

KNOW ALL MEN BY THESE PRESENTS,

That we,

of the County of Cambria and State of Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania, for the use of the County of Cambria, in the sum of Two hundred Dollars, lawful money of the United States to be paid to the said County of Cambria its certain Attorney or Assigns, to which payment well and truly to be made, we do bind ourselves, our heirs, executors, and administrators, and every of them, firmly by these presents. Sealed with our seal and dated the \_\_\_\_\_ day of February, A. D. 1911:

The condition of this obligation is such, that in the event costs are incurred in the application or petition of the citizens of Summerhill Township for the appointment of viewers to vacate and supply a public road which begins at a point at or near the Elm tree across the road from No. 2 School House in said Township being the same public road and ending at a point at or near the private driveway of Isaac J. Hughes which leads from the said public road into his barn, and that said costs are to be paid or should be paid by the Township of Summerhill, the undersigned, being citizens of Summerhill Township, bind themselves, their heirs, executors, administrators or any of them to pay or cause to be paid unto the said County of Cambria, its Attorney or Assigns, the said costs or whatever the same may be without fraud or further delay, then this obligation to be void and of none effect, or else to be and remain in full force and virtue.

Signed, sealed and delivered  
ed in the presence of

Edwin Jones

Edwin J. Jones  
Isaac J. Hughes  
John W. ...

In Re petition of the Citizens of Summerhill Township to vacate and supply a public road.

B C N D.

Filed 6 March 1911.

And now March 6, 1911  
the within bond approved.

*Wm. Davis*

Wm. Davis.

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

The petition of the undersigned citizens of the Township  
of Summerhill respectfully represents:

That they are laboring under a great disadvantage by reason of  
the grade and the condition of the public road leading from Ebens-  
burg to Wilmora by way of J. H. Diamond and Isaac J. Hughes and  
others. That they desire to have a portion of said public road vac-  
ated and supplied beginning at a point at or near the Elm tree across  
the road from No. 2 School House in said Township being the same  
public road and ending at a point at or near the private driveway  
of Isaac J. Hoghes which leads from the said public road into his  
barn.

They therefore respectfully request this Honorable Court to  
appoint viewers as required by law to view, vacate and supply that  
portion of said public road leading from Ebensburg to Wilmore lying  
between the points indicated above, namely: from the Elm tree at or  
near No. 2 School House, in said Township, which is located along t  
the said public road to a point at or near the private driveway of  
Isaac J. Hughes leading from said public road into his barn.

And they will ever pray, etc.

Peter Mulhollen  
W. H. Mc Connell  
Owen J. Jones  
James B. King

H. W. Black  
Chas. A. Kensing  
ava Wiley  
Charles Sumner  
W. R. Burdick

H. J. O'Hara  
G. Doff  
Patrick Conley

Peter W. Knefel  
F. W. White  
J. H. White  
Fred Bodenschatz  
John W. Smith  
Simon Bodenschatz  
P. A. M. Green  
Blair McGuire  
Nicholas - Green  
W. H. Mulhollen  
Wm. Green  
N. A. Brown  
James A. Green

Cambria County, SS:

Before me, a Justice of the Peace in and for  
said County, personally came  
who being duly sworn according to law says that the facts set forth  
in the above and foregoing petition are correct and true to the  
best of his knowledge, information and belief.

Sown and subscribed before me )  
this ~~6<sup>th</sup>~~ day of <sup>much</sup> A.D. 1911. )

Oliver Evans

Edward Jones

Justice of the Peace

Petition of the Citizens

of Summerhill Township to vacate and supply a public road leading from No. 2 School to Isaac J. Hughes.

*Filed 6 March 1911*

And now March 6, 1911

the within petition read

and considered, *J. L. Elder*

*Patrick McBurns, and*  
*David Roberts*  
are appointed viewers

as within prayed for.

*To the Court*

W. M. [redacted] B.,  
ATTORNEY AT LAW,  
EBENSBURG, PA.

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 sixth day of March A. D. 1901, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Summerhill, in the said County, setting forth that they ~~labor under inconvenience for want of a~~ road or highway, to lead from

are laboring under a great disadvantage by reason of the grade and the condition of the public road leading from Ebensburg to Malvern by way of J. H. Diamond and Isaac J. Hughes and others that they desire to have a portion of said public road vacated and supplied beginning at a point at or near the Elm tree across the road from No. 2 Schott House in said Township being the same public road and ending at a point at or near the private driveway of Isaac J. Hughes which leads from the said public road into his barn

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

J. S. Elden surveyor, and Patrick McDunn and Lincoln Roberts

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:

J. S. Kirkhead, 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. 1, March SESSION, 1901.

Order to view streets and  
 alleyways made in Summerhill  
 Township.

Filed 5 June, 1911, in  
 open court.

Viewers.  
 J. L. Eldon.  
 Patrick Mc Dumen.  
 Leonard Roberts.

Clerk ..... 90 cts.  
 M. M. Doona.

REISSUED MCKAY-BIRD-ELECTRIC PRINT.

5 June, 1911, Approved and breadth fixed at thirty feet.  
 By the Court,

28 Nov 1911 Confirmed absolutely. A. H. Kirkhead, Clerk.



# ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground to vacate and supply part of a public road in Sumnerhill Township leading from Edwards Ferry to Milnor by way of J. H. Diamond and Isaac Hughes and others. Beginning at a point at or near the Ch. H. H. across the road from the School House in said Township, being the same public road and ending at a point at or near the private dwelling of Isaac Hughes which leads from the said public road into his farm

will meet at the house of Isaac J. Hughes in the township of Sumnerhill aforesaid, on the 13<sup>th</sup> day of May 1901, at 9 o'clock am., for the purpose of viewing said ground.

J. L. Elder  
Patrick McDunn  
Lincoln Roberts

Viewers.

April 28<sup>th</sup> 1901.

April 28-1911 ~~Review~~ Accepted  
to C. Hoell  
com. bluh.

J. W. White  
N. K. Burnett  
Superiors

To the Honorable Francis J. O'Connor President Judge  
of the Court of Quarter Sessions of Cambria Co. Pa.  
We the undersigned viewers appointed by the aforesaid  
order do report that in pursuance thereof after having  
been 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 notices upon  
the Supervisors of the territory through which  
such new road is to be laid out and also upon  
the County Commissioners of said County, properly  
attested copies of said notices being hereto attached  
all the viewers appointed by said order viewed  
the ground proposed for the within mentioned  
road and do agree that there is occasion for  
vacating and supplying part of the public road  
leading from Ebensburg to Milwau. by way of  
J. H. Diamond and Isaac J. Hughes & others as desired by  
the petitioners as they labor under great disadvantages  
by reason of the grade being fifteen feet fall  
to the one hundred feet in places which greatly  
exceeds 5 degrees in Elevation and ought therefore  
to be vacated and have viewed and vacated the  
same as follows - Beginning at a point at or  
near the Elm tree across the road from the  
School House in Summit Hill Township in said  
Township road thence South twenty two and one half  
degrees East four hundred and sixty feet  
thence South twelve degrees West seven hundred

and ninety feet to a point at or near the private driveway of Isaac J. Hughes which leads from the said public road into his Barn - and have supplied viewed and laid out and do return for public use the following road to wit - Beginning at or near the Cluster across the road from to 2 School House in Sumnerhill Township three South thirty degrees West Eight hundred & two feet three South twenty five and one fourth degrees East four hundred and fifty three feet to a point at or near the private driveway of Isaac J. Hughes which leads from the said public road into his Barn. said Road passes through lands belonging to J. H. Diamond and Isaac J. Hughes and we are of the opinion is necessary for a public road and we recommend the same We assessed or awarded J. H. Diamond Five hundred dollars damages and Isaac J. Hughes the sum of five hundred dollars damages a plot or draft thereof is herewith attached & made part of this report Witness our hands this 27<sup>th</sup> day of May 1911

J. L. Elder  
 Patrick M. Dunn  
 Lincoln Roberts

J. L. Elder	County Clerk	90
" "	2 days	10.00
Patrick M. Dunn	Mileage	3.60
" "	1 day	3.00
Lincoln Roberts	Mileage	3.20
" "	1 day	3.00
Isaac J. Hughes	Mileage	.20
Thomas J. Hughes	Chairman	1.50
	"	1.50
		\$ 20.90