

No. 1 December Sessions, 1925.

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

In re Petition of Inhabitants of Alle-
gheny Township to Vacate and Supply
Road leading from Bradley School House
to Fisher School House.

BOND.

And now, December 21st., 1925, the
within bond approved.





Filed 21 December 1925.

SHETTIG & NELSON
ATTORNEYS AT LAW
EBENSBURG, PA.

KNOW ALL MEN BY THESE PRESENTS, That we Patrick J. Crilly
and Joseph Sharp, residents and citizens of Allegheny
Township, in the County of Cambria and State of Pennsylvania, are held and
firmly bound unto the Commonwealth of Pennsylvania in the sum of One Hundred
Dollars, lawful money of the United States of America, to which payment well
and truly to be made and done, we bind ourselves and each of us, our and each of
our heirs, executors and administrators, firmly by these presents. Sealed with
our seals and dated the 27th day of October, A.D., 1925.

WHEREAS, application has been made to the Court of Quarter Sessions
of said County of Cambria for the appointment of viewers to view the ground and
report to the Court upon the expediency of opening a road for public use in
the Township of Allegheny, in said County of Cambria, to begin at or near an oak
stump about one mile west from the intersection with the road leading from
Ashville to Loretto, and to end at the lane on the northwest corner of the land
of R. G. McCoy about one thousand feet South of the intersection with the road
leading from Chest Springs to Gallitzin.

Now, the condition of this obligation is such, that if the petitioners
for the said view, if called upon by the Court, shall make payment of the costs
of said View into the Treasury of Cambria County as provided by law, then this
obligation shall be null and void; otherwise to be and remain in full force and
virtue.

Sealed and delivered in the
presence of

Joe Sharp
W. ...

Patrick J. Crilly (SEAL)
Joe Sharp (SEAL)

R E P O R T O F V I E W E R S .

To the Honorable, the Judges of the Court of Quarter Sessions of
Cambria County, Pennsylvania.

We, the undersigned members of the Board of Viewers of Cambria County, appointed by your honorable Court, upon the attached order, and therein directed to view and determine as to the propriety of vacating and supplying a certain portion of a public road in Allegheny Township, said county and state, between the termini specified in said order; which is hereto attached; respectfully report:-

That having given due legal notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County and to the Supervisors of the Township of Allegheny, and having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places at and near the terminal points of the piece of road to be viewed: and having each been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability: All of us met in accord with the notices so served and posted, as aforesaid, and having viewed the road proposed to be vacated and the land in the immediate vicinity thereof and taking into consideration also the parties living in the neighborhood thereof and the traffic in that community generally, we were of the opinion that the prayer of the petitioners should be granted and accordingly proceeded to locate the portion of road intended to supply that vacated.

The courses and distances of the piece of road proposed to be vacated and supplied, a plot or draft of which is hereto attached and made a part of this report, are as follows, to wit: The piece of road recommended to be vacated, beginning ^{Westerly} at the ~~Easterly~~ termini; as indicated on the attached order of court; extends North 80° 30' East 626 feet, North 80° East 441 feet, North 58° East 246 feet and North 50° East 167 feet, to the Easterly termini specified on said order, and the piece of road recommended to be supplied, beginning likewise at the Westerly termini as specified in said order, extends South 59°

35' East 311 feet, South 65° 55' East 294 feet, South 74° 30' East 130 feet, North 85° East 73 feet, North 51° 30' East 88 feet, North 40° 20' East 548 feet, North 36° East 167 feet and North 60° East 167 feet to the Easterly termini; Said change in the location of said piece of road is, in our opinion, necessary for the accomodation of the traveling public as the portion of road refomended to be vacated contains two very steep grades almost impassible in bad weather.

The Viewers having been unable to secure a release of damages from R. G. McCoy, through and over whose land the new road as laid out passes, we have assessed his damages at Eight Hundred Fifty Dollars.

Witness our hands this 25th.
day of January, A.D., 1926.

Adam Shuman

J. D. Ritter

A. M. Shoemaker

Viewers.

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of . . . Quarter . . . :
. . . Sessions . . . of Cambria County, Pa., to view and determine as to . . .
. . . the propriety of vacating and supplying a portion of a certain pub-
. . . lic road in Allegheny Twp., Cambria Co., Pa. - On the road leading from
. . . the Bradley School House on the Loretto-Chest Springs road to a . . .
. . . point at or near the Fisher School House on the Loretto-Ashville
. . . road. Said piece of road desired vacated and supplied is that begin-
. . . ing at or near an Oak stump on the North side of said road about one
. . . mile West from the intersection of said road with the Loretto-Ashville
. . . road and ending at the North East corner of land of R. G. McCoy, about
. . . 1000 ft. South of the intersection of said road with the Chest Springs-
. . . Gallitzin road:

will meet at the Bradley School House, above referred to, . . . in the
. . . Township . . . of . . . Allegheny . . . aforesaid,
on the 19th day of . . . January . . . 1926, at 10:00 o'clock A. M.,
for the purpose of performing the duties of their appointment.

A. M. Shoemaker,
J. D. Ritter and
Adam Shuman,
Viewers.

Ebensburg, Pa. Jan. 6th 1926.

Now, Jany., 6th. 1926, service of th& within notice is hereby
accepted for the Commissioners of Cambria County, Pennsylvania.

D. S. Kirtland

clerk,

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of ...Quarter.....
... Sessions..... of Cambria County, Pa., to view and determine as to...
the propriety of vacating and supplying a portion of a certain public
road in Allegheny Twp., Cambria Co., Pa.-On the road leading from the
Bradley School House, on the Loretto-Chest Springs road, to a point at
or near the Fisher School House, on the Loretto-Ashville road: Said
piece of road desired vacated and supplied is that beginning at or
near an Oak stump on the North side of said road about one mile West
from the intersection of said road with the Loretto-Ashville road
and ending at the North East corner of land of R. G. McCoy, about
1000 ft. South of the intersection of said road with the Chest Springs
- ~~Allegheny~~ Gallitzin road:

.....
.....
will meet at the Bradley School House, above referred to, in the
..... Township..... of Allegheny..... aforesaid,
on the ..19th.. day of January..... 19. 26 at ..10:00 o'clock ..A. M.,
for the purpose of performing the duties of their appointment.

..... A. M. Shoemaker,.....
..... J. D. Ritter and.....
..... Adam. Shuman ,.....
Viewers.

Ebensburg, Pa. 1/6/19. 26.

Now, Jan'y 1926, service of within
notice is hereby accepted by the
undersigned Supervisors of the
Twp. of Allegheny, Cambria Co., Pa.

Edward Lenz

J. A. Farabaugh Secretary

Supervisors

Costs of View.

A. M. Shoemaker

Preparing serving & posting notices of view	\$22.50
Stenographer	3.50
Auto hire	4.00
View 1 1/2 da.	11.25
Auto hire	4.00
Survey, plotting & drafting 5 da	37.50
Auto hire 2 trips	8.00
2 Helpers 1 day @ 3.75	7.50
Meeting to determine action of viewers & amount forward	7.50
Preparing report, going over same with viewers, having signed assembling & filing 2 da	22.50
Stenographer	3.50
Tracing cloth	6.00
Two blue prints	1.20
	<hr/>
	\$133.55

CERTIFIED
 J. W. Hoffmann
 COUNTY CONTROLLER

J. D. Ritter

3 Days	22.50
92 miles @ .50	46.00
Auto hire	4.00
	<hr/>
	\$31.10

CERTIFIED
 J. W. Hoffmann
 COUNTY CONTROLLER

Adam Sherman

3 Days	22.50
66 miles @ .50	33.00
Auto hire	4.00
	<hr/>
	\$29.80

APPROVED FOR PAYMENT
 J. W. Hoffmann
 COUNTY CONTROLLER

Order to view and vacate road

supply road in Allegheny

Township

and
Report of Viewers

CERTIFIED

John M. Hoffman

COUNTY CONTROLLER

Witness 25 January 1926

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk 90 cts.

Shettig & Nelson

8 March 1926 Approvals and breadth fixed at forty feet

By the Court

14 June 1926 confirmed absolutely
Frank L. Robb
clerk



7
3
11/2/5

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."

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 21st day of December A. D. 1925, 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 ex-~~
~~perience for want of a~~ ~~road or high way~~ ~~to lead from~~

a certain public road was long since laid out and opened in said Township, said road extending from a point on the public road leading from Loretto to Chest Springs at or near the school house known as the Bradley School House, and ending at a point on the road leading from Borough of Loretto to Ashville Borough or near the school house known as the Fisher School House in said Township of Allegheny.

That portion of said public road above described and lying within said township, beginning at or near an oak stump on the north side of said road about one mile west from the intersection of said road with the road leading from Ashville to Loretto, and ending at the land on the northeast corner of R. G. McCoy's land about one thousand feet south of the intersection of said road with the road leading from Chest Springs to Gallitzin, has become useless, inconvenient and burdensome by reason of the heavy grade extending thereon.

Your petitioners pray the Court to appoint three persons qualified according to law to view the ground traversed by said portion of said road above described, and if they see occasion so to do, to vacate the same and to supply it by a new road between the points above mentioned.

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

A. M. Shoemaker

surveyor, and

J. D. Ritter and Adam Shuman

viewers, to view the ground proposed for said road, ^{vacation and supply} and if they ^{vacation and supply} 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.

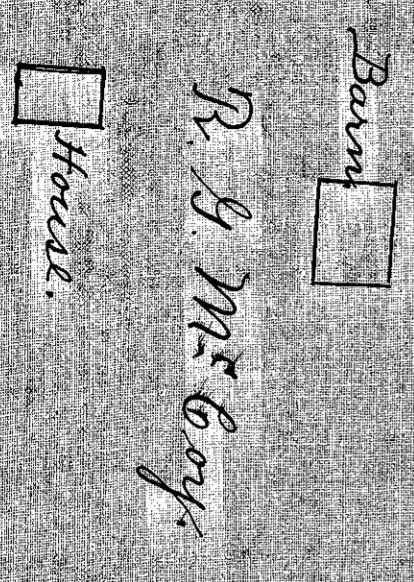
By the Court.

Attest:

Frank E. Roff

Clerk.

To locate the point of beginning indicated on attached plat of Springs road



Unimproved land. Section of piece of road proposed to be vacated.

Steep grade each way from point "a"

Unimproved land

Improved land

Improved land

Improved land

R. B. McGary

Point of beginning indicated on attached order of the court
To the Smiths Coveville road

Plot or draft showing the location of a piece of public road, in Allegheny Township, Cambria County, Pennsylvania; proposed to be vacated, on the site of a proposed piece of public road recommended to be supplied.
Received upon an order of the County of Quarters Sessions of Cambria County, Pennsylvania, dated 21st December, A. D. 1925.
A. M. Shoemaker, J. D. Ritter by Adam Shuman, Clerks



No. 1 *December* Sessions, 1925.

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

Petition of Inhabitants of Allegheny
Township to Vacate and Supply Road
leading from Bradley School House to
Fisher School House.

Filed 21 December 1925

SHETTIG & NELSON
ATTORNEYS AT LAW
EBENSBURG, PA.

Joe Sharp
Charles Donougho

Peter Donougho
Silas Donougho

Vincent O'Killy

Patrick O'Killy

G.W. Hammond

Peter Lenz

Mrs. Peter Lenz

Thomas A. Bradley

Mrs. Bertha Bradley

Bert Beckenrod

Edw. Bannan

James Williams

Henry Fisher

Mrs. J. Sharp

Michael Gallagher

John Stunk

Libertus Lenz

Charles Lenz

Mrs. H. Lenz

Mrs. Pat O'Killy

State of Pennsylvania)
 (SS.
County of Cambria)

Patrick Crilley, one of the petitioners above named, being duly sworn according to law says that the matters set forth in the foregoing petition are true and correct as he verily believes.

Sworn and subscribed before me

this 22nd day of Sept

1925.

W. Longwood J.P.

P. P. Crilley

My Commission Expires the
1st Monday in January 1928.

We hereby certify that we have made a diligent search of the Road Docket of Cambria County in the office of the Clerk of the Court of Quarter Sessions of Cambria County, and that we can find therein no reference to the proceedings whereby the road described in the above petition was laid out and opened.

Shelley D. Nelson.
Attorneys for Petitioners.

DECREE

Now, December 21st, 1925, the foregoing petition having been presented in open court, the court do appoint

Adam Shum and Wm. Shum

as viewers to view the proposed road described in the within petition and make their report according to law.

By the Court

Hand this paper to Supervisors

NOTICE.

TO THE SUPERVISORS OF ALLEGHENY TOWNSHIP, GAMBRIA COUNTY, PENNSYLVANIA:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday the 21st day of December, 1925, asking for the appointment of viewers to vacate and supply the road in said petition described.

Shetty & Nelson.
Attorneys for Petitioners.

And now, December 19th, 1925, service of the above Notice, together with a copy of the petition, accepted.

J. A. Farabaugh
Edward Lenz

Supervisors of Allegheny Township.

To be returned to Shettig & Nelson

Petition of Inhabitants of Allegheny Township to vacate and supply road leading from Bradley School House to Fisher School House.

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

No. _____ March Sessions, 1926.

To R. G. McCoy, Supervisor of Allegheny Township:

You are hereby notified that on Monday, the 21st day of December, 1925, there will be presented to the court a petition in the above stated matter, a copy of which is herewith handed to you, asking the court to appoint viewers to vacate and supply the proposed road mentioned and described in said petition.

Shettig & Nelson
Attorneys for Petitioners.

State of Pennsylvania

SS

County of Cambria

Patrick Crilly being duly sworn according to law says that on the 19th day of December, 1925, he served the above notice, together with a copy of the petition therein mentioned, upon R.G. McCoy, one of the Supervisors of Allegheny Township, Cambria County, Pennsylvania, by handing the same to him personally.

Sworn and subscribed before me

this 19th day of December, 1925.

B. W. Livingston
Judge of the Peace

Patrick Crilly

By _____

NOTICE.

To the Commissioners of Cambria County, Pennsylvania:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday the 21st. day of December, 1925, asking for the appointment of viewers to vacate and supply the road in said petition described.

Shetty & Nelson
Attorneys for Petitioners.

And now, December 21st, 1925, service of the above Notice, together with a copy of the petition, accepted.

D. S. Kitchard
Chief Clerk to the County Commissioners.

SUPERVISORS:

EDWARD LENZ, PRESIDENT
JAMES A. FARABAUGH, Secy.
JOHN KOONTZMAN

Allegheny Township Road District

JAMES A. FARABAUGH, SECY.

Bradley Junction, Pennsylvania.

June 25. 1926

County Commissioners,

Ebensburg Pa.

Gentlemen:

I hereby certify that the road thru R. D.
McCoy farm for which he was awarded
\$850.00 damage is now open to the public
for travel.

Yours Resp.

J. A. Farabaugh secretary
Edward Lenz
J. H. Koontzman