

Ed # 5 June 1926

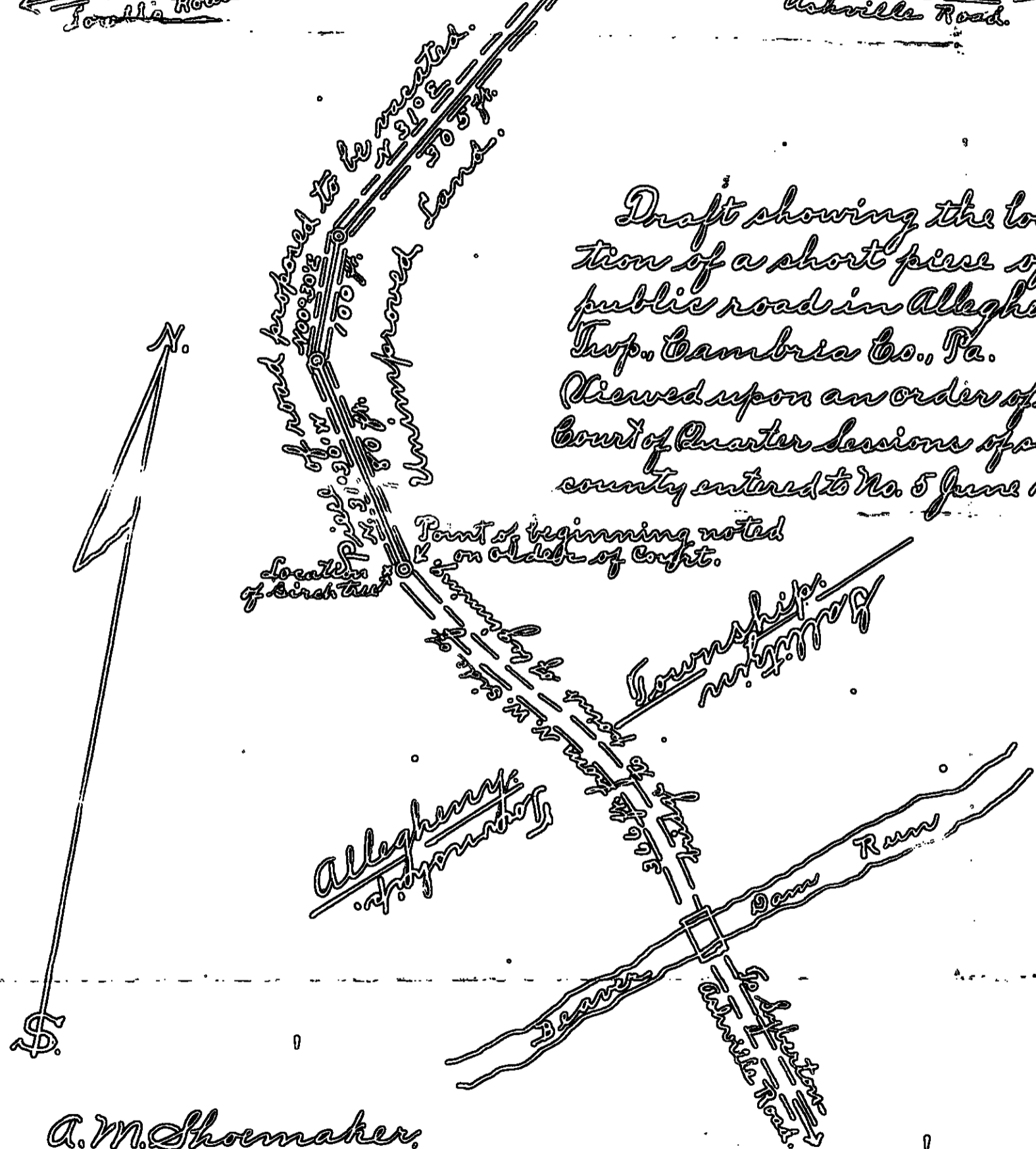
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Termini noted on order of Court

To Asheville ← Fossil Road

To Chest Springs → Ashville Road

Draft showing the location of a short piece of public road in Allegheny Twp., Cambria Co., Pa. Viewed upon an order of the Court of Quarter Sessions of said county entered to No. 5 June 1926.



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





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, Pennsylvania, appointed by your honorable Court, upon the attached order and therein directed to view and determine as to the propriety of vacating a certain piece of public road; between the termini therein specified; in the Township of Allegheny, Cambria County, Pennsylvania, respectfully report:-

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County, to the Supervisors of the Township of Allegheny and to the Citizens of said Township and the traveling public by printed hand bills posted in public and conspicuous places at and near the terminal points of the piece of road proposed to be vacated and at the juncture of other public roads with the road of which this is a part, and having all 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 at the time and place appointed in accord with the notices so given and having carefully viewed the premises are all of the opinion that the piece of road specified in the attached order: beginning at a point two and one tenth miles distant from the intersection of the road leading from the Chest Springs - Gallitzin road to Ashville, at the Ivory Farm, and ending at a point at a Birch tree two tenths of a mile from the intersection of the road of which the portion sought to be vacated is a part with the state highway leading from Syberton Station to Ashville: should be vacated.

Said piece of road proposed to be vacated, takes the following courses and distances from the birch tree, above referred to and which is located three hundred sixty six feet in a North Westerly direction, along the public road, from the Northerly side of the bridge over Beaver Dam Run, in Gallitzin Township, and extends thence North 31° 30' West one hundred eighty feet, thence North 30' West one hundred feet and North 31° East three hundred five feet, to the other termini specified in the attached order of the Court.

Said piece of road recommended to be vacated is rough, hilly and difficult to keep in repair and is not necessary for the convenience and accomodation of the public.

Witness our hands this fourth day of September, A. D., 1926.

J. B. Ritter

A. M. Shoemaker

Adam Shuman

To Ashville. ← Loretto Road. →  
 Terminini noted on order of Court.  
 To Chest Springs. → Ashville Road.

Piece of road proposed to be vacated.  
 100° 30' E  
 100 ft.  
 31° 30' W  
 180 ft.  
 Unimproved Land.  
 30° 5' E  
 305 ft.

Draft showing the location of a short piece of public road in Allegheny Twp., Cambria Co., Pa. Viewed upon an order of the Court of Quarter Sessions of said county entered to No. 5 June 1926.

Point of beginning noted on order of Court.  
 Location of Birch tree  
 Township of Allegheny  
 Cambria Co. Pa.  
 Beaver Run  
 Dam  
 Ashville Road  
 31° 30' W  
 180 ft.  
 30° 5' E  
 305 ft.



A. M. Shoemaker,  
 J. D. Ritter and  
 Adam Shuman  
 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 a certain piece of public road in Allegheny Township, Cambria Co., Pa., Beginning at a point two miles from the intersection of the road leading from Chest Springs to Gallitzin with the road leading from said Chest Springs - Gallitzin road to Ashville; at the Ivory Farm; and ending at a point on the road leading from the Chest Springs to the Ashville road 125 feet West of the intersection of said Chest Springs - Ashville road with the road from Ashville to St. Augustine;

will meet . . at the place of beginning; at the Ivory Farm; . . . . . in the . . . . . Township . . . . . of . . . . . Allegheny . . . . . aforesaid, on the . . . 1st . . . day of . . . . . September, . . . . . 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. 8/20/ 19 26.

Now, August 25th., 1926, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

J. S. Kivstead  
Clerk,

R O A D N O T I C E S .

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria Co., Pa., to view and determine as to the propriety of vacating a certain piece of public road in Allegheny Township, said county and state, Beginning at a point two miles from the intersection of the road leading from Chest Springs to Gallitzin with the road leading from the Chest Springs - Gallitzin road to Ashville; at the Ivory farm; and ending at a point on the road leading from Chest Springs to the Ashville road 125 feet West of the intersection of the said Chest Springs - Ashville road with the road from Ashville to St. Augustine;

Will meet at the place of beginning; at the Ivory farm; in the township of Allegheny aforesaid, on the 1st. day of September, 1926, at 10:00 o'clock A. M., for the purpose of performing the duties of their appointment.

Ebensburg, Pa.,  
Aug., 21st., 1926.

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

Now, August 1926, service of the above notice is hereby accepted by the undersigned Supervisors of the Township of Allegheny, County of Cambria, Pennsylvania.

J. A. Farabough  
Edward Lenz

J. D. Ritter

Supervisors.

ROAD NOTICES.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria Co., Pa., to view and determine as to the propriety of vacating a certain piece of public road in Allegheny Twp., said county and state. Beginning at a point two miles from the intersection of the road leading from Chest Springs to Gallitsia with the road leading from the Chest Springs - Gallitsia road to Ashville; at the Ivory Farm; and ending at a point on the road leading from Chest Springs to the Ashville road 125 feet West of the intersection of said Chest Springs - Ashville road with the road from Ashville to St. Augustine:

Will meet at the place of beginning; at the Ivory farm; in the township of Allegheny aforesaid, on the first day of September at 10:00 o'clock a. m., 1926, for the purpose of performing the duties of their appointment.

Ebensburg, Pa.,  
Aug., 21st., 1926.

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

Cost of View.  
A. M. Shoemaker

5 Days \_\_\_\_\_  
Engineering work & help \_\_\_\_\_  
Auto hire 2 trips \_\_\_\_\_

COUNTY CONTROLLER \$ 37.50  
20.00  
12.00  

---

\$ 69.50

J. D. Ritter  
1 Day \_\_\_\_\_  
Auto hire \_\_\_\_\_  
46 mi @ .5¢

CERTIFIED  
COUNTY CONTROLLER  
\$ 7.50  
6.00  
2.30  

---

\$ 15.80

Adam Shuman  
1 Day \_\_\_\_\_  
Auto hire \_\_\_\_\_  
22 miles \_\_\_\_\_

CERTIFIED  
COUNTY CONTROLLER  
\$ 7.50  
6.00  
1.10  

---

\$ 14.60

APPROVED FOR PAYMENT  
*[Signature]*  
COMMISSIONERS

No. 5, June SESSIONS, 1926

Order to view and vacate road

in Allegheny Township

*and*  
*Report of*  
*Viewers*

**CERTIFIED**

*Jacob M. Hoffman*

**COUNTY CONTROLLER**

*Filed 6 Sept 1926*

**A. M. Shoemaker**

**J. D. Ritter**

**Adam Shuman**

} Viewers

Clerk \_\_\_\_\_ 90 cts.

13 Sept. 1926 - Approved

By the Court  
Σ

13 Dec. 1926 confirmed absolutely  
Frank L. Rott, 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."

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 16th day of August A. D. 1926, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Allgheny, in the said County, setting forth that ~~the public road therein vacated for a distance of~~ ~~road of 1 1/2 miles to be vacated from~~

~~many years ago a public road was laid out and opened in said Township beginning at a point on the road leading from the Chest Springs-Gallitzin road in Ashville, which said public road is two miles distant from the intersection of said Chest Springs-Gallitzin road with said road leading therefrom to Ashville, which said point of intersection is at the Ivory Farm, and ending at a point on the state highway leading from Syberton Station on the Cresson and Clearfield Railroad to Ashville.~~

~~That a portion of said public road has become useless, inconvenient and burdensome to the inhabitants of said township by reason of the heavy grades therein and the difficulty to keep the same in proper repair for travel, as well as by reason of the fact that the public has ceased to use the same.~~

~~That the portion of said public road which has become useless, inconvenient and burdensome is described as follows: The same begins at a point two and one-tenth miles distant from the intersection of the road leading from said Chest Springs-Gallitzin road to Ashville at the Ivory Farm, and ends at a point at a birch tree two tenths of a mile from the intersection of the road of which the part sought to be vacated is a part and said state highway leading from Syberton Station to Ashville.~~

and therefore praying the Court to appoint proper persons to view and ~~vacate~~ <sup>vacate</sup> 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 ~~vacation~~ <sup>vacation</sup> and if they agree that there is occasion for such ~~road~~ <sup>vacation</sup>, 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. Robt

Clerk.

No. 5 June Sessions 1926  
In the Court of Quarter Sessions  
of Cambria County, Pennsylvania.

In re Road in Allegheny Township.

Petition of inhabitants of the  
Township of Allegheny for the Appoint-  
ment of Viewers to vacate road.

And now, August 16<sup>th</sup> 1926, the  
within petition read and considered,

and J. M. Shoemaker,

J. D. Rether, Adam

and Shuman

are appointed viewers as within prayed  
for.

Samuel L. Lumber  
By W. C. C. P.

Filed 16. Aug 1926

**SHETTIG & NELSON**  
ATTORNEYS AT LAW  
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNA.

In re Road in Allegheny Township.

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the undersigned inhabitants of the Township of Allegheny, in the County of Cambria and State of Pennsylvania, respectfully represents:

That many years ago a public road was laid out and opened in said Township beginning at a point on the road leading from the Chest Springs-Gallitzin road to Ashville, which said point is two miles distant from the intersection of said Chest Springs-Gallitzin road with said road leading therefrom to Ashville, which said point of intersection is at the Ivory Farm, and ending at a point on the state highway leading from Syberton Station on the Cresson and Clearfield Railroad to Ashville.

That a portion of said public road has become useless, inconvenient and burdensome to the inhabitants of said township by reason of the heavy grades therein and the difficulty to keep the same in proper repair for travel, as well as by reason of the fact that the public has ceased to use the same.

That the portion of said public road which has become useless, inconvenient and burdensome is described as follows: The same begins at a point two and one-tenth miles distant from the intersection of the road leading from Chest Springs to Gallitzin with the road leading from said Chest Springs-Gallitzin road to Ashville at the Ivory farm, and ends at a point at a birch tree two tenths of a mile from the intersection of the road of which the part sought to be vacated is a part and said state highway leading from Syberton Station to Ashville.

Your petitioners further represent that the record of the original case in this court whereby the public road above mentioned was laid out and directed to be opened for public use cannot be found, and therefore your petitioners are unable to set forth in this petition a reference to the number and term of said original case or to the number and page of the docket containing

the record thereof as required by Rule No. 308 of the rules of this court.

Your petitioners therefore pray the Court to appoint three persons as viewers to inquire into the matters averred in this petition and to report to the Court on the expediency of vacating that portion of the above mentioned public road which is hereinabove described.

John P. Risbon.

W. G. King

J. P. King

Lydia C. King

Katherine M. King

John Stank

Gottlieb Kuebler

George H. Aid

George H. Aid

Bert Lenz

John Tuleah

Ed Welkner

Wm. B. B. B.

Blair B. B. B.

Wm. B. B.

Michael C. M. L.

Wm. B. B.

G. W. Hammond

State of Pennsylvania

SS.

County of Cambria

James A. Farabaugh being duly sworn according to law  
says that the matters 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 9<sup>th</sup> day of August, 1926.

Frank L. Ritt  
Clerk

J. A. Farabaugh

NOTICE.

To the Supervisors of Allegheny Township:

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 16<sup>th</sup> day of August, 1926, asking for the appointment of viewers to vacate the road in said petition described.

Shetty & Nelson  
Attorneys for Petitioners.

And now, August 9, 1926, service of the above notice, together with a copy of the petition, accepted.

Edward Leuz  
J. H. Kuntzman  
J. A. Farabaugh  
Supervisors of Allegheny Township.

NOTICE

To the Commissioners of Cambria County:

You are hereby notified that a petition, a copy of which is here-  
to attached, will be presented to the Court of Quarter Sessions of Cambria  
County, Pennsylvania, on Monday, the 16<sup>th</sup> day of August, 1926, asking for  
the appointment of viewers to vacate the road in said petition described.

Shetty & Nelson  
Attorneys for Petitioners.

And now, 8/11 1926, service of the above notice,  
together with a copy of the petition, accepted.

A. S. Finkbead  
Chief Clerk.