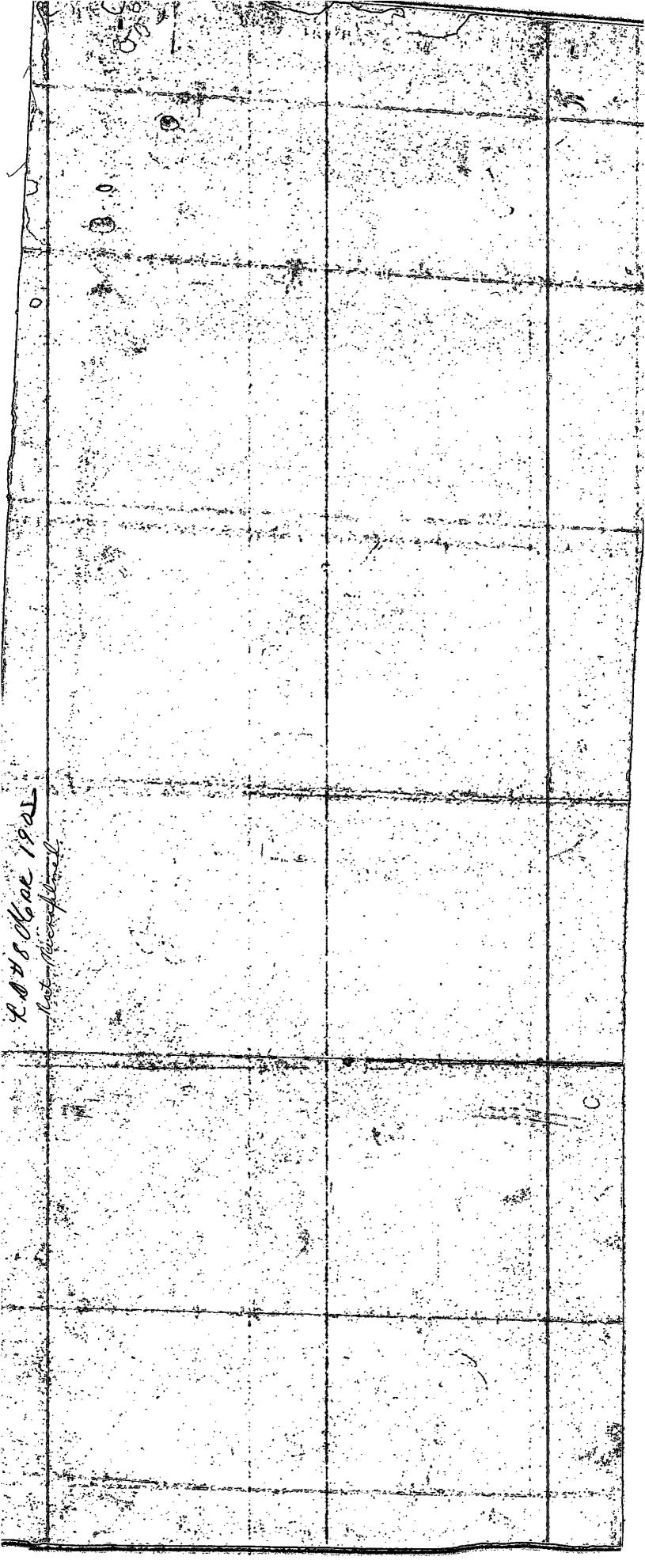
MUNSTER VIEWERS WAR LIVELE ZACH MAYLOR J. A. SHOEMAKER MAY 31 2 1902 3548 200 = 2 Francisco de la ferração de la como sobre la como de la



[4] I George Kring W. Moran NSO'E 1177 Edward Wills W. Moran George Kring Viewers appointed upon an order of the Court of Quartersessions dated April 221902 J. Lear d Elder T. H. Myers and Jacob P. Stottz PLAN OF THE PROPOSED PUBLIC ROAD And Road vacated in ALLEGHENY TOWNSHIP CAMBRIA COUNTY PA. J. Legrd Elder

To The Honorable Francis J. O Comus Visident Judge of the Court of Quarter I casions of Cambria County Pennay loania He the undersigned visions appointed by the annual order nepetfully or port That in purpuaue things after having been siverally duly swower affirmed to perform our duties impartially and to the best of notice as required by have and having proved ofices of said notice upon the Supervisors of the tentory through which such roads an vacated and new good laidout and also upon the bounty. Commissioner of said County: properly attached opins of said notices bring hinto attached all the visures appointed by said order visued bu ground proposed for new road & road to be vocated and believing that portion fa public road passing throng lands of Ed Wills George Kning and William Moren has become informent and burdensome and ought then for to be vocated and have virion tracated the same as follows beginning at a point on said road at or man the barn of Edward Wills Them north thirty five degons sast one hundred and thisty four fut There South sweety degrees East their hundred and nine fut there it out Eighty own degrees East one hundred and sixty ful Thum Forth four dyour East Eight hundred audinin fut theme Worth

They five degrees and thirty primates Each Eight hundred East think sight fat theme south eighty eight digmes degrees East five hundred and writy seven fut how North fifty degrees East Elwer Frenched and sweety sweet feet to a point on public road leading from thest aprings to ashville mar the fame of J. C. bartheim and the suidersigned do agres that them is occasion for a Goad as desired by the petitioness and That the face is recessary for a public road and having due respect to the shortest distance and the best ground for such road we have laid it out in such manner as shall do the land injury to private property and so far as practicable agreeably to the dien of the petitioners, and do return for public wer the following described road to wit. Degining at a point at or was the pehool House in the ashland Independent Ochool district in alleghung Township Cambria Co. Pa -There south livety here degoes west one hundred and writy fut There fouth sweety one dry mount two hundred and true fut theme fouth sity eight and one fourth degous wet fine hundred and printy Home fut theme South lifty six and one fourth degrue west four hundred and fifty fut there south purely two and are fourth degous west two hundred and sity four fut

There North Eighty piece and one fourth degrees west two hundred and twenty six for theme North Eighty and throughouthes digners west forth fifty swee and one hay degoes weet five hundred and twenty fut theme North lity form and one half degrees west tue hundred and sixty swen fut there torthe forty since degone west two hundred and pity sever fut them North twenty three and one half degree withour hundred and fourtwee fut thetier North twenty and then fountles dig mes west four hundred and fifty two for Thewer took twenty rive and the fourths degrees west five fundrid and fity thru fut theme torth fourten degous west one hundred and three fut there North sweeten degrees west sweety nice fut there tooth fifty our dynes met six hundred fut themen tooth growing degrees vert thme hundred and wire fut There south thirty Live degrees west one. hundred and thirty four fut to a fourt on said township road at or war Edward Wills barnin alleghung Township Cambria County Ca a plot or draft is hunts attached. and made part of this report - said road bases throng lands belonging to Frank. Wills Brank Basil John Risbon and Edward Wills The following

damages were awarded Frank Basil \$ 100.00 John Riebon 20.00 Edward Wills Vilues our hands This the 3/2 day of J. L. Elder Thorstympers) May 1902 Jacob P. Stolk J. Z. Eller 3 days John Ciela Chambre William Horan 150 25.80

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for a public road beginning af or near the School Honoline The Oshland Dudependent School District in Ollegheny Pomoshif, Combria County On and Endicy at or near the Bane of Educard Wills in said Pomoshif and County

will meet at the france of a bove named sekool house in the township of aforesaid, on the Lot day of May 1902, at 10 o'clock all for the purpose of viewing said ground.

() Leard Eller

Juseb P. Stolt

002 // Viewers.

April 28 1902

Service of within notice is hereby accepted Sinon Ecourad Supervisors Henry Shank May the 1902 By J. H. Basal

ROAD NOTICE.

Notice is hereby given that the viewers appointed by the Gourt of Quarter Sessions to view the ground for a public road bequining at or near the Wehool House in the udehendeut School District and endi + near the Barwof Eduard Wills is allegheny Pourshit Cambria will meet at the nouse of above named school hopein the township of Allegheny aforesaid, on the 16 Hday of May 1902, at 10 o'clock all, for the purpose of viewing said ground. Leard Elder

Thomas H. Myer

Viewers.

Opril 28 1908

Service of mithin notice accepted for the County Donns. May, 5, 1902 Jono. 6. Galos Clerko

Commonwealth of Pennsylvania, county of Cambria.

County of Cambrida
At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg
n the said County, on the 22 ml day of April A. D. 1902, before the
Honorable Judge of the said Court: Upon the petition of divers innabitants of the Township
in the said County, setting forth that they labor under inconven-
ience for want of a <u>public</u> road or highway, to lead from
a point at or near the School House in the Ashland Independent School District in Allegheny Township said County; to a point at or near the Barn of Edward Wills in Township and County aforesaid; both the starting and ending points being on public roads formerly laid out by Order of the Court of said County; they petition further represents that a road was formerly laid out by Order of the Court from a point on public road leading from Chest Springs to Gallitzin at or near the farm of Joseph Watt; to a point on public road leading from Chest Springs to Ashville at or near the farm of J. 6. Carlheim; beginning at a point on said road at the Barn of Edward Wills to a point at or near J. C. Carlheim about one mile in distance is a very hilly and crooked piece of road; and which road your petitioners conceive has become useless inconvenient and burdensome;
and vacate
and therefore praying the Court to appoint proper persons to—view and lay out the same ac-
cording to law. The Court upon due consideration had of the premises, do order and appoint
J. L Eldersurveyor, and Thomas H. Myers and Jacob P. Stoltz
Thomas H. Myers and Jacob P. Stoltz
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.
by ine cours
Attest:
6. E. Lwyll, Clerk.

to endeavor to procure from the person or persons over whose arise from the opening of such road or the building of such and it shall appear to them that any damages will be sustained, and shall be conclusive and return the same to th dge; and in every case where said viewers shall fail to hall be their duty to assess the damages and make repreleases obtained, to the Court of Quarter Sessions, an diffication, as may be provided by existing laws in the return the same, together be subject to appeal, review

eleases obtained, to the same aforesaid shall view such ground, and if they shall agree that there is a foresaid shall view such ground, and if they shall agree that the same, having respect to the shortest distance, and the best ground for a road, and in such manner as snan up that out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as snan up that are 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 a were present at the view; second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a lie or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances, and noting by the improvements through which it may pass; and, whenever practicable, the viewers shall lay out the said roads at an elevation not be doing five degrees (except at the crossing of ravines and streams), where, by moderate filling and bridging, the declination of the road may

March SESSION, 1902. Clerk Troxell for Ally 90 cts. Order to — view_layout_and vacate public road in Allegheny Township. Jacob P. Stoltz

Aug. 5, 1902/ report ap, 15 sep 1902 Con b. E. Tryell blesh

To the Honorable H. J. Ocomor Judge of the Court of the Quarter session of the Ceace of the County to Combine Gennsy hama The fetition of the productives respectfully showeth that they fabor great inconvenience for the want of a Public Road or highway to lead from a point at or mear the School House in the ashland Independent School District in allegheny Township said bounty; to a hourt at or near the Barn of Edward Wills in Township and bounty aforesaid: both the stailing and ending founds being on public roads formerly haid out by order of the bout. of paid bounty; They therefore pray the bourt, to appoint persons duly qualified to view the ground proposed for said ward and bay out the pame according to have; The potition of the subscribers further represents; that a road was formerly haid out by order of the court from a point on public Road leading from chilapings to Gallitin at or near the farm of Joseph Statt to a fount on public souch leading from chestaping to ashille at or near the farm of J.O. barlheim; beginning at a point on paid at the Barn of Edward will a a point at or near J.C. barthein about one mile in detance. , is a very hilly and crowned piece of road and which road your fetitioners conceive has become weeles inconvenient and burdensome, your petitioners therefore peray the courts that the pame rold may be vacated See Road Doe bol 2/9,361, Henry Hagan albert Thou * /smo -6. 9015 Martin Ribler J. Silbert Trong Leo Amyu JE Stetum. george krug I. S. Rhody L. Ovong John Hafly O andrew Basil - Geoffmyonde L.J. Sanker Frank Watt. 1. a. Story & dward Will Ed Mulhom Joseph H will In H Somerville William Muorten Luis & logwood Vincent mole # Champield - Barnett Reter Maeloy John Ribbon John WSland 6. Carlhime Echiec il Brailly The Johnston Joseph M Bradley a. J. molaney. F.a. Isill. Vannes H Maloney Robert Johnston J. J. Milber & R Moore But Willen And I limad Chase a Watt Olyton Will Seo Watt

And more april 22, 1902 within setilion guerales and any land of the myse of the of the sea appointed Notis Hard des 1902 Cambia County ho-Lyph nd Occate a public road ni Files 22 Spare, 1902.

IN RE VACATING OF PUBLIC ROAD IN ALLEGHENY TOWNSHIP.

Order to view, vacate & ()
supply part of a public (No. 8, March Sessions, 1902.
road in Allegheny Twp. (

The Sisters of Mercy, a Corporation created and existing under and by virtue of the laws of the Common-wealth of Pennsylvania, of St. Aloysius' Academy, Loretto, Cambria County, Pennsylvania, appear and file the exceptions, etc., to the report of viewers in the above mentioned road proceedings and aver:

FIRST; That they are property owners residing along the route of the proposed vacation of public road and that they pay taxes in said Township.

SECOND; That the report of viewers vacating the said road is unjust, unfair and illegal.

as an only out-let the road which it is proposed to vacate and which is vacated in the report of the viewers. That their said property faces on said road; that a large ground is in front of said building, wherein live a number of the

members of this order, as well as a number of charity pupils, and whereupon is erected a children's home.

FOURTH; That if the proposed road is vacated, the said academy and grounds of the said Sisters of Mercy will be absolutely without a road leading from that property to the public highway.

FIFTH; That a large number of people use the said proposed road to be vacated as a highway, to come to and from the said Academy, in carriages and on foot, and that if said proposed road is vacated it will work a great hardship to the said property of the Sisters of Mercy, to the Academy and to those in connection therewith and to the pupils at the school. That it would be unjust, unfair, illegal and inequitable to vacate said public road, as recommended by the viewers in their report.

SIXTH; The report does not show that there are sufficient facts upon which the Court can approve the findings of the jury and, therefore, the report should be set aside.

SEVENTH; The report does not show that a proper notice was given to the legally authorized persons to receive said notice. The draft accompanying said report does not set forth the improvments along the route of the said proposed vacation, as well as other matters necessary for the court to judge this case.

EIGHTH; The petition upon which the Court made the order is fatally defective, in that the termini of the road is not definitely stated. The proposed vacation is not definitely stated and sufficient facts are not set forth in the said petition for the court to legally appoint said viewers; that the petition is incomplete, irregular and defective and the legal and requisite number of signers have not affixed their names to the petition to vacate.

The report does not show that the viewers NINTH: considered the advantages and disadvantages which would result to the several property owners living along said road.

TENTH; The report is irregular, incomplete and totally defective, being not in compliance with the requirements of law and not in accord with the requirements of reports for the vacation of public roads.

She of Mercy of She Alvy suis Acedemy South Cambrie Pa.

She of Mercy of She Alvy suis Acedemy South Cambrie Pa.

Amelia Maria Congresse Pro,

Orange Congresse Pro,

tear,	in and for said county, personally/came the above named Mulla Munen who, being by me duly sworn according to law, depose and say who, being by me duly sworn set, forth in the foregoing
γ	who, being by me duly sworn according to law, the foregoing that the facts, matters and things set forth in the foregoing exceptions are true and correct, to the best of their knowledge, information and belief.
	Sworn and subscribed before me this 30 day of Aug., 1902.
	Commission expires Flby 14-1905
	· /3/

IN RE VACATING OF PUBLIC ROAD

IN ALLEGHENY TOWNSHIP.

No. 8, Warch Sessions, 1902, (M)

EXCEPTIONS

of

SISTERS OF MERCY TO REPORT OF VIEWERS.

In the Court of Quarter Serion of Cambra Twf. In ref Retition and remonstrance of Sisters of murry, to the valation of a road in allegheny kountifip and now nov 6th 1902 on motion of John WKephant attorney for petitioners & removetants, The fetition for aleas viewers. is with drawn and the Exceptions to keport of viewers is with drawie and the orport of viewers to valate temply sais voor le ce confronce John WKerhart mercy,

.......

The state of the s man in the second

he Honorable The ludge 128 ft A. D 1902

起二一个

June J. a. Lhoemarter Survey U. a. B. Lettle Bacheriah Kaylor

ĺ

Commonwealth of Pennsylvania, ss.

By the Court.
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 desirest 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.
W. A. B. Little and Zachariah Kaylor
J. A. Shoemaker surveyor, and
cording to law. The Court upon due consideration had of the premises, do order and appoint
and therefore praying the Court to appoint proper persons to - view, and lay out the same ac-
······································
enterprise on private property for the public good.
to the Cresson road, which extension was constructed by private
a direct extension of the latter for a distance of about 190 feet
and shorter road recently constructed on an order of Court, and of
been almost abandoned by the travelling public in favir of a new-
cumbersome and a burden to the tax-payers by reason of its having
the new road leading from Loretto to Cresson; is inconvenient,
Township road to Munster and extending about 600 feet to intersect
known as "The Plank Road", beginning at its intersection with the
a part of the Township road leading from Loretto to Cresson and
######################################
of Allegheny, in the said County, setting forth that
Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township
n the said County, on the Sixth day of May A. D. 1902, before the
At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg

Attest:

b, E. Groyell., 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 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 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 to the Court of Quarter Sessions, and the damages so assessed shall be conclusive, or may be subject to appeal, review "The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed any 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 injurity at 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, whether they were present at the view; second, whether they were severally sworn or affirmed; third, whether the road desired be necessary public or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances, and not be preserved within that limit."

said Court, and in the said report shall state particularly: first, who of worn or affirmed; third, whether the road desired be necessary for a ourt a plot or draft thereof, stating the courses and distances, and noting racticable, the viewers shall lay out the said roads at an elevation not where, by moderate filling and bridging, the declination of the road may

No. B., WARCH SESSION, 190.2. Order to — view vacate and supply part of a road in Allegheny Township. Allegheny Township. Jo. A. Shoemaker W. A. B. Little Zachariah Kaylor Zachariah Kaylor K. &. L. K. &. L. R. &. L.
--

IN RE VACATING OF PUBLIC ROAD IN ALLEGHENY TOWNSHIP.

order to view, vacate & (
supply part of a public (No. 8, March Sessions, 1902.

road in Allegheny Twp.

TO THE HONORABLE FRANCIS J. O'CONNOR,

PRESIDENT JUDGE OF THE COURT OF QUARTER

SESSIONS OF CAMBRIA COUNTY:-

The petition of the Sisters of Mercy a Corporation created and existing under and by virtue of the laws of the Commonwealth of Pennsylvania, respectfully represents:

that they are property owners who own property and buildings and have an Academy for the care and education of charity pupils, children, wherein live a number of the members of this order, along the route of the proposed vacation of the aforesaid public road; that the viewers have reported the same favorable to vacation and that if the said report is confirmed by this Honorable Court it will work a great hardship on the Sisters of Mercy, in that it will completely shut out from public travel to and from this Academy

people who have children there or who desire to place them there;

close up their front entrance and the ground in front of their property will be closed against their use and completely shut the said property off from any road or highway whatsoever to and from the front of their building. They, therefore, pray that your Honorable Court will set aside said report and grant an order appointing alias viewers or neviewer having no interest in the matter in question.

And they will ever pray, etc.

€	Sis. of Mercy of Serion Hayanis Academy Locatto Cambris Co. - Spring Cosgrace Pris - Amalia Ilmoson 32000.
) ece	in and for said county, personally came the above named who, being by me duly sworn according to law, depose and say who, being by me duly sworn according petition are true
	and correct, to the best of their knowledge, information and belief.
	Sworn and subscribed before me this 30 day of Aug., 1902. Lames Cenley Rotary Public Commission effices Feb 14-1900

7

IN RE VACATING OF PUBLIC ROAD

IN ALLEGHENY TOWNSHIP.

No. 8, March Sessions, 1902.

PETITION

of

Sisters of Mercy for appointment of alias viewers.

Files / September, 1902.

W K

TO THE HONORADLE F. J. OFCOMMOR, PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PA.

The potition of the undersigned residents of the Township of Alleghony respectfully represents: That a part of the Township road leading from Loretto to Cresson and known as "The Plank Road", beginning at its intersection with the Township road to munster and extending about 600 fact to intersect the new road leading from Loretto to Gresson, is inconvenient, cumbersome and a burden to the tax-payers by reason of its having been almost abandoned by the travelling public in favor of a new and shorter road recently constructed on an order of Court, and of a direct extension of the latter for a distance of about 190 feet to the Crasson road, -which extension was constructed by private enterprise on private property for the public They therefore pray the Court for the appointment of viewers to vaკაიd. cate the said road as above described, and to supply the extension of the now road now used by the public but not constructed on an order of Court.

And they will etc. Cambria County, ss. being duly sworn according to law says that the matters set forth in the foregoing petition are correct to the best of his

Kev. Verdinand

knowledge and belief.

Sworn and subscribed before me

this/9 day of April, 1902.

a Black my Jackinich May, 1902 pettin re Sylo aux speecher De