

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

To the Honorable Francis J. O'Connor,

President Judge of the above named Court:-

The petition of the undersigned, inhabitants of the Township of Gallitzin, County aforesaid, respectfully represents:-

That a portion of a public road duly laid out and confirmed by this Court and situate in Gallitzin township beginning at a point on the farm of Joseph Raymer and ending at a point near the residence of William Riley, being a part of the mountain road from Gallitzin to Ashville, has become inconvenient in its present location and would better accomodate the traveling public by being changed so as to begin and end at the same points, but to run lower down on the side of the mountain, thereby doing away with the present steep grades and the liability of drifting snow, which as it is now laid out renders the road impassable for a portion of each Winter.

The petitioners therefore pray the Court to inquire of and change the said road, and for such purpose to appoint three persons qualified according to law, to view the said road, and the ground proposed for the said change, as herein set forth, and inquire of the premises, and make report of their proceedings at the next term of this Court.

And they will ever pray, etc.,

H. J. Conway

George McGinnis

John Eichenlaub

Joseph Eichenlaub

Peter Munday

Mark Weakland

W. F. Stiger

David Leaville

Peter Delgize

R. A. McGuire

John A. McGuire

Wm. McCullen

C. P. Kerney.

Charles McMaule

John Patterson

M. H. Aivley

Ed Morris

John L. Munro

Dr. G. H. Kumbine

Chas W. Munro

Philip J. Gevrey

James A. McMullen

James Chilson

W. T. Pridley

John D. Ignan

John H. Myers

John Myers

John Gutwald

G. J. Sumner

Geo. Mazurko

L. B. McMullen

Joe M. Hanlin

Matthew Conner

James Conner

George Eichenlaub

Joseph Rainer

Alfred Donough

James Donough

Wm. Bender

John D. Ignan

Charles Bender

L. D. Hanlin

State of Pennsylvania,)
County of Cambria.) SS.

Before me, the subscriber, a Justice of the Peace in and
for said County, personally appeared H. J. Conway
who, having first been duly sworn according to law, did depose and
say that the facts 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 16th day of April, 1907.

Thos. H. Myers

My commission expires May 1st 1908

H. J. Conway

No. ^{March} 7 June Sessions, 1907 R.D.

In the Court of Quarter Sessions
of Cambria County.

Petition of inhabitants of
Gallitzin Township for the app-
ointment of viewers to change
the route of road from Gallitzin
to Ashville, in said Township.

Filed 23 April, 1907,

AND NOW, April 23d, 1907, the
within petition read and con-
sidered and James Towle, S. D.
Hainley and J. L. Elder are
appointed viewers as prayed for

By the Court

B. & B.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

To the Honorable Francis J. O'Connor,

President Judge of the above named Court.

We, the undersigned, persons appointed by the within order of the Court to view the road therein mentioned in regard to changing the route of the same, respectfully report:-

That, after having given due notice of the time and place of and notifying the Commissioners and Supervisors the said view by posting notices/as required by law we met on the ground on Tuesday, May 14th, 1907, and after having all been sworn or affirmed according to law/^{we}viewed the ground proposed for the within mentioned road, and the undersigned, being all of the viewers appointed, do agree that there is occasion for a change of route as desired by the petitioners and we do return for public use the following described road:- Beginning at a point on the farm of Joseph Ramer thence through land of said Joseph Ramer and land of Joseph Eichenloub North 38° 45' East 1337 feet to a post; thence through land of the Gallitzin Building & Loan Association South 49° 30' East 968 feet to a post; North 19° 30' East 302 feet; North 20° 45' East 682 feet; North 41° 15' East 248 feet; North 3° 15' East 118 feet; North 37° 00' West 214 feet; and thence partly through land of the Pennsylvania Coal & Coke Company North 61° 45' West 387 feet to a point on the old road near the residence of William Riley. We further recommend the vacation of the of the road beginning and ending at the same points mentioned above and described as follows:- Beginning at a point on the farm of Joseph Ramer thence through lands of said Joseph Ramer and Joseph Eighenloub North 17° 00' East 995 feet; thence through land of Joseph Eichenloub and the Pennsylvania Coal & Coke Company South 34° 30' West 505 feet thence through land of the said Pennsylvania Coal & Coke Company North 44° 45' East 200 feet; North 44° 30' East 600 feet; North 34° 45' East 700 feet; North 36° 45' East 400 feet and North 21° 15' West 455 feet to a

point near the residence of William Riley, as the same will be useless on account of the change of route as above recommended. We annex a plot or draft of said road as changed stating the courses and distances and showing the road to be vacated showing the courses and distances and briefly noting the improvements through which the road passes.

The undersigned further return that they endeavored to procure from all the owners of the land over which the said road as changed passes, releases in writing from all claims for damages that may arise from opening the same but were unable to do so, and therefore having taken into consideration the advantages to be derived to the said owners of the land from the road passing through their lands we have assessed the damages sustained by Joseph Ramer at \$150.00; by Joseph Eichenlaub at \$50.00; and by the Gallitzin Building & Loan Association as \$150.00. The road passes through such a small part of the land of the Pennsylvania Coal & Coke Company that we have assessed no damages to it.

Witness our hands this 29th day of May, 1907.

Witness:-

J. L. Elder
Thos. H. Myers
H. G. Stinger
James Towle
A. D. Hainley

<i>J. L. Elder</i>	\$10.00
" " " " " "	1.70
<i>James Towle</i>	3.00
" " " " " "	1.40
<i>A. D. Hainley</i>	3.00
" " " " " "	40
<i>Thos. H. Myers</i>	1.50
<i>H. G. Stinger</i>	1.50
	<u>21.50</u>

To John Owens, Conrad Hahn and Charles Leventry,

Commissioners of Cambria County,

Notice is hereby given that the undersigned, viewers appointed by the Court of Quarter Sessions of Cambria County to view and report on the advisability of changing the route of a portion of a public road in Gallitzin Township, beginning at a point on the farm of Joseph Ramer and ending at a point near the residence of William Riley, will meet at the residence of Joseph Ramer at 1 o'clock P. M. on Tuesday May 14th, 1907, to perform the duties of their said appointment.

May 1st, 1907.

J. L. Elder,

James Towle,

S. D. Hainley.

Viewers.

I hereby certify that I served a copy of above notice on the Commissioners of Cambria County on May 2d, 1907, by handing a copy of the same to John Lehman, Commissioners Clerk.

Ind. B. B. B. B. B.

Commonwealth of Pennsylvania, }
County of Cambria. }

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the ~~twenty~~ ^{thirty} day of ~~April~~ ^{April} A. D. 190 7 , 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 inconvenience for want of a~~ road or highway, to lead from

That a portion of a public road duly laid out and confirmed by this Court and situate in Gallitzin Township, ~~beginning at a point on the farm of William Riley, being a part of the mountain road from Gallitzin to Ashville,~~ ^{beginning at a point near the residence of Joseph Kistner and ending at a point near the residence of William Riley,} has become inconvenient in its present location and would better accommodate the traveling public by being changed so as to begin and end at the same points, but to run lower down on the side of the mountain, thereby doing away with the present steep grades and the liability of drifting snow, which as it is now laid out renders the road impassable for a portion of each winter.....

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

~~J. L. Elder~~ surveyor, and ~~James Fowler and S. D. Hainley~~ 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.

Attest:

C. E. Truxell

....., 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, March Session, 1907

Order to view road in
Gallitzin Township

Viewers.

James Towler
G. D. Hainley
J. C. Elders

Clerk 90 cts.

Barker & Barker

In the Court of Quarter Sessions
of Cambria County.

No. 7 March Sessions, 1907.

Report

of

Viewers appointed to change the
route of a Public Road in Call-
itzin Township, beginning at
a point on the farm of Joseph
Ramer and ending at a point near
the residence of William Riley.

Filed 3 June 1907

August 6, 1907, approved and breadth fixed at thirty
feet.

14 Sept 1907 confirmed ~~absolutely~~

By the Court