Coff and W. H. Bruner are
appointed viewers
By the Court

Know all Men by these Presents,

THAT we, *Edward Duz*,
and _____, are held and firmly bound
unto *The County of Cambria*, heirs, executors, ad-
ministrators or assigns, in the sum of *Fifty*

Dollars, lawful money, for the payment of which
sum, well and truly to be made, we do bind ourselves, our and each of our heirs, ex-
ecutors and administrators, jointly and severally, firmly by these presents; and we
do hereby confess judgment for the above sum, without stay of execution or appeal,
waiving the right of exemption and appraisement, and the right of inquisition on
real estate, with five per cent. added as Attorney's commission for collection. Sealed
with our seals and dated this *21st* day of *January*,
A. D., One Thousand Nine Hundred and *Eight*


THE CONDITION OF THIS OBLIGATION IS SUCH,


That if the petitioners in a cer-
tain proceeding to lay out a public
road, between certain points
in Allegheny Township, insti-
tuted on petition of said Edward
Duz and others, shall pay the costs
of said proceedings, as the Court
may by order direct, then this
obligation to be null and void,
otherwise to be and remain in
full force and virtue.


In presence of us:

Peter A. Melton

Blair Burkhart

Ed. D. Edward Duz 

Benjamin Shertzer 

Wm. Baker 

No. 4 Dec. Sessions, 1907,
Road District.

BOND.

Edward Dery
et al.

TO

Cambria County.

Filed 21 Jan'y 1908

January 21st, 1908,
within bond approved.

~~By the Court~~

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

We, the undersigned viewers appointed by the annexed order to view the ground for a public road in Allegheny Township, respectfully report, That in pursuance thereof, after having been severally sworn or affirmed to perform our duties impartially and to the best of our judgment and ability, 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 said road passes and also upon the County Commissioners of said County.

All the viewers appointed by said order viewed the ground proposed for the within mentioned road and the undersigned do agree that there is occasion for a road as desired by the petitioners and having due respect to the shortest distance and the best ground for the road, we have laid it out as far as practicable agreeable to the desires of the petitioners and do return for public use the following described road:

Beginning at a point on the public road leading from Chest Springs to Callitzin on a line between lands of Gust McElhaney and Tibertus Lenz, thence along said line south eighty-one degrees forty-five minutes west eleven hundred and twenty feet; thence north sixty-nine degrees thirty minutes west three hundred and twenty-six feet; thence north eighty-one degrees east nine hundred and twenty-seven feet; thence south sixty degrees thirty minutes west three hundred and thirty-one feet; thence south fifty-two degrees thirty minutes west two hundred and eighty feet; thence

west six hundred and fifty-eight feet; thence north sixty degrees west two hundred and eighteen feet; thence north thirty-five degrees fifteen minutes west seven hundred and eighty-nine feet; thence north eight degrees west four hundred and nineteen feet; thence north twenty-three degrees thirty minutes west three hundred and fifty-four feet; thence north thirty six degrees west six hundred and seventy-six feet; thence north forty degrees west one hundred and thirty-two feet; thence north sixty-one degrees west one hundred and fifty feet; thence north eighty-five degrees thirty minutes west three hundred and thirty-nine feet; thence north sixty-five degrees west five hundred and fifteen feet; thence north eighty degrees west seven hundred and eighty-five feet; thence north eighty-two degrees thirty minutes west twenty hundred and thirteen feet to a point on the public road leading from Chest Springs to Loretto, near the Weakland School House in Allegheny Township. Said road passes through lands of Tibertus Lenz, Gust McElhancy, Edward Bradley, John Sharp, Peter Lenz, Edward Lenz, John Boes, Hugh Noel, P. H. Itell.

We have awarded the following damages: Tibertus Lenz - Twenty-five (\$25) Dollars; Gust McElhancy - Twenty-five (\$25) Dollars; Edward Bradley, -Seventy-five (\$75) Dollars; Peter Lenz - One hundred (\$100) Dollars; Edward Lenz - One hundred (\$100) Dollars.

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

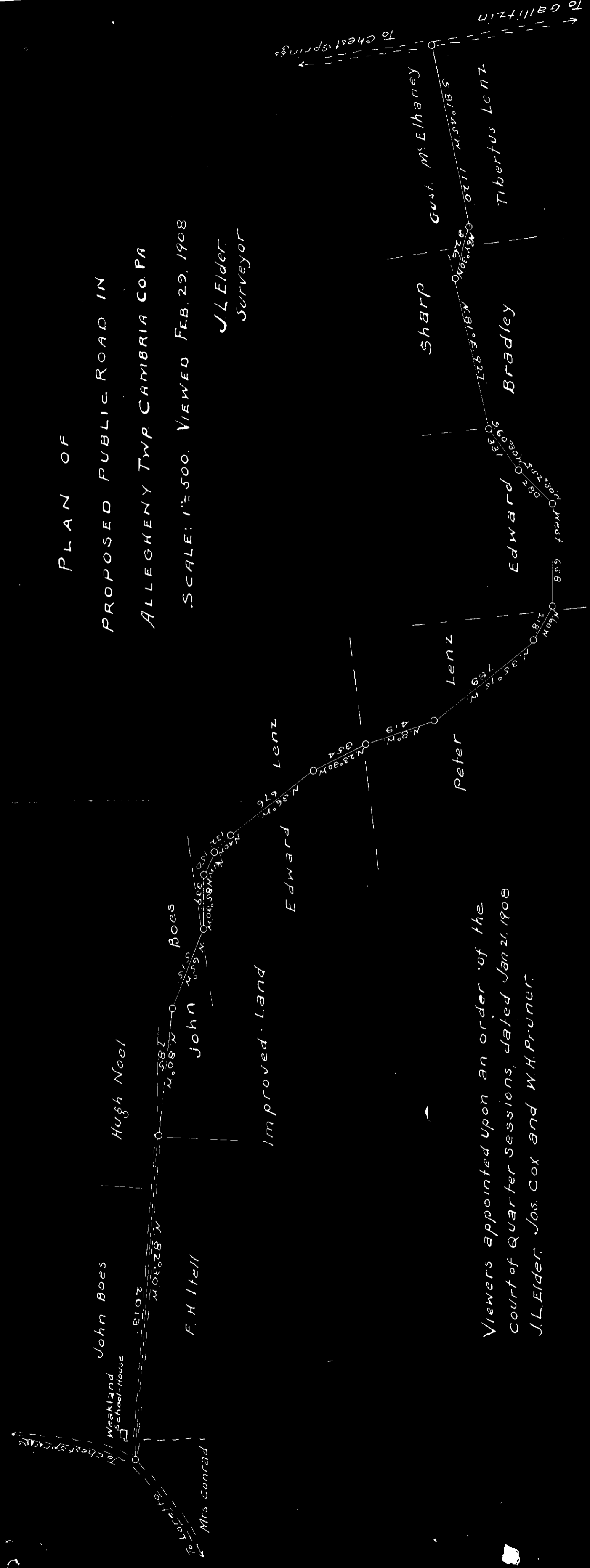
Witness our hands this 2d day of March, one thousand nine hundred and eight.

J.R. Elder 2 days	15.00
release	6.25
H.N. Primmer 2 days	6.00
release	.70
Jas. Cox 2 days	6.00
release	.40
Geo. McElhancy	1.50
John Sharp	1.50

J.R. Elder
Jas. L. Cox
H.N. Primmer

Duplicate

PLAN OF
 PROPOSED PUBLIC ROAD IN
 ALLEGHENY TWP CAMBRIA CO. PA
 SCALE: 1"=500. VIEWED FEB. 29, 1908
 J. L. Elder
 Surveyor

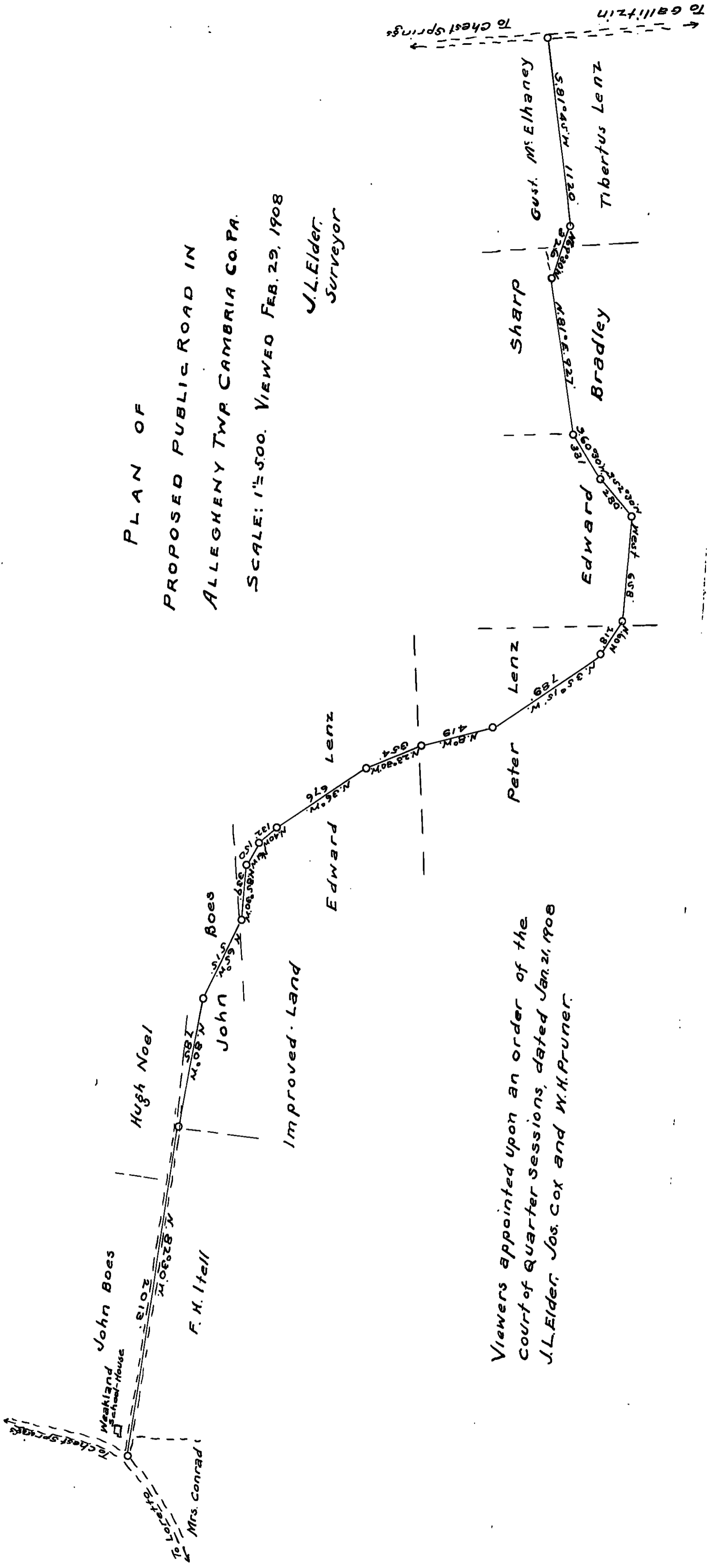


Viewers appointed upon an order of the
 Court of Quarter Sessions, dated Jan. 21, 1908
 J. L. Elder, Jos. Cox and W. H. Pruner.

PLAN OF
PROPOSED PUBLIC ROAD IN
ALLEGHENY TWP CAMBRIA CO. PA.

SCALE: 1"=500. VIEWED FEB. 29, 1908

J.L. Elder,
Surveyor



Viewers appointed upon an order of the
Court of Quarter Sessions, dated Jan. 21, 1908
J.L. Elder, Jos. Cox and W.H. Pruner.

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for a public road beginning on the public road leading from Chest Springs to Gallitque on line of lands of Libertus Sutz and Sus McElhann and ending at the Weakland School House on the road leading from Chest Springs to Fortle in Allegheny Township

will meet at the house of Weakland School House in the township of Allegheny aforesaid, on the 28th day of February 1908, at 9 o'clock a.m., for the purpose of viewing said ground.

J. P. Elder
Jas Cox
J. H. Pomeroy

Feb 18

1908.

Viewers.

John Herbertos Superdon

Served on ...

Loretto Pa Feb 21 1908

Mr J. L. Elder
Ebensburg Pa

I served them Notice on
the supervisors and posted the other sign up
but James Farabough would not sign. I
met Jos Copp and I told him the date of
the view

yours truly

Edward Seng
Loretto Pa

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for a public road beginning on the public road leading from Chest Springs to Gallitun on line of land of Libertus Gutz and Gus McElhenny and ending at the Maklaud School House on the road leading from Chest Springs to Loretto in Allegheny Township

will meet at the house of Maklaud School House in the township of Allegheny aforesaid, on the 28th day of February 1908, at 9 o'clock am, for the purpose of viewing said ground.

J. L. Elder
Jos. Cox
W. H. Penner

Feb 18th 1908.

Viewers.

Feb 18, 1908.

Service accepted for County Commissioners,
J. B. Lehman
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 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, December SESSION, 1907.

Order to view public road in...

Allegheny Township.

Filed 4 March, 1908

in your Court.

Viewers.

J. L. Elder

Jud. Cox

W. H. Pruner

Clerk Kinkead 90 cts.

Leech

Ok. by J. L. Elder

BENSON VINTAGE-HERALD ELECTRIC PRINT.

Now, April 14th, 1908, the within report and road approved, and breadth fixed at thirty feet.

By the Court