

In re Road in No 4 Rpt Ses 1908.
Allegheny Twp. Road Book

On motion of John W. Cephus
County Solicitor the exceptions of
the County Commissioners are
withdrawn by leave of Court,
John W. Cephus
County Solicitor

4 Sept 1908
RD

In re road in
Allegheny
Township,

Exception of
Cambria County
Withdrawn

Filed 19 October, 1909,

Rephast

In re order to view road in Allegheny Township } In the Court of Quarter Sessions of Cambria County Pa No 4 Sept. Sessions 1908 Road District.

Exceptions

1. Notice was not served on the owners of the land through which the road was laid out, of the time and place of the meeting of viewers.
2. The record does not show that notice of the time and place of the meeting of viewers was served on the landowners through which the road was laid out.

The report of viewers fails to show the width of the road which they adopted, as a basis for the computation of damages.

H. There was already a lawful road between the same termini, which was adopted to a very considerable extent, by the viewers in this case, in laying out the road described in their report. The effect of the confirmation of the viewers report will be to vacate and supply said old road. In order that viewers may do this, it is necessary that their appointment be founded on a petition setting out in a clear and distinct manner, the situation and other circumstances of said old road, and the particulars wherein it had become useless, inconvenient or burdensome. No such

Petition was presented to the Court.

M. D. Pittell
Attorney for John Boes and others

Cambria County, Pa.

Edward Boes being duly sworn according to law says that the matters set forth in the foregoing exceptions are true, as he verily believes.

Sworn and subscribed
this 26th day of Febr'y 1909,
before me.

Philip A. Shettig,
Notary Public,
Com. expires Jan'y. 18, 1913

Edward Boes

No 4 Sept Dec 1908
Road Abolished

In re order to remove
Road in
Allegheny Township

Exceptions

Filed March 1909

Pittell

WHEREAS said John Boes and J. A. Farabaugh with other persons resident in said township of Allegheny, are petitioners to the Court of Quarter Sessions of said County of Cambria. for the appointment of re-viewers in the matter of proceedings to lay out a road to lead from " a point a corner on line of lands of Tiber-tus Lenz and Gus McElhenny, on public road leading from Chest Springs to Gallitzin, in Allegheny township, to or ending at a point on public road leading from Chest Springs to Loretto, at or near Weakland School House, in said township of Allegheny".

In witness whereof said John Boes and J. A. Farabaugh
have hereunto set their hands and seals this 4th day of March, 1909.

-in presence of.

John Boer (SEAL)
J. A. Tinsburg (SEAL)

Cambria County, ss.

W. S. Kittell being duly sworn according to law
says that the parties who signed the foregoing Bond are worth in real
estate more than double the amount of said bond over and above any
or all encumbrances on record against the real estate owned by them.

Sworn and subscribed before me

this 5th day of March, 1909

Philip N. Shetty,
Notary Public.

Com. expires Jan'y. 18, 1913.

W. S. Kittell.

And now, March 5th 1909 the foregoing Bond approved.

Byrd

No.4 Sept. Sessions, 1908

Road Docket.

In re Road in Allegheny
Township.

Bond of petitioners for re-
view.

Filed 5 March 1909

Kittell.

In re Road
in
Allegheny Township.

In the Court of Quarter Sessions
of Cambria County.
No. 4, September Sessions, 1909.

The return of viewers laying out for public use a road in Allegheny Township entered to the above number and term was excepted to by Edward Boes for four reasons: First, that no notice was served upon the owners of the land through which the road was laid out. Second, that the record does not show that such notice was served. Third, that the report of viewers does not fix the width of the road. And fourth, that a sufficient road exists between the termini, and that a portion of this existing road was adopted by the viewers as part of the road returned for public use.

In the light of the existing decisions of the Appellate courts, we can not hold as a matter of law that land owners are entitled to personal service of notice of the time and place of the meeting of viewers. Hence, the first two exceptions must fall.

In the third exception we can find no merit, for the reason that the court fixes the width of roads laid out for public use at the time the return of the viewers is presented.

The fourth exception would have merit if there were any proof to sustain it. The exception is sworn to, but that of itself is not sufficient. Public highways may be crossed by viewers following an order to view granted upon a petition such as the order was based upon in the present case, but they can not follow any other public road for any considerable distance under an order such as the viewers were empowered to act in the

case at Bar. In view of the foregoing observations, it follows the exceptions must be dismissed.

And now, December 15, 1909, exceptions dismissed at costs of exceptant.

By the Court

No. 4, Sept. Session, 1908
RD

In re road
in
Allegheny Township

Opinion and decree of
the Court dismissing
exceptions

Filed 15 December 1909

In the Court of Common Pleas of Cambria County, No. 4, September Sessions, 1908, Road Docket.

In Re order of new road in Allegheny Township.

Exceptions. The Commissioners of Cambria County, through their Solicitor, except to the proceedings in this case and assign therefor, the following reason:-

First. No ^{effort} ~~offer~~ was made by the viewers to secure a release of damages nor were any releases of damages secured from the property owners, through whose land the said road passes.

John W. Kephart
Solicitor for Commissioners
of Cambria County.

Cambria County, SS.

Charles E. Troxell, Clerk of the Commissioners of Cambria County, being duly sworn according to law, says that the matter set forth in the foregoing exceptions are true to the best of his knowledge and belief.

Chas. E. Troxell

Sworn and subscribed to before me
this 27th day of February,
A. D. 1909.

A. A. Kunkhead, Pro.
Notary Public.

My commission expires,

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840.

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అందుకే ఈ భూమి 'వనమయము' అనబడుతున్నందున దాని భజనం ఈ భూమి ప్రజలకు తన కష్టం
 తగ్గించును. అందుకే అందుకు అనుగుణం అంబావల్లియమ్మను ఈ భూమిలో అమలించు భూమి అంబావల్లియమ్మను
 అంబావల్లియమ్మను ఈ భూమి అంబావల్లియమ్మను ఈ భూమి అంబావల్లియమ్మను ఈ భూమి అంబావల్లియమ్మను

ॐ नमो भगवते वासुदेवाय ॥

ಪ್ರತಿಭಾವಂತರಾದವರನ್ನು ಕೆಲಸಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳುವುದು

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THE UNIVERSITY OF CHICAGO

THE TWO CENTERS OF THE EARTH

SECRET

ഇ കൂടെ കേരളം ഒരു മഹത്തമ നഗരമായി മാറും എന്ന് പ്രതീക്ഷിക്കുന്നു.

104 Sept Dec 1908 RA.

Filed 29 Feb, 1909.

TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF THE COURT OF
QUARTER SESSIONS OF CAMBERIA COUNTY, PENNSYLVANIA.

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

That viewers appointed by your Honor have laid out for public use
a road to lead from "a point a corner on line of lands of Tibertus
Lenz and Gus McElhenny on public road leading from Chest Springs to
Gallitzin in Allegheny Township, to or ending at a point in public
road leading from Chest Springs to Loretto at or near Weakland School
house in said township of Allegheny", as shown by the report of view-
ers filed to No. 4 Sept. Sessions, 1908 Road Docket; which report (if
confirmed by the Court) will be very injurious to your petitioners
and burdensome to the inhabitants of the township through which the
same will pass.

Your petitioners therefore pray your Honor to appoint proper
persons to re-view the said road and parts adjacent, and make report
to the next Court. And they will etc.

| | |
|----------------------------|-------------------|
| J. A. Farabaugh Supervisor | "Andrew Buck |
| D. H. Smullen | John McElhenny |
| Edward Boes | John S. S. S. S. |
| John Boes | John S. S. S. S. |
| E. A. Sheehan | John S. S. S. S. |
| George M. Connell | John S. S. S. S. |
| Albert Boes | John S. S. S. S. |
| William Boes | E. J. McConnel |
| Charles Sutton | Peter B. Taylor |
| John Schenck | A. J. P. P. P. P. |
| Mathias Schenck | J. C. P. P. P. P. |
| Leo J. Schenck | John McElhenny |
| J. Edward Bluck | Mike McElhenny |
| J. D. P. P. P. P. | Peter Moran |
| Albert Buck | J. E. P. P. P. P. |
| Austin Sill | A. J. Sill |

1 J J Seymour

Valentine B. White

W. V. Baker

L. K. Crossman

E. A. Farabaugh

O

R. J. Echenood

A. F. Bailey

M. J. McCanna

Joseph H. Schmechel

John J. Schmechel

W. J. Brewster

Jos. A. McGullen

G. A. Sherry

A. S. Bishop

T. M. Quinman

E. C. Farabaugh

Cambria County, ss.

Edward Boes being duly sworn according to law
says that the matters set forth in the foregoing petition are true,
as he verily believes.

Sworn and subscribed before me §
this 4 day of February, 1909. §

Philip N. Shetty Edward Boes
notary public. Com. expires Jan'y 18, 1913.

24
No. 4 Sept. Sessions, 1908

Road Docket.

Petition for appointment
of re viewers.

March 5, 1909, O. P. Thomas
J. M. Sheehan and J. L.
Herr are appointed
viewers. By *[Signature]*

Filed 5 March 1909

Kittell.

To the Hon. Francis J. O'Connor, President Judge of the Court of Quarter Sessions of Cambria County.

The petition of the undersigned inhabitants of Allegheny Township, in said county respectfully represents:

That they labor under great inconvenience for want of a public road or highway, beginning at a point, a corner on line of lands of Tibertus Lenz and Gus McElheny, in public road leading from Chest Springs to Gallitzin, in Allegheny Township, to or ending at a point, in public road leading from Chest Springs to Loretto, at or near the Weakland school house, in said Township of Allegheny.

The petitioners therefore pray the Court to appoint three persons qualified according to law to view the ground proposed for such road and if they see occasion, lay out the same^{and} make report of their proceedings to the next term of this Court. And they will ever pray, &c.

Names

Names

1. Rev. Ferdinand Kittell

2. John Shertzer

3. Peter C. McElheny

4. Ditz E. Marks

5. Alex Bradley

6. Andrew Stary

7. Michael Brown

8. Howard O'Brien

9. Wm. Stary

10. G. H. Buckner

11. J. L. L.

12. Janice W. Doyle

13. J. A. L. L.

14. Frank McHenry

15. Thomas L. L.

16. Frank J. R. L.

17. William P. L.

18. John E. Gallagher

| | Names |
|----|---------------------|
| 10 | Olavi Burghart |
| 11 | Ed. Stoy |
| 12 | J. E. Morgan |
| 13 | Albert Hammond |
| 14 | R. B. Hammond |
| 15 | James Williams |
| 16 | Frederic Vaught |
| 17 | A. C. Adams |
| 18 | William Baker |
| 19 | F. H. Gallahan |
| 20 | C. B. Beiswenger |
| 21 | Rudolf Lenz |
| 22 | Joseph Beiswenger |
| 23 | William Gallahan |
| 24 | Ed. Stoy |
| 25 | Joseph Stoy |
| 26 | Carl Stoy |
| 27 | Ed. Stoy |
| 28 | Hadley Coy |
| 29 | Joseph Stoy |
| 30 | Michael Stoy |
| | Cambria County, Pa. |

| Names |
|--------------------|
| Brother Felix |
| R. W. Davis |
| V. E. Coons |
| L. J. Coons |
| J. G. Coons |
| Mathias Coons |
| Peter O'Hary |
| J. J. Gallegos |
| Amador Stoy |
| W. J. Stock |
| Wm A Hall |
| L. A. Bradley |
| M. D. Delmar |
| R. M. G. Herrick |
| E. C. Baker |
| John Little |
| Augustine Welberry |

Before me personally came Edward Lenz who being by me duly sworn according to law doth depose and say that the facts matters and things set forth in the foregoing petition are true
 Sworn and subscribed before me Ed. Edward Lenz
 this 4th day of Nov 1908.
 S. S. Reedhead, Pro.

To John Barnett,

Dr Somerville,

James Farabaugh,

Supervisors of Allegheny Township.

You are hereby notified that on Thursday, November 5th, 1908, at 2 o'clock, P. M., a petition will be presented to the Court of Quarter Sessions of Cambria County, asking for the appointment of three viewers to view and lay out a road, Beginning at a point, a corner in line of lands of Tibertus Lenz and Gus McElheny, in public road leading from Chest Springs to Gallitzin, in Allegheny Township, Cambria County, Pennsylvania, to or ending at a point in public road leading from Chest Springs to Loretto, at or near the Weakland School House in said Township, County and State, at which time and place you may appear, if you see fit to do so.

W. Leech
Harvey Roland

Attorneys for Petitioners.

October 29, 1908, the within notice served on John Barnett, Dr Somerville, James Farabaugh, Supervisors of Allegheny Township by handing to them a copy of the same.




Edward Lenz

Know all Men by these Presents,

THAT we *Edward Lenz*,
 and *the County of Cambria its certain attorneys* ^{are held and firmly bound}
 unto *the County of Cambria its certain attorneys* ^{heirs, executors, ad-}
~~ministrators or assigns~~, in the sum of *Fifty*
 _____ Dollars, lawful money, for the payment of which
 sum, well and truly to be made, we do bind ourselves, our and each of our heirs, ex-
 ecutors and administrators, jointly and severally, firmly by these presents; and we
 do hereby confess judgment for the above sum, without stay of execution or appeal,
 waiving the right of exemption and appraisement, and the right of inquisition on
 real estate, with five per cent. added as Attorney's commission for collection. Sealed
 with our seals and dated this _____ day of *November*
 A. D., One Thousand Nine Hundred and *eight*.

THE CONDITION OF THIS OBLIGATION IS SUCH that if
 the petitioner in a certain proceeding to
 lay out a public road, between certain
 points in Allegheny Township, instituted
 on petition of said Edward Lenz and
 others, shall pay the costs of said pro-
 ceedings as the court may order or
 direct then this obligation to be null and
 void otherwise to be and remain in full
 force and virtue.

In presence of *us*

| | | |
|-------------------------|-----------------------|---|
| <i>Joseph C. Hertig</i> | <i>Edward Lenz</i> |  |
| <i>W. J. Phalen</i> | <i>John Hertig</i> |  |
| | <i>C. A. McDowell</i> |  |

BOND.

Edward Lenz
et al.

TO

Cambria County

for 1908 the within
bond approved

No 4 Sept 1908. Sessions 1908

Quarter Sessions

Petition of Inhabitants of
Allegheny Township Cambria
County for the appointment of
viewers, to view and layout a
public road. Beginning at a
point a corner in line of lands
of Tibertus denney & subse-
quently in public road leading
from Chest Springs to Gallitzin
in said Township to a point
in public road leading from
Chest Springs to Corretto, at or
near the Mackland School
house in said township
of Allegheny.

Filed 5 November 1908.

Nov. 5 1908 the within
petition read and consider-
ed and J. F. Elder sr.
H. A. B. Little, Esq.
and Edw. Humphreys
are appointed viewers

By the court

J. W. LEECH,
ATTORNEY AT LAW,
EBENSBURG, PA.
DISTRICT ATTORNEY.

HENRY HALL, PRINTER, INDIANA, PA.

To the Honorable Francis J. O'Connor President
Judge of the Court of Quarter Sessions of Cambria County Pa.

We the undersigned viewers appointed by
the aforesaid order to view the ground for a public
road in Allegheny Township respectfully report
that in pursuance thereof, after having been
severally sworn or affirmed to perform our
duties impartially and to the best of our
judgment and ability, and having given
due public notice as required by law and
having served copies of said notices upon the
Supervisors of the territory through which said
road passes and also upon the County Commissioners
of said County all the viewers appointed
by said order viewed the ground proposed
for the within mentioned road and the
undersigned do agree that there is occasion
for a road as desired by the petitioners
and having due respect to the shortest
distance and the best ground for the road
we have laid it out as far as practicable
agreeable to the desires of the petitioners and
do return for public use the following
described road. Beginning at a point on the
public road leading from Chest Springs to Gallitzin
on a line between lands of Gust McElhany and
Tiberius Lutz thence along said line and through Ed
Bradley's land South eighty two degrees West twenty
six hundred and twenty eight feet thence

South fifty three degrees west two hundred and two feet
thence south eighty five degrees west two hundred and
twenty three feet thence north eighty seven and
one fourth degrees west four hundred and
eighteen feet thence north sixty eight degrees
west three hundred and seven feet
thence north thirty six degrees west
five hundred and thirty five feet thence
north thirteen degrees west six hundred
and fifty five feet thence north nineteen
degrees west four hundred and nine
feet thence north thirty six degrees west six
hundred and ten feet thence north forty four and
one half degrees west one hundred and thirty one
feet thence north sixty two degrees west
one hundred and fifty feet thence north eighty
one degrees west one hundred and twenty
two feet thence north fifty eight and
one half degrees west seven hundred
and twenty four feet thence south eighty six
and one half degrees west seven hundred
and sixteen feet thence north eighty two
degrees west eighteen hundred and
ninety three feet thence north seventy
nine degrees west one hundred and
thirty two feet to a point on the public
road leading from Chest Springs to Loretto
near the Oakland School House in
Allegheny Township.

said road passes through lands of
 Tibertus Lutz Just McElhenny Edward
 Bradley Peter Lutz Edward Lutz John
 Bors Hugh Noel and F. H. Still

We have awarded the following
 damages Tibertus Lutz Twenty five dollars
 Just McElhenny Twenty five dollars
 Edward Bradley Two hundred dollars
 Peter Lutz one hundred and fifty dollars
 Edward Lutz one hundred and fifty dollars
 John Bors two hundred dollars
 Hugh Noel fifteen dollars
 F. H. Still fifty dollars

a plot or draft is hereto attached
 and made part of this report

Witness our hands this 30th day of November
 one thousand nine hundred and eight

J. L. Elder Jr
 H. A. B. Little
 Edward J. Humphreys

| | | |
|-----------------|----------|-------|
| J. L. Elder Jr | 3 days | 15.00 |
| W. A. B. Little | 2 days | 6.00 |
| E. J. Humphreys | 2 days | 6.00 |
| William Bors | Chairman | 1.50 |
| Albert Bors | | 1.50 |

(Handwritten notes on a separate sheet of paper, tilted at an angle)

SCALE: 1"=500' VIEWED Nov 23 1908

~~J.L. Elders for
Surveyor
Gustav Lerz
implies~~

5

586.30 W 1 P.O.O.M
y 6 m H

Boes

John B. ...

N 82° N 184° 3'

11 tell

F.H. 1711

...

Viewers appointed upon an order of the
Court of quarter sessions dated Nov 5th 1908
J. L. Elders W. A. B. Little and Ed. J. Humphreys

ROAD NOTICE.

Notice is hereby given that the undersigned viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view the ground for a public road, Beginning at a point on line of lands of Tibertus Lenz and Gus McElhony, in public road leading from Chest Springs to Gallitsin, in Allegheny Township, and ending at a point in public road leading from Chest Springs to Loretto, at or near the Weakland School House in said Township of Allegheny, will meet at the Weakland School House in the said Township on Monday, the 23rd of November, 1903, at 9:00 o'clock A. M. for the purpose of viewing said ground. All persons interested are invited to attend.

J. L. ELDER, SR.

W. A. B. LITTLE, ESQ.

ED J. HUMPHREYS.

Viewers.

Ebensburg, Pa., November 6, 1903.

Service accepted for County Commissioners

J. J. Lehman
Clerk

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J. L. ELDER, SR.

W. A. B. LITTLE, ESQ.

ED. J. HUMPHREYS,

Viewers.

Ebensburg, Pa., November 6, 1908.

Nov. 9, 1908 served the within notice on James Farabough Supervisor of Allegheny Township, by making contents known to him & handing him a true copy thereof

Edward Lenz

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ROYD NOTICE

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.....fifth.....day of.....November.....A. D. 190⁸, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of..Allegheny....., in the said County, setting forth that they labor under inconvenience for want of a....public.....road or highway, to lead from a point a corner on line of lands of Tibertus Lenz and Gus McElheny on public road leading from Chest Springs to Gallitzin in Allegheny Township to or ending at a point in public road leading from Chest Springs to Loretto at or near the Weakland School house in said....township of Allegheny.....

and therefore praying the Court to appoint proper persons to 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, Sr.,.....surveyor, and.....
...W. A. B. Little, Esq., and Ed. J. Humphreys.....

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:

.....J. S. Kintland....., 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. 4 September Session, 1908

Order to view road in

Allegheny Township.

Filed 7 December 1908
in open Court.

Viewers.

J. L. Elder Sr.

W. A. B. Little Esq.

Ed. J. Humphreys

Clerk Kinhead 90 cts.

Leach

W. A. B. Little Esq.

Plum, Geo. J.

Vol. 10, 334

7 Dec. 1908. Approved and breadth fixed at thirty

feet.

By the Court