

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.
TO THE HONORABLE THE JUDGES OF SAID COURT:-

The petition of the undersigned Supervisors and inhabitants of the Township of Gallitzin in said County respectfully showeth:

That a road has been long since layed out from a point on the road leading from Syberton to Ashville beginning on said road at a point three hundred (300) feet from the intersection of the Gallitzin, Ashville and Loretto Road in an easterly direction about three miles to a point on the road leading from Coupon to Gallitzin at or near the house of Mary M. Bendon one and one tenth (1.1) miles from the intersection of the Altoona Ashville and Gallitzin Road which road was duly layed out by order of the Court of Quarter Sessions of Cambria County. Your petitioners believe that this road is now useless, inconvenient and burdensome.

Your petitioners therefore pray the Court that the said road may be vacated agreeably to the Act of Assembly in such cases made and provided.

And they will ever pray, etc.

W. J. Koons
Supervisor

Alex Marshall
Supervisor

Ed. Mc Dermott
Supervisor

Thos. H. Myers

Marie E. Ellwanger

John Mc Dermott

John M. Chindon

Wm Venturia

J. J. Vicellio

Paul Luther

Pearl Luther

Frank L Gandy

Tom J. Robbins

Sam Bort Thomas

Thomas O'Neil

Edward Gallagher

Nille Donahue

Anna H. Stephens

Joseph Gardini

Joseph Madoni

Palmaira Madoni

Homer Grimes

Edward Litzinger

STATE OF PENNSYLVANIA

COUNTY OF CAMBRIA

and F. J. Koona, Alex Marlett
Ed McDermott being duly sworn according to
law depose and say that the matters set forth in the foregoing
petition are true and correct as they verily believe.

Sworn and subscribed before
me this 9th day of ~~January~~ February, 1929

Thos. H. Meyer

Justice of the Peace
My Commission Expires 1st Monday in January 1930

F. J. Koona
Alex Marlett
Ed McDermott

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

Petition to Vacate
Road in Gallitzin Township

Filed 14 July 1929

AND NOW, ~~January~~ *July* 14th 1929
the within petition being
read and duly considered

Adam Shuman Esq

J.D. Rether

Adam Shuman

are duly appointed Viewers
to inquire into the matters
alleged in the petition and
to do such other things as may
be required in the premises
and to report to the Court on
or before the ~~second~~ Monday of
Maych, 1929.

By the Court
Evans J.

L.S. JONES
ATTORNEY AT LAW
EBENSBURG, PENNA.

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 and upon the attached order directed to view and determine as to the propriety of vacating a certain piece of public road in Gallitzin Township, Cambria County, Pennsylvania, between the terminal points specified in the attached order, 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 and the Supervisors of the Township of Gallitzin 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 termini of the piece of road desired vacated, and having been each first duly sworn or affirmed, 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 posted, as aforesaid, and having carefully gone over the premises and observed the situation, the use now being made of the road, the condition of same, the amount of labor and expense which would be required to put it in condition for ordinary use by the traveling public, the lack of demand and the non necessity for same as a public thoroughfare and are unanimously of the opinion that the piece of road above referred to, and which has long since been abandoned as a way of public travel, should be vacated.

The piece of road in question, a plot or draft of which is hereto attached and made a part of this report, takes the following courses and distances: viz, Beginning on the Syberton - Ashville road, at a point about three hundred forty feet Northward along said road, from its juncture with the Gallitzin and Loretto Roads, thence taking these courses and distances: South $56^{\circ} 15'$ East 430 feet, South 75° East 128.6 feet, and North $84^{\circ} 15'$ East 481 feet; crossing the ~~Crésson~~ - Coalport branch of the P. R. R. at about 317 feet from the beginning of the last

distance; thence North 15° East 211 feet, North 19° 40' East 249 feet, North 56° 30' East 231 feet, North 87° 05' East 289 feet, South 72° 30' East 80.2 feet, South 54° East 269 feet, South 41° 15' East 131 feet, South 60° 30' East 152 feet, South 65° 45' East 181 feet, South 75° East 617.5 feet, South 69° 15' East 186 feet, South 76° 55' East 319 feet, South 87° 50' East 1186 feet, South 76° 45' East 247 feet, South 78° 30' East 336, South 84° 30' East 275 feet, South 81° East 140 feet, South 88° East 761 feet, South 87° 30' East 396 feet, South 89° 50' East 266 feet, North 87° East 506 feet, South 86° 25' East 289 feet, North 77° 45' East 293 feet, North 86° 15' East 798 feet, North 68° 30' East 457 feet, North 78° 30' East 212 feet, North 70° East 210.4 feet, North 72° East 513 feet, South 67° 10' East 343 feet, South 75° 30' East 247 feet, South 72° East 701 feet, South 85° 40' East 228 feet, North 82° 30' East 240 feet and South 86° East 343 feet to the Easterly termini on the public road leading from Coupon to Gallitzin, near the residence of Mary H. Bendon as indicated on the attached order of the Court.

The above road leads for the entire distance through and over unimproved and uncultivated lands consisting of woodland and old fields, which apparently have been uncultivated for upwards of twenty five or more years, and along which there is one lone resident, Mrs. Rose Lynch, whose residence is opposite a sub station, located as indicated on the attached draft.

Witness our hands this second day of March, A. D., 1929.

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers.

NOTICE OF ROAD VIEW.

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 Gallitzin Township, said county and state: Beginning on the Syberton-Ashville road, at a point 300 ft. from the juncture of the Gallitzin, Ashville & Loretto roads, and ending on the Gallitzin-Coupon road, at or near the house of Mary M. Bendon, 1.1 mile from the intersection of the Altoona, Ashville and Gallitzin road: will meet at the place of beginning, above noted, in the township of Gallitzin, aforesaid, on the 2nd. day of March, 1929, at 9:30 O'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, February 18th., 1929, service of the within notice is hereby
accepted for the Commissioners of Cambria County, Pa.

George B. Kerby
Clerk.

NOTICE OF ROAD VIEW.

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 Gallitzin Township, said county and state: Beginning on the Sybertan - Ashville road at a point 300 ft. from the juncture of the Gallitzin, Ashville & Loretto roads, and ending on the Gallitzin - Coupon road, at or near the house of Mary M. Bendon, 1.1 mile from the intersection of the Altoona, Ashville and Gallitzin road: will meet at the place of beginning, above noted, in the Township of Gallitzin, aforesaid, on the 2nd. day of March, 1929, at 9:30 A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman, Viewers.

Now, Feby 1929, Service of the within
notice is hereby accepted by the Super-
visors of Gallitzin Twp, Cambria Co., Pa.

Ed McDemott

Alex Marshall

Supervisors

• 3 •

Costs of View

A. M. Shoemaker

Preparing, serving and posting notices of view and notifying neighbors 2 da.	\$24.00
steno-grapher & stationery —	3.00
Auto hire to post notices —	7.00
Day on view —	12.00
Auto hire —	5.00
Survey, plotting & drafting 2.49+ miles of road, help, transportation material —	173.60
Preparing, having signed, assembling & filing report of viewers —	24.00
steno-grapher & stationery. —	2.50
	\$251.10

J. D. Ritter

2 1/2 Days @ 12.00	\$30.00
14.4 mi to Ebq. 3 Trips — at 10¢ per mi.	14.40
Auto hire to place of view —	10.00
	\$54.40

Adam Shuman

2 1/2 Days @ 12.00	\$30.00
Auto hire —	14.00
	\$44.00

CERTIFIED
Harold L. Cannon
 COUNTY CONTROLLER

APPROVED FOR PAYMENT
Harold L. Cannon
 COMMISSIONERS

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 14th day of February A. D. 1929, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Gallitzin, in the said County, setting forth that they ~~labor under an~~

~~unnecessary and burdensome~~ ~~road or highway, the lead from~~
a road has long since been layed out from a point on the road leading from Syberton to Ashville beginning on said road at a point three hundred (300) feet from the intersection of the Gallitzin, Ashville and Loretto Road in an easterly direction about three miles to a point on the road leading from Coupon to Gallitzin at or near the house of Mary M. Bendon one and one tenth (1.1) miles from the intersection of the Altoona, Ashville and Gallitzin Road which road was duly layed out by order of the Court of Quarter Sessions of Cambria County. Your petitioners believe that this road is now useless, inconvenient and burdensome.

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

A. M. Shoemaker

surveyor, and

Adam Shuman and J. D. Ritter

viewers, to view the ground proposed for said ^{vacation} ~~road~~ and if they view the same, and shall agree that there is occasion for such ^{vacation} ~~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 C. Ralff 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. 7, December Sessions, 1928

Order to view and vacate road

in Gallitzin Township

and

Report of Viewers

Dulid v. March 1929

Viewers

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Clerk

Robb

36 cts.

CERTIFIED

Frank L. Robb
COUNTY CONTROLLER

11 March 1929 Approved
By the Court
Evans P.

10 June 1929 confirmed absolutely
Frank L. Robb
Clerk

