

yellow map

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 Permanent Board of Viewers of Cambria County, appointed by your honorable Court to view and determine as to the propriety of vacating a certain piece of public road in Gallitzin Township, Cambria County, Pa. 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 the termini and along the route of the piece of road proposed to be vacated: All of us met at the time and place appointed in accord with the notices posted and served as aforesaid; and having first been duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability; and viewed the said piece of road and have determined the same has become useless, inconvenient and burdensome to the tax payers of the township of Gallitzin and should be vacated.

Said piece of public road herein recommended to be vacated; a plot or draft of which is hereto attached and made a part of this report; begins at Station 1363, Legislative Route No. 11035, T-R 188 and extends thence the following courses and distances, viz: North sixty six degrees west one hundred forty four and five tenth feet, thence north fifty eight and one half degrees west one hundred forty two and two tenth feet, thence north forty four degrees west three hundred three feet, thence south sixty five degrees fifty minutes west one hundred fifty nine feet, thence south thirty nine degrees thirty minutes west eighty eight feet, thence south seventeen degrees fifteen minutes west four hundred

forty feet and south fourteen degrees west three hundred fifty seven feet to station 1375 on the aforementioned improved highway at the Saint Joseph's Catholic Cemetery; extending through and over lands of the Altoona Coal & Coke Company.

Said piece of public road having fallen into disuse on account of the improved highway having been substituted it has become unnecessary, inconvenient and burdensome and should be vacated.

Witness our hands this 28th day of October A. D., 1935.

A. M. Shoemaker

James M. Carr

O. McInery

Viewers.

NOTICE OF VIEW.

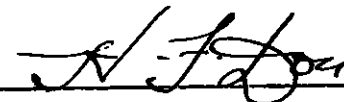
Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine as to the propriety of vacating a certain piece of public road in Gallitzin Township, said county and state, Beginning at Station 1363 on Legislative Route No. 11035, T.R.-188, and extending thence in a north-easterly direction to a point on a curve, and thence in a southerly direction to Station No. 1375 on above referred to route.

Said piece of public road being a part of the public road between Elstie and Coupon, in said township, county and state.

The undersigned viewers, appointed as aforesaid, will meet at the point of beginning, above indicated, in Gallitzin Township, Cambria Co., Pa., at 10:00 o'clock a. m., October 26<sup>th</sup> 1935, for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,  
James McCann and  
Patrick M. Kinney,  
Viewers.

Now, October 17th., 1935, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

  
\_\_\_\_\_

NOTICE OF 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 at Station 1363 on Legislative Route No. 11035, T.R.-188, and extending thence in a northeasterly direction to a point on a curve, and thence in a southerly direction to Station No. 1375, on said route.

Said piece of road being a part of the public road leading between Elstie and Coupon, in said township, county and state;

The undersigned viewers, appointed as aforesaid, will meet at the point of beginning, above indicated, in the Township of Gallitzin, Cambria County, Pennsylvania, at 10:00 o'clock a. m., October 26<sup>th</sup> 1935, for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,  
James McCann and  
Patrick M. Kenney,  
Viewers.

Now, October 1935, service of the above notice is hereby accepted by

*Henry Myers*  
For Supervisors of Gallitzin Twp.

*Warren Helzinger*  
*Earl Gulberg*

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Gallitzin Township, Cambria County, Pennsylvania, Beginning at Station 1363 on Legislative Route No. 11035, T.R.-188, and extending in a northerly direction to a point on a curve, and thence in a southerly direction to Station No. 1375 on above noted Legislative Route.

The portion of public road above referred to being a part of the public road between Elstie and Coupon, in said township of Gallitzin, Cambria County, Pennsylvania.

The undersigned Viewers, appointed as aforesaid, will meet at the point of beginning, above indicated, in said township, county and state, at 10:00 o'clock a. m., October 1935, for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,  
James McCann and  
Patrick K. Kinney,  
Viewers.

# Costs of View

A. M. Shoemaker

To Preparing, posting & serving notices of view & notifying viewers \$18<sup>00</sup>  
 36 miles @ 10¢ per mile 3<sup>60</sup>  
 Stenographer & stationery 12<sup>50</sup>  
 Day on view 12<sup>00</sup>  
 34 miles 3<sup>40</sup>  
 Survey & draft 12<sup>00</sup> 3 prints 150<sup>50</sup> 13<sup>50</sup>  
 Preparing having signed and filing report 12<sup>00</sup>  
 Stenographer & stationery 12<sup>00</sup>  
 \$64<sup>90</sup>

James McCann

Day on View \$12<sup>00</sup>  
 70 miles @ 10¢ per mile 7<sup>00</sup>  
 \$19<sup>00</sup>

P. M. Kinney

1 Day \$12<sup>00</sup>  
 56 miles 5<sup>60</sup>  
 \$17<sup>60</sup>

CERTIFIED  
 COUNTY CONTROLLER

APPROVED FOR PAYMENT

L. M. Keller

John Thomas

COMMISSIONER

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 7th day of October A. D. 1935, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Township, in the said County, setting forth that ~~the said road is a~~

~~vacant for want of a~~ public road or highway, ~~the road is~~ leading from station 1363 in a northeasterly direction to a point at curve; thence by way of said curve and in a southeasterly direction to a point on Legislative Route No. 11035, T.R.-188, to station 1375, being approximately 1702 lineal feet, said road running through property now owned by the Altoona Coal & Coke Corporation, as shown on plan furnished by the State Highway Department, approved May 5, 1933, which plan is attached hereto and made part of this petition, has become useless inconvenient and burdensome

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

A. M. Shoemaker surveyor, and James McCann, and Patrick M. Kinney

<sup>vacation</sup> viewers, to view the ground proposed for said ~~road~~ and if they <sup>vacate</sup> view the same, and shall agree that there is occasion for such ~~road~~, they shall proceed to lay out the same, ~~having responsibility~~ ~~for the same~~, 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: James M. [Signature] Clerk.

Order to view Public Road in

Gallitzin Township

and  
Report of Viewers.

CERTIFIED  
[Signature]  
Clerk

A. M. Shoemaker

James McCann

Patrick M. Kinney

Viewers

Clerk

Filed Nov. 4, 1935

"It shall be the duty of all persons appointed in the several counties of this Commonwealth 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 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 rivines and streams), where, by moderate filling and bridging, the declination of the road may be preserved within that limit."

2 December 1935. Approved.

By the Clerk

2 March 1936

Confirmed Absolutely

for Jan. 22

THE  
day

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

The petition of the undersigned, citizens of the Township of Gallitzin, Cambria County, Pennsylvania, respectfully represents:

1.

That a public road has long since been laid out, used and maintained by the public in Gallitzin Township, Cambria County, Pennsylvania, being part of what is known as Legislative Route No. 11035, T.R.-188, leading from Station 1363 in a northeasterly direction to a point at curve; thence by way of said curve and in a southeasterly direction to a point on Legislative Route No. 11035, T.R.-188, to station 1375, being approximately 1702 lineal feet, said road running through property now owned by the Altoona Coal & Coke Corporation, as shown on plan furnished by the State Highway Department, approved May 5, 1933, which plan is attached hereto and made a part of this petition.

2.

That said road has been under the care and supervision of the supervisors of said Township for a period exceeding twenty-one years and has become useless, inconvenient and burdensome to the inhabitants of said Township by reason of the fact that a relocation has been made of the main road, above mentioned, by which the part hereinabove described has been eliminated.

3.

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, although diligent search has been made for the same, and therefore, your petitioners are unable to set forth in this petition a reference to the number and term of the original case or to the number and page of the docket con-

taining the record thereof, as required by Rule 308 of the Rules of this Court.

Your petitioners, therefore, pray the Court to inquire of and vacate said road, and for that purpose to appoint viewers according to law to view said road and inquire of the premises, and make return of their proceedings, according to the Act of Assembly in such case made and provided.

Warren Belzoin  
Henry Myers  
Earl G. Wolf  
M. P. Montgomery  
John A. Glass  
Christopher Leonard  
P. A. Luther  
Lewis Peternati  
Fred Marchi  
Giulio Marchi

Thos. H. Myers  
Warren Belzoin  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

State of Pennsylvania :  
County of Cambria : ss.

Henry S. Myers, being duly sworn according to law, did depose and say that the statements set forth in the foregoing petition are true and correct.

<sup>st</sup> Henry Myers

Sworn and subscribed before me this  
19th day of June, A. D. 1935

Thos. H. Myers J.P.  
My Justice of the Peace Commission  
Expires First Mon. in Jan. 1938

DECREE

And Now, ~~June~~ <sup>October</sup> 7, 1935, the foregoing petition having been read and considered, it is ordered that Arn. Shoemaker Esq., James McCann Patrick M. Kenney and \_\_\_\_\_, members of the Board of Viewers of Cambria County be and hereby are appointed to view and report on the above matter, according to law.

By the Court  
McKenrick

No. 1 Sept. Term. 1935

IN THE COURT OF QUARTER SESSIONS  
CAMBRIA COUNTY, PENNSYLVANIA

PETITION OF CITIZENS OF GALLITZIN  
TOWNSHIP TO HAVE VIEWERS APPOINT-  
ED

Filed: Oct. 7, 1935

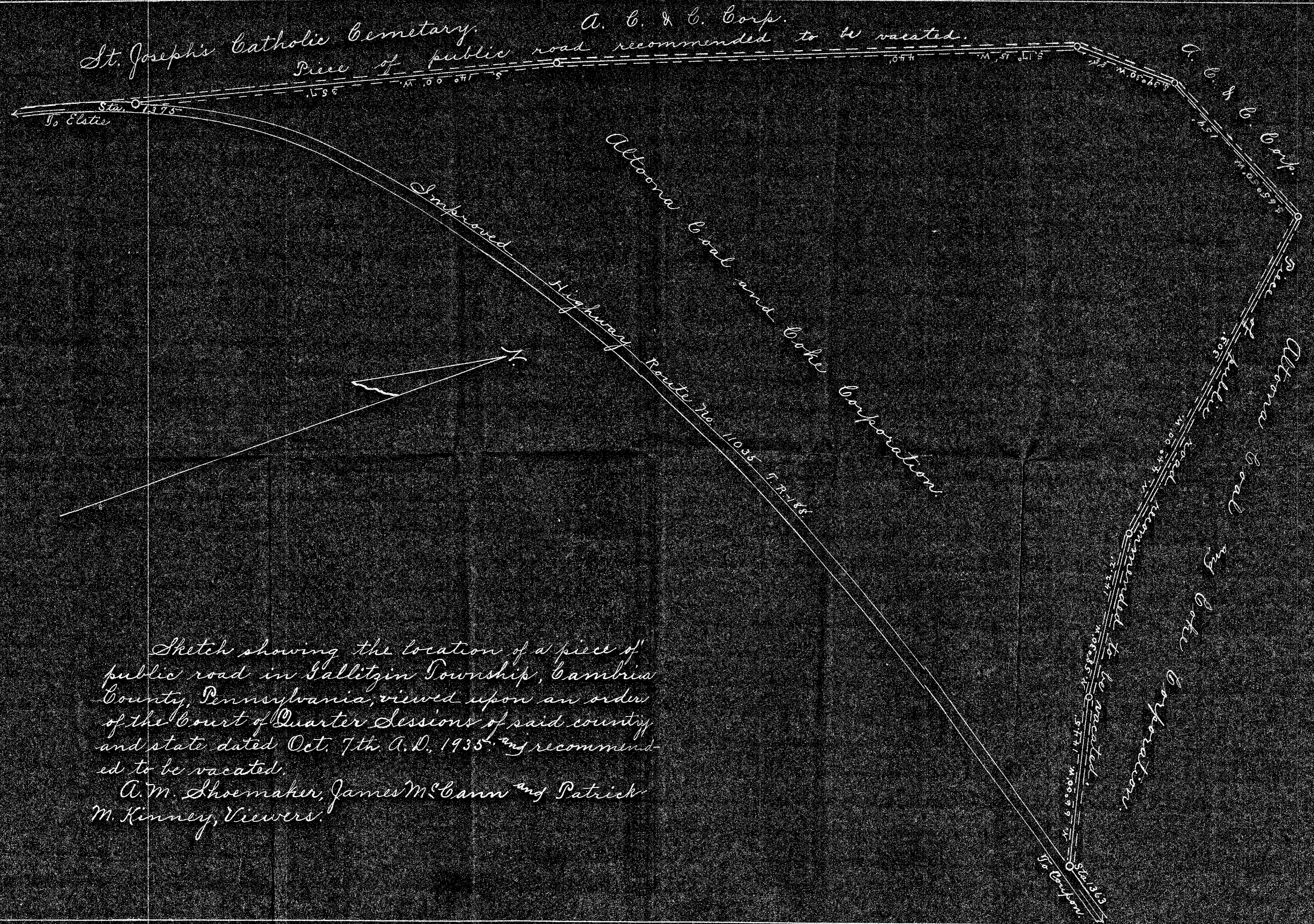
C. RANDOLPH MYERS  
ATTORNEY AT LAW  
EBENSBURG, PENNSYLVANIA



RO#1 Sept 1925

Petition of Gallitzin  
Twp. to Have Viewers  
Appointed

Not Microfilmed



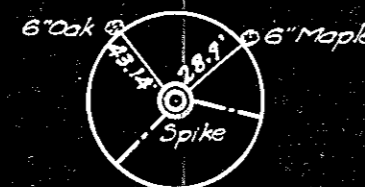
Sketch showing the location of a piece of public road in Gallitzin Township, Cambria County, Pennsylvania, viewed upon an order of the Court of Quarter Sessions of said county and state dated Oct. 7th A.D. 1935, and recommended to be vacated.

A.M. Shoemaker, James McCann and Patrick M. Kinney, Viewers.

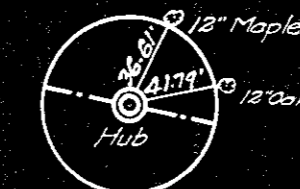
No 1 Sept Sess 1935. Rat Microfilmed

Petition of Galletzin Twop. to Have Viewers Appointed

P.I. 1366+72.6  
Angle 239° 24'



P.O.T. 1375+08.8  
Angle 180°



**TABULATION OF CHANGES BY RELOCATION**

RELOCATED			ABANDONED			
Sta. to Sta.	Imp.	Unimp.	Total	Imp.	Unimp.	Total
1363+00 1375+50	1189.54'		1189.54'			
1363+00 1380+02		1702'		1702'		

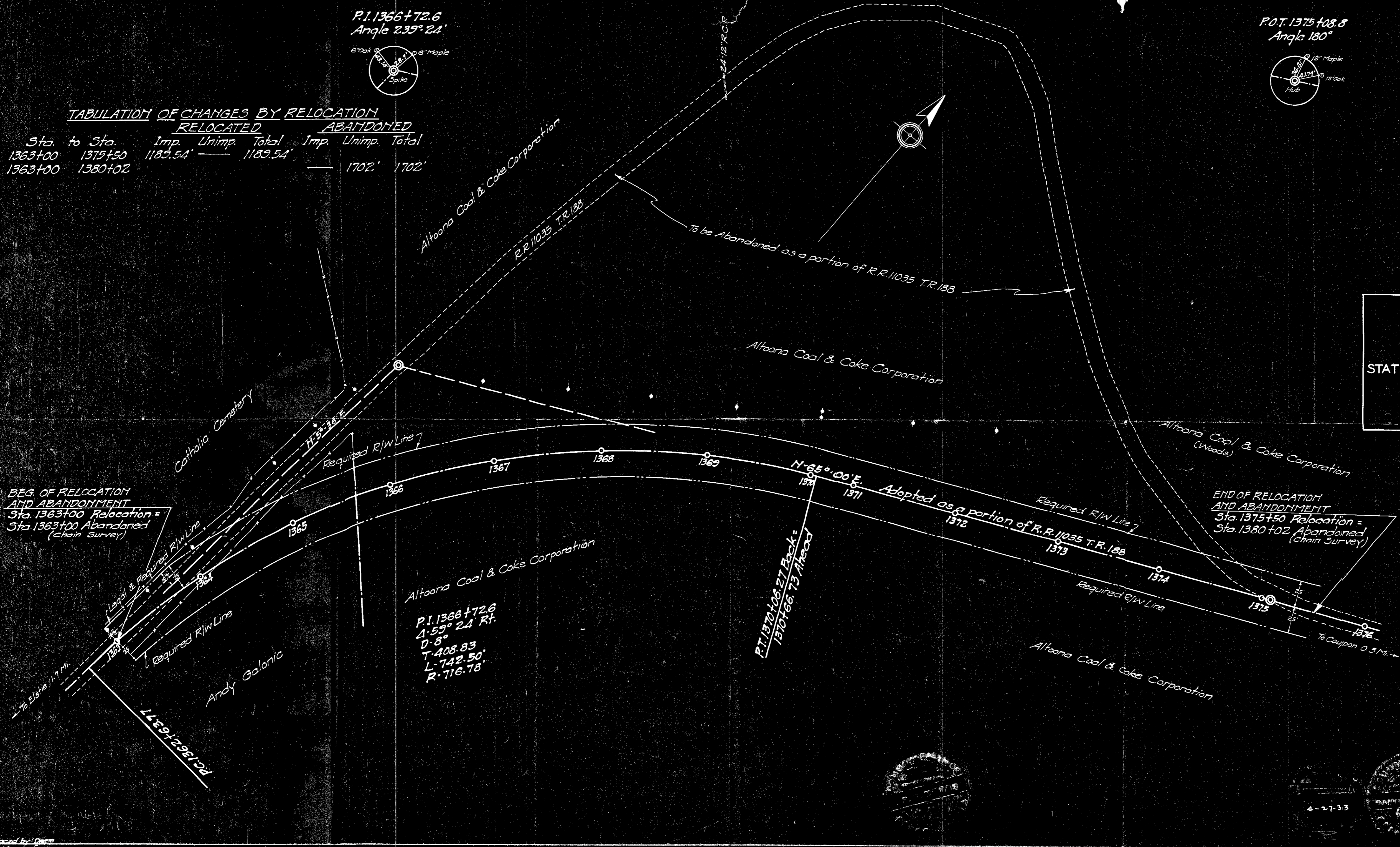
PENNA. DEPT. OF HIGHWAYS  
DRAWING  
FOR  
CONDEMNATION OF RIGHT OF WAY  
ON  
STATE HIGHWAY RURAL RT 11035 TR. RT. 188  
FROM STA. 1363+00 TO STA. 1375+50  
GALLITZIN TWP. CAMBRIA CO.  
SCALE: 1" = 50'  
DISTRICT-9 DIVISION-5

BEG. OF RELOCATION  
AND ABANDONMENT  
Sta. 1363+00 Relocation =  
Sta. 1363+00 Abandoned  
(chain survey)

END OF RELOCATION  
AND ABANDONMENT  
Sta. 1375+50 Relocation =  
Sta. 1380+02 Abandoned  
(chain survey)

P.I. 1366+72.6  
1-53° 24' Rt.  
D-8°  
T-408.83  
L-742.50'  
R-716.78'

P.T. 1370+06.27 Back =  
1370+66.73 Ahead



ESTABLISHED BY AUTHORITY OF LAW, AS  
AND FOR THE WIDTH, LINES AND LOCA-  
TION OF STATE HIGHWAY RURAL ROUTE  
11035 TR. RT. 188 CAMBRIA COUNTY, FROM  
STA. 1363+00 TO STA. 1375+50.

Recommended April 25<sup>th</sup> 1933  
*[Signature]*  
District Engineer  
Recommended May 3<sup>rd</sup> 1933  
*[Signature]*  
Chief Engineer  
Approved May 9<sup>th</sup> 1933  
*[Signature]*  
Secretary of Highways  
Approved April 27<sup>th</sup> 1933  
*[Signature]*  
Governor

