

TO THE HONORABLE MARLIN BINGHAM STEPHENS,

PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS

OF THE PEACE OF CAMBRIA COUNTY, PENNSYLVANIA.

The Petition of the undersigned residents and citizens of Cambria Township in said County, and vicinity, respectfully represents:

That they labor under some inconvenience by reason of the sharp curve and dangerous railroad crossings on a public road in said Township leading from the Borough of Ebensburg to the Borough of Loretto, part of which they desire vacated and another laid out instead.

They pray that that part of the public road which leads from the Borough of Ebensburg to the Borough of Loretto, in Cambria County, Pennsylvania, should be vacated from a point fifty feet West of the intersection of the Ebensburg and Blacklick branch of the Cresson Division of the Pennsylvania Railroad with said road at Winterset Station to a point on said road nine hundred forty feet East of the point where the Ebensburg and Blacklick branch of the Cresson Division of the Pennsylvania Railroad again intersects said road East of said Winterset Station, all within the Township of Cambria, County of Cambria, Pennsylvania, and a new road laid out from same point to same point at a proper grade and curvature and thus eliminate the dangerous and inconvenient part of the present road.

They therefore pray your Honor to appoint Viewers for this purpose.

And they will ever pray, etc.

L. S. Jones

Webster Griffith

J. W. Stott

D. L. Owens

O. B. Lanning

Mark Lanning

W. H. Black

G. W. Riter

John Kirschner
D. E. Evans
Harvey Evans,
A. W. Misel,
B. S. Williams
J. A. Gray
R. S. Roberts
D. Evans
D. Melair
J. L. Pierce

No. 2. Sept. Sessions 1912.
In the Court of Quarter
Sessions of Cambria County.

PETITION for appointment of
Viewers to vacate road in
Cambria Township.

Filed 10th 1912

And Now, September 11th 1912

A. M. Shoemaker

John L. Surin
P. H. Campbell

are appointed viewers.

By the Court

EVANS & EVANS

EBENSBURG, PA.

JOHN E. EVANS CHAS. S. EVANS

KNOW ALL MEN BY THESE PRESENTS,

That we,

J. A. Gray and L. S. Jones

, all residents and citizens
of Cambria Township, Cambria County, Commonwealth of Pennsylvania,
and Chas. S. Jones and _____

of the Borough of Ebensburg, in said County of Cambria, and Commonwealth of Pennsylvania, are held and formly bound unto the said Commonwealth in the sum of One Hundred Dollars (\$100), lawful money of the United States of America, to which payment well and truly to be made and done; we bind ourselves and each of us, our and each of our heirs, executors and administrators, firmly by these presents. Sealed with our seals and dated this Second day of September A. D. 1912.

WHEREAS, the petition of certain of the inhabitants and citizens of the Township of Cambria, Cambria County, Pennsylvania, has this day been presented to the Court of Quarter Sessions of the said County of Cambria, setting forth that they labor under some inconvenience by reason of the sharp curve and dangerous railroad crossings on the public road in said Township leading from the Borough of Ebensburg to the Borough of Loreto, part of which they desire vacated and another laid out instead, and praying that that part of the public road which leads from the Borough of Ebensburg to the Borough of Loreto, in Cambria County, Pennsylvania, should be vacated from a point fifty feet West of the intersection of the Ebensburg and Blacklick branch of the Cresson Division of the Pennsylvania Railroad with said road at Winterset Station to a point on said road nine hundred forty feet East of the point where the Ebensburg and Blacklick branch of the Cresson Division of the Pennsylvania Railroad again intersects said road East of said Winterset Station, all within Cambria Township, Cambria County, Pennsylvania, and a new road laid out from same point to same point at a proper grade and curvature and thus eliminate the dangerous and inconvenient part

of the present road; and praying for the appointment of Viewers to vacate and supply the said road.

NOW THE CONDITION OF THIS OBLIGATION is such that if the Petitioners for the said View if called upon by the Court shall make payment of the costs of said View into the Treasury of Cambria County as provided by law, then this Obligation shall be null and void; otherwise to be and remain in full force and virtue.

Sealed and Delivered in
the presence of

J. Gray (seal)

L. S. Jones (seal)

Chas. S. Evans (seal)

_____ (seal)

_____ (seal)

No. 2 Sept., 1912
In the Court of QuarterSessions
of Cambria County.

In Re Petition of Citizens
of Cambria Township, Cambria
County, Pennsylvania, for a
public road.

BOND OF PETITIONERS.

Filed 1 Oct 1912

AND NOW, Sept. 11 1912,
the within Bond Approved.

By the Court

EVANS & EVANS

EBENSBURG, PA.

JOHN E. EVANS CHAS. S. EVANS

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground

from a point 50 ft. west of the intersection of the Ebensburg & Blacklick Branch of the P. R. R. with the public road leading from Ebensburg to Foxetta, at Winterset Station, to a point on said road 940 ft. East of where the same branch of the P. R. R. again intersects the same public road about one fourth mile East of said station; for the purpose of determining as to the propriety of vacating the present piece of road & supplying a new piece of road between the above noted points—

will meet at the Winterset Railroad Station in the Township of Cambria aforesaid, on the 23rd day of October 1912, at 10:00 o'clock A.M. for the purpose of viewing said ground.

A. M. Shoemaker
P. F. Campbell
John L. Singer
Viewers.

Oct. 10th 1912

Now, Oct., 1912, service of the within
notice accepted by the undersigned
Supervisors of Cambria Township
Cambria County, Pa. —

L. J. Hughes
Daniel W. Jones
John G. Griffith
Supervisors

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground *from a point 50 ft. west of the intersection of the Ebensburg & Blacklick Branch of the P. R. R. with the public road leading from Ebensburg to Loretto; at Winterset Station; to a point on said public road 940 ft. East of where the same branch of the P. R. R. again intersects the same road about one fourth of a mile East of said station - Said piece of road lying wholly in Cambria Twp., Cambria Co. - For the purpose of determining as to the propriety of vacating the present road between the above points & supplying a new piece of road in its stead -*

will meet at the *Winterset Railroad Station* in the Township of *Cambria* aforesaid, on the *23rd* day of *October* 191*2*, at *10:00* o'clock *a.m.* for the purpose of viewing said ground.

Oct. 10th 191*2*

A. M. Shoemaker,
P. H. Campbell
John L. Singer
Viewers.

Now Oct 12- 1912 Service of the within
notice accepted for the County Com-
missioners — to E. Profell
com clerk.

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground from a point 50 ft. west of the intersection of the Ebensburg & Blacklick Branch of the P.R.R. with the public road leading from Ebensburg to South, at Winterset Station, to a point on said public road 940 ft. East of where the same branch of the P.R.R. again intersects the same road, about one fourth mile East of said station. For the purpose of determining as to the propriety of vacating the present road & supplying a new piece of road between the above noted points. — Said piece of road lying wholly in Cambria Twp., Cambria Co., Pa.

will meet at the Winterset Railroad Station in the Township of Cambria aforesaid, on the 23rd day of October 1912, at 10:00 o'clock A.M. for the purpose of viewing said ground.

A. M. Shoemaker,
J. F. Campbell,
John L. Singer,
Viewers.

Oct. 10th 1912

Now, Oct., 23, 1912, Service of the
within notice accepted for the
Penna. Railroad Co.

W B Groff Jr.

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the ground *from a point 50 ft. West of the intersection of the Ebensburg & Blacklick Branch of the P.R.R. with the public road leading from Ebensburg to Loretto, at Winteract Station, to a point on said road 940 ft. East of where the same branch of the P.R.R. again intersects the same public road over four miles thence East of said station, for the purpose of determining as to the propriety of creating the present piece of road & supplying a new piece of road between the above noted points.*

will meet at the *Winteract Railroad Station* in the Township of *Cambria* aforesaid, on the *23rd* day of *October* 191*2*, at *10.00* o'clock *A.M.* for the purpose of viewing said ground.

(C.) M. Shoemaker
P. F. Campbell
Wm. L. King
Viewers.

(C.) X 10th 191*2*

Commonwealth of Pennsylvania, }
County of Cambria. as

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the.....11.....day of.....Sept.....A. D. 19012 , before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of.....Cambria....., in the said County, setting forth that they labor under inconvenience ~~xxxxxxx~~by reason of the sharp curves ~~and a dangerous highway, to lead from~~ and railroad crossing on a public road in Cambria Twp. leading from the Borough of Ebensburg to the Borough of Loreto, ^{mb}part of which they desire vacated and another laid out instead. They pray that that part of the public road which leads from the Borough of Ebensburg to the Boro. of Loreto, in Cambria County, Pennsylvania, should be vacated from a point fifty feet West of the intersection of the Ebensburg and Blacklick Branch of the Cresson Division of the Pennsylvania Railroad with said road at Winterset Station to a point on said road nine hundred forty feet East of the point where the Ebensburg and Blacklick Branch of the Cresson Division of the Pennsylvania Railroad again intersects said road East of said Winterset Station, all within the Township of Cambria, County of Cambria, Pennsylvania, and a new road laid out from the same point to same point at a proper grade and curvature and thus eliminate the dangerous and inconvenient part of the present road....

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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
A. M. Shoemaker.....surveyor, and P. E. Campbell
John I. Singer.....

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:

S. S. Hinkle, 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."

CHAVE & COMPANY
APPROVED
JUN 10 1913

NO. 2 Sept. SESSION, 1902

Order to Witcate and supply

road in Cambria Twp. leading

from Ebensburg Borough to

Loretto Borough near Winterset

Station.

Filed 23rd June 1913
A.M.S.

Filed 27 June 1913

1 Certified July 10, 1913, C.C.

Viewers.

A. M. Shoemaker

P. F. Campbell

John I. Singer

Clerk 90 cts.

Evans & Evans

EVANS MOUNTAIN-REPAID ELECTRIC PRINT.

June 9, 1913, approved and breadth fixed
at thirty feet.
By the Court

Nov. Oct 27, 1914, Confirmed
J. S. Kirkhead

clerk

R E P O R T O F V I E W E R S

To the Honorable M. B. Stephens, President Judge of the Court of Quarter Sessions of Cambria County, Pa.:—

We, the Undersigned Members of the Board of Viewers, appointed by your Honorable Court to view a certain road in Cambria Township, as specified in the Order of Court hereto attached, respectfully report:—

That having given due notice of the view and of the time and place of meeting of the Viewers to the County Commissioners, the Supervisors of Cambria Township, and the Pennsylvania Railroad Company by having them accept service of notices hereto attached and to the general public by printed handbills posted in public and conspicuous places at and near the termini of the piece of road to be viewed; all of us met in accordance with the notices so given and having been first duly qualified according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment; we viewed the premises and are of opinion that the piece of road specified in the said order should be vacated and another piece of road between the same terminal points supplied for the accomodation of the traveling public.

A plot or draft showing the location of the piece of road proposed to be vacated and also the piece proposed to be supplied is hereto attached and made a part of this report. The piece of road proposed to be vacated beginning at a point fifty feet West of the intersection of the Ebensburg and Blacklick Branch of the Cresson Division of the P. R. R. with the public road leading from Ebensburg to Loretto at Winterset Station, which said last mentioned road is a public highway open and in use as such and takes the following courses and distances: N. 86 1/2 degrees E. 80 feet; N. 89 degrees E. 364 feet; N. 57 degrees E. 372 feet; N. 38 degrees 30 minutes E. 710 feet; N. 1 degree W. 300 feet; N. 19 degrees 30 minutes E. 254 feet;

N. 34 degrees E. 176 feet; N. 64 degrees E. 640 feet; North 241 feet to the place of ending, being the place of ending designated in said order, at nine hundred and forty feet East of the P. R. R. Crossing or intersection of said Railroad East of Winterset Station with the said Ebensburg and Loretto Road; and the piece of road proposed to be supplied between the place of beginning and the place of ending of said road above referred to, takes the following courses and distances N. 86 1/4 degrees E. 167 feet; N. 79 degrees 40 minutes E. 287 feet; N. 59 1/2 degrees E. 90 feet; N. 18 degrees E. 488 feet; N. 5 degrees W. 309 feet; N. 8 degrees E. 238 feet; N. 65 degrees E. 183 feet; East 170 feet; N. 52 1/2 degrees E. 126 feet; N. 45 1/2 degrees E. 219 feet; N. 49 degrees E. 124 feet; N. 61 degrees E. 122 feet; N. 64 1/2 degrees E. 265 feet; N. 51 3/4 degrees E. 123 feet and N. 32 1/4 degrees E. 221 feet to the place of ending.

The Viewers having failed to obtain releases of damages from Obediah Reese, James C. Scanlan and Michael Stock, through and over whose land the piece of road as laid out and proposed to be supplied passes, having refused to grant releases of damages; we have assessed their damages as follows: to Obediah Reese Thirty five Dollars; to James C. Scanlan Two hundred and Ninety-five Dollars and to Michael Stock Seventy Six Dollars.

In consideration of the benefits that would result to the Pennsylvania Railroad Company by reason of the change of road above referred to, they through E. J. Cleave of Cresson, Pa., Superintendant of the Cresson and Clearfield Division of the said Company, have agreed to pay to the Supervisors of Cambria Township the sum of Five Hundred Dollars upon the opening and completing

for public use of the piece of road herein proposed to be supplied
and vacating the present section of the old road.

Witness our hands this third day of June, A. D., 1913.

P. H. Campbell

Costs of View-

J. L. Singer

P. H. Campbell

A. M. Shoemaker

3 Days 15.00

Viewers-

64 mi. two trips 3.20

Prints 50

A. M. Shoemaker

Lifting Order 90

4 Days 20.00

Horse hire-two days 3.50

J. L. Singer

2 Days 10.00

Livery hire-two days 8.00

Frank Wills-helper 1.50

Sherman Reese " 1.50