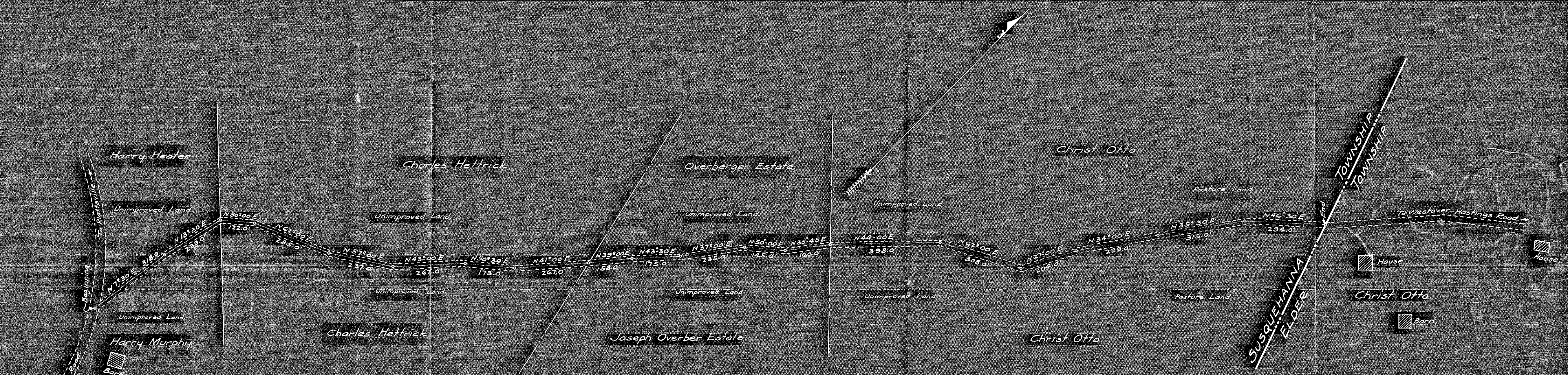


Rat Microfilmed

R. O. H. 10

Mar, 1924

map # 2-2



Total length proposed to be vacated 4594.0'
 Portion proposed to be vacated colored thus

No. 10 March Term 1924
 Mahlon J. Baumgardner
 S. E. Dickey
 Philip Caulfield
VIEWERS

VIEW OF
ROAD PROPOSED TO BE VACATED
 SITUATE IN
 SUSQUEHANNA TOWNSHIP, CAMBRIA COUNTY, PA.
 Scale 1" = 200' S. E. Dickey & Co. Nov. 11, 1924.
 Civil and Mining Engrs.
 Johnstown, Pa.

Not Microfilmed

RO #10

Mar. 1924

Map #2

23
#

In re Vacating Public Road in
Susquehanna Township, Cambria
County, Penna. beginning at
Sandy Hollow School House and
ending near the residence of
Anthony Yeager in Elder Township.

In the Court of Quarter Sess.
of Cambria County, Penna.
No. 10 March Sessions 1924.

REPORT OF RE- VIEW.

We, the undersigned Viewers, appointed by the annexed
order of the above Court to view and consider the advisability
of vacating that portion of the public road in Susquehanna Town-
ship beginning at a point in the public road leading from Platt-
ville to Hastings, or from Sandy Hollow School House to John D.
Dillons near the residence of Celestine McMullen in Susquehanna
Township, thence along line of Joseph Miller and Celestine
McMullen, North seven degrees thirty minutes East six hundred
fifty feet; thence North Fifty-two degrees thirty minutes East,
eleven hundred thirty feet; thence North thirty-nine degrees
East, five hundred twenty-five feet; thence North thirty-three
degrees thirty minutes East, two hundred seventeen feet; thence
North thirty-nine degrees thirty minutes East, two hundred twenty
feet; thence North forty-one degrees East, three hundred sixty-
five feet; thence North fifty-eight degrees East, two hundred
sixty-six feet; thence North forty degrees East, one hundred
ninety-six feet; thence North thirty-seven degrees thirty minutes
East two hundred thirty feet; thence North thirty degrees thirty
minutes East, four hundred seventy-five feet; thence North forty-
three degrees East, one hundred sixty-four feet; thence North
forty-five degrees one hundred fifty seven feet; thence North
eighty-two degrees East, six hundred twenty feet; thence South
eight degrees thirty minutes East, one hundred sixty feet; thence

South seventy-three degrees East, three hundred fifty-two feet; thence North eighty-six degrees thirty minutes East, five hundred feet; thence North eighty-one degrees thirty minutes East, nine hundred eighty-three feet; thence North Seventy-three degrees thirty minutes East nine hundred thirty-one feet; South eighty-three degrees East, four hundred fifty feet; thence South thirty-eight degrees East, three hundred twenty feet, to a point in the public road leading from Nagles School House to Semelsberger's Cross Road, near the residence of Anthony Yeager in Elder Township respectfully report:-

That having been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability, and having given due notice of the time and place of meeting to the Commissioners of Cambria County, to J. Harrison Westover, Esq., Solicitor for the Supervisors of Susquehanna Township and to Charles Hasson, Esq. Counsel for the petitioners, acceptances of service of same being hereto attached, and to the traveling public by hand bills posted in public and conspicuous places at and near the terminal points and along the route of the road proposed to be vacated together with Notice by Publication in the Barnesboro Star and the Cambria County Legal Journal at least ten days prior to the time of making of said re-view.

All of us met at the time and place appointed on Monday November 3rd., A. D. 1924 at 1:30 o'clock P. M. for the purpose of performing the duties of our appointment, and having gone over the portion of the road proposed to be vacated and carefully viewing the situation and the premises in the vicinity thereof and adjacent thereto, we found as follows:-

During the re-view a number of residents and persons traveling the road proposed to be vacated, were present. Upon inquiry from them we find that many of them use the road under discussion. Taking into consideration the fact that the road has been laid out and used by the public since about 1903, we are of the opinion and agree:-

That since the road has been used by the traveling public for many years and that the same is valuable for the use and convenience of the inhabitants of Susquehanna Township and Elder Township, aforesaid, as well as to the other citizens living in surrounding vicinity and if the said portion of the road in question were vacated a great injustice would be done and great inconvenience would be experienced by the above named inhabitants as well as to other citizens living adjacent thereto.

For the above reasons we therefore refuse to vacate the road defined in the order of Court.

A plot or draft showing more particularly the location of the road in question and especially that portion sought to be vacated is hereto attached and made a part of this report.

WITNESS our hands this Twenty-ninth day of November
A. D. 1924.

S. E. Dickey
Chas E. Cunningham
Marlon J. Baumgardner
Viewers.

In re Vacating Public Road in
Susquehanna Township, Cambria
County, Penna.

In the Court of Quarter Sessions
of Cambria County, Penna.
No. 10 March Sess. 1924.

IN ACCOUNT WITH MAHLON J. BAUMGARDNER, S. E.

DICKEY, PHILIP CAULFIELD.

MAHLON J. BAUMGARDNER, S. E.

Data and Preparing Notices of View	\$ 7.50
Stenographer and Stationery	4.00
Posting and serving Notices of View	7.50
Making View,	7.50
Automobile hire	15.00
Conference relative to re-view and recommendation	7.50
Making report	7.50
Stenographer and Stationery	3.00
Order to View	.90
Advertising Notice to View, Cambria County Legal Jr.	4.50
Advertising Notice to View, Barnesboro Star	3.70
	<u>\$68.60</u>

S. E. DICKEY, DR.

Making View,	7.50
Conference relative to re-view and recommendation	7.50
Data in re survey and plotting	7.50
Tracing and preparing draft	7.50
Tracing cloth	.45
2 linen prints	1.50
	<u>\$31.95</u>

PHILIP CAULFIELD, DR.

Making View	7.50
Conference relative to re-view and recommendation	7.50
	<u>\$15.00</u>

APPROVED FOR PAYMENT

COMMISSIONER

In re Vacating Public Road in
Susquehanna Township, Cambria
County, Penna., beginning at
Sandy Hollow School House and
ending near the residence of
Anthony Yeager in Elder Town-
ship.

In the Court of Quarter Sessions
of Cambria County, Penna.

No. 10 March Sessions 1924.

NOTICE OF RE-VIEW.

We, the undersigned Viewers, appointed by the above Court to
re-view for the purpose of vacating a road beginning at a point
in the public road leading from Platsville to Hastings or from Sandy
Hollow School House to John D. Dillons near the residence of Celestine
McMullen in Susquehanna Township to a point in public road leading
from Naugle's School House to Semelsberger's Cross Road, near the
residence of Anthony Yeagers in Elder Township, and to determine as to
the propriety of vacating said road which lies in Susquehanna
Township, said County and State, will meet at the Township line where
it crosses said road in the Township of Susquehanna on Monday,
November 3rd., A.D. 1924 at 1:30 o'clock P. M. for the purpose of
performing the duties of our appointment.

MAHLON J. BAUMGARDNER,

S. E. DICKHY,

PHILIP CAULFIELD,
Viewers.

October 24, 1924.

And now October 23, 1924, I hereby accept service of the
within notice for Re-View for the Commissioners of Cambria County.

D. S. Kirkland
Chief Clerk.

In re Vacating Public Road in
Susquehanna Township, Cambria
County, Penna. beginning at
Sandy Hollow School House and
ending near the residence of
Anthony Yeager in Elder Town-
ship.

In the Court of Quarter Sessions
of Cambria County, Penna.,

No. 10 March Sessions, 1924.

NOTICE OF RE-VIEW.

We, the undersigned Viewers, appointed by the above Court to
re-view for the purpose of vacating a road beginning at a point
in the public road leading from Platsville to Hastings or from Sandy
Hollow School House to John D. Dillons near the residence of
Celestine McMullen in Susquehanna Township at a point in public road
leading from Naughe's School House to Semelsberger's Cross road,
near the residence of Anthony Yeagers in Elder Township, and to
determine as to the propriety of vacating said road which lies in
Susquehanna Township, said County and State, will meet at the
Township line where it crosses said road in the Township of Susque-
hanna on Monday, November 3rd., A.D. 1924 at 1:30 o'clock P. M. for
the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,

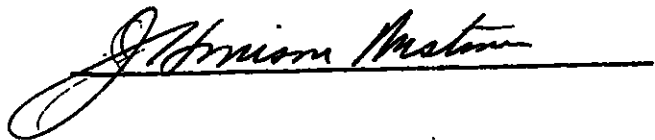
S. E. DICKEY,

PHILIP CAULFIELD,

Viewers

October 24, 1924.

And now October, 22 1924, I hereby accept service of the
above Notice for Re-View as Solicitor for the Supervisors of
Susquehanna Township.



In re Vacating Public Road in
Susquehanna Township, Cambria
County, Penna. beginning at
Sandy Hollow School House and
ending near the residence of
Anthony Yeager in Elder Town-
ship.

In the Court of Quarter Sessions
of Cambria County, Penna.,

No. 10 March Sessions, 1924.

NOTICE OF RE-VIEW.

We, the undersigned Viewers, appointed by the above Court to
re-view for the purpose of vacating a road beginning at a point
in the public road leading from Flatville to Hastings or from Sandy
Hollow School House to John D. Dillons near the residence of
Celestine McMullen in Susquehanna Township at a point in public road
leading from Haugle's School House to Zemelsberger's Cross road,
near the residence of Anthony Yeager in Elder Township, and to
determine as to the propriety of vacating said road which lies in
Susquehanna Township, said County and State, will meet at the
Township line where it crosses said road in the Township of Susque-
hanna on Monday, November 3rd., A.D. 1924 at 1:30 o'clock P. M. for
the purpose of performing the duties of our appointment.

MARLON J. BAUMGARTENER,

S. E. DICKEY,

PHILIP CAULFIELD,

Viewers

October 24, 1924.

And now, Oct. 23, 1924, I hereby accept service of the
within notice to Re-View as Counsel for the petitioners.

Charles Mason

In re Vacating Public Road in
Susquehanna Township, Cambria
County, Penna. beginning at
Sandy Hollow School House and
ending near the residence of
Anthony Yeagers in Elder Town-
ship.

In the Court of Quarter Sessions
of Cambria County, Penna.

No. 10 March Sessions 1924.

NOTICE OF RE-VIEW.

We, the undersigned Viewers, appointed by the above Court,
to re-view for the purpose of vacating a road beginning at a point
in the public road leading from Plateville to Hastings or from Sandy
Hollow School House to John D. Dillons near the residence of Celestine
McHullen in Susquehanna Township to a point in public road leading from
Haugle's School House to Semelsberger's Cross Road, near the residence
of Anthony Yeagers in Elder Township, and to determine as to the
propriety of vacatings said road which lies in Susquehanna Township, said
County and State, /will meet at the Township line where it crosses said
road in the Township of Susquehanna on Monday, November 3rd., A.D. 1924
at 1:30 o'clock P. M., for the purpose of performing the duties of
our appointment.

Mahlon J. Baumgardner,

S. E. Dickey,

Philip Caulfield,

Viewers.

October 24, 1924.

That on or about the 7th day of April, 1924, a Board of Viewers consisting of A. M. Shoemaker, Esq., J. D. Ritter and Adam Shuman, was appointed by your Honorable Court to view and consider the advisability of vacating that portion of a public road in Susquehanna Township, beginning at Sandy Hollow School House and ending near the residence of Anthony Yeagers, in Elder Township, Cambria County, Penna., and entered to No. 10 March Sessions, 1924, Road Docket, No. 6, Page 117, which road the said Viewers, by a report filed in this Court on the 5th day of May, 1924, have reported in favor of vacating, and which road, if vacated upon confirmation of report of said Viewers by the Court, will result in great injury and inconvenience to your petitioners and to other inhabitants of said Townships of Susquehanna and Elder, through which the same is laid out and which road your petitioners and other inhabitants of said Townships have used continuously since its opening, by a proceeding in this Court, entered to No. 5, September Sessions, 1903, Road Docket No. 5, page 111, and which said road as laid out and now in use is described as follows:

Beginning at a point in the public road leading from Plattville to Hastings, or from Sandy Hollow School House to John D. Dillons near the residence of Celestine McMullen in Susquehanna Township, thence along line of Joseph Miller and Celestine McMullen, North seven degrees thirty minutes East, six hundred fifty feet; thence North fifty-two degrees thirty minutes East, eleven hundred thirty feet; thence North thirty-nine degrees East, five hundred twenty-five feet; thence North thirty--three degrees thirty minutes East, two hundred seventeen feet; thence North thirty-nine degrees thirty minutes East, two hundred twenty feet; thence North forty-one degrees East, three hundred sixty-five feet; thence North fifty-eight degrees East, two hundred sixty-six feet; thence North forty degrees East,

one hundred ninety-six feet; thence North thirty-seven degrees thirty minutes East, two hundred thirty feet; thence North thirty degrees thirty minutes East, four hundred seventy-five feet; thence North forty-three degrees East, one hundred sixty-four feet; thence North forty-two degrees East, one hundred sixty-four feet; thence North forty-five degrees one hundred fifty-seven feet; thence North eighty-two degrees East, six hundred twenty feet; thence South eight degrees thirty minutes East, one hundred sixty feet; thence South seventy-three degrees East, three hundred fifty-two feet; thence North eighty-six degrees thirty minutes East, five hundred feet; thence North eighty-one degrees thirty minutes East, nine hundred eighty-three feet; thence North Seventy-three degrees thirty minutes East, nine hundred thirty-one feet; South eighty-three degrees East, four hundred fifty feet; thence South thirty-eight degrees East, three hundred twenty feet; to a point in the public road leading from Nagles School House to Semelsberger's Cross Road, near the residence of Anthony Yeagers in Elder Township.

That the portion of the above described road lying in Susquehanna Township, which the Viewers heretofore reported in favor of vacating, has been used by the traveling public for upwards twenty years, and is valuable for the use and convenience of the inhabitants of Susquehanna Township and Elder Township, as well as to other citizens living in surrounding districts.

Commonwealth of Pennsylvania, } ss.
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 _____ *1st* _____ *day of* _____ *September* _____ *A. D. 19*~~1~~*, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of* _____ *Susquehanna* _____*, in the said County, setting forth that they labor under such*
~~circumstances as require of a~~ _____ ~~remedy which they are unable to obtain from~~

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

S. E. Dickey surveyor, and

Philip Caulfield and Mahlon J. Baumgardner

viewers, to ~~review~~ ^{vacation} the ground proposed for said ~~road~~, and if they ~~review~~ ^{vacation} 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~~ ^{turnpike}, 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:

Frank E. Roff, Clerk.

NOTE. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to 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. 10, March, 1924 SESSIONS, 1924

Order to view for the vacation

of a Public Road in Susquehanna

Township and ending in Elder

Township.

6-1-30

S. E. Dickey

Philip Caulfield

Mahlon J. Baumgardner

Viewers

Clerk Robb 80 cts.

Hasson.

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNA.

NO. 10 MARCH SESSIONS 1924.

In re Vacating Public Road
in Jusuquehanna Township,
Cambria County, Penna.
beginning at Sandy Hollow
School House and ending
near the residence of
Anthony Yeager in Elder
Township.

REPORT OF RE-VIEW.

Filed 1 December 1924

CERTIFIED

Jacob M. Hoffman

COUNTY CONTROLLER

MAHLON J. BAUMGARDNER
ATTORNEY AT LAW
JOHNSTOWN, PENNA.
STATE BLDG.

8 Dec. 1924

Approved

By the Court
E

9 March 1925

confirmed absolutely
Frank C. Roth, clerk

REPORT OF VIEWERS.

To the Honorable, the Judges of the Court of Quarter Sessions of Cambria County, Pennsylvania.

We, the undersigned members of the board of viewers of Cambria county appointed by your honorable Court to view and inquire into the propriety of vacating all of that portion of a public road lying in Susquehanna Township, Cambria County, Pennsylvania - which said public road as originally laid out began at a point in the public road leading from Plattsville to Hastings or from Sandy Hollow School House to John A. Dillon's, near the residence of Celestine McMullen, in Susquehanna Township, to a point on the public road leading from Nagles School House to Semelsbergers Cross Roads, near the residence of Anthony Yeager, in Elder Township, respectfully report:-

That having been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability; and having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County, to the Supervisors of the Township of Susquehanna, 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 terminal points and along the route of the road proposed to be vacated:

All of us met at the time and place appointed, in accord with the notices so given, and having gone over the portion of road proposed to be vacated and carefully viewing the situation and the premises in the vicinity thereof and adjacent thereto, we found as follows-

That that portion of the public road, above referred to, which is laid out in the township of Susquehanna and which is sought to be vacated is no longer in used by the general public and, as is evident on the ground, is only occasionally used by a few individuals.

That there is practically no one living along the portion of road which lies in Susquehanna Township.

That there are some two or three families living along or in the vicinity or the portion of said road as was laid out in Elder Township all of whom have a much shorter and more convenient outlet to ^{other} ~~the~~ public road in Elder Township.

That the parties living along the Elder Township portion of the road in question can reach an improved road - leading from Westover to Hastings - within a half mile or less from their respective homes while to reach the public road leading from Plattsville to the Hastings - Barnesboro road would require them to travel approximately a mile and a half and then an additional mile, or thereabouts, to get to the improved road leading to Hastings and Barnesboro.

That the natural outlet and market of these living along the road in question would be reached by traveling to and over the Westover-Hastings road.

Hence we are of the opinion that the portion of road in Susquehanna Township and which is sought to be vacated is no longer necessary as a public road and therefore should be vacated.

A plot or draft showing more particularly the location of the road in question and especially that portion sought to be vacated is hereto attached and made a part of this report.

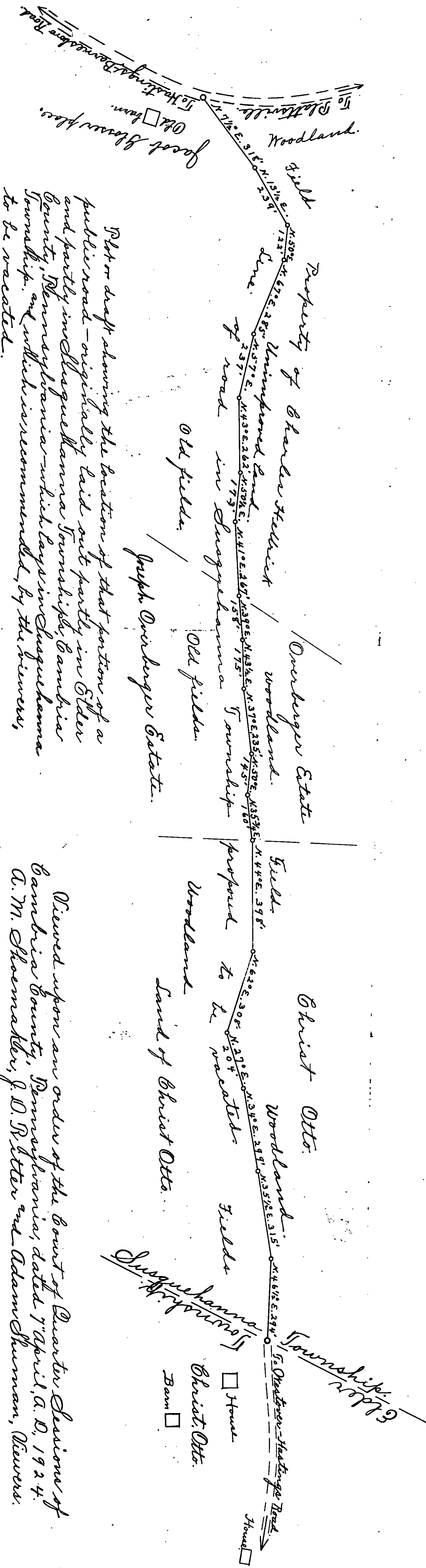
Witness our hands this twenty eight day of April, A. D., 1924.

A. M. Shoemaker

Adam Shuman

J. D. Ritter

Viewers.



Plot or draft showing the location of that portion of a public road - originally laid out partly in Elder and partly in Duqueshanna Township, Cambria County, Pennsylvania - which lays in Duqueshanna Township, and which is recommended, by the miners, to be vacated.

Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania, dated 7th April, A. D. 1924. A. M. Shoemaker, J. D. Ritter and Adam Shuman, Viewers.

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of ...Quarter.....
... Sessions..... of Cambria County, Pa., to view a certain public road
laid out from a point in the public road leading from Plattsville
to Hastings or from Sandy Hollow School House to John A. Dillon's,
near the residence of Celestine McMullen, in Susquehanna Twp., to
a point in the public road leading from Eagles School House to ...
Semelsbergers Cross Roads, near the residence of Anthony Yeager, ...
in Elder Twp., - and to determine as to the propriety of vacating
that portion of said road which lays in Susquehanna Twp., said ...
county and State:

will meet at the township line, where it crosses said road, in the Township of Susquehanna aforesaid, on the 24th day of April, 1924, at 10:00 o'clock a. m., for the purpose of performing the duties of their appointment.

Signature _____ Name A. M. Shoemaker,

J. D. Ritter and.....

Adam Shuman.....

Ebensburg, Pa. 4. / 11 / 1924.

Viewers.

Now, April 14 1924, service of the within notice is
hereby accepted for the Supervisors of the Township of
Susquehanna, Cambria County, Pa.

Harrison Watson

ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of Quarter.....
... Sessions..... of Cambria County, Pa., to view a certain public road
... laid out from a point in the public road leading from Plattsville
... to Hastings or from Sandy Hollow School House to John A. Dillon's,
... near the residence of Celestine McMullen, in Susquehanna Twp., to
... a point in the public road leading from Nagles School House to ...
... Semelsbergers Cross Roads, near the residence of Anthony Yeager,
... in Elder Twp., - and to determine as to the propriety of vacating
... that portion of said road which lays in Susquehanna Twp., said
... county and state:

will meet .. at the township line, where it crosses said road, ... in the
... Township of Susquehanna aforesaid,
on the .. 24th .. day of ... April, 1924, 12 ... , at .. 10:00 o'clock a. m.,
for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Shensburg, Pa. 4 / 11 / 19.24.

Now, April 11th., 1924, service of the within notice is
hereby accepted for the Commissioners of Cambria County,
Pennsylvania.

A. S. Kirkhead

Costs of View.

A. M. Shoemaker

Lifting Order \$.90

5 Days — 37.50

Auto hire 5.00

Engineering work 75.00

\$118.40

CERTIFIED
Jacob M. Hoffman
5/7/24
COUNTY CONTROLLER

J. D. Ritter

1 Day

\$7.50

Auto hire

\$5.00

\$12.50

CERTIFIED
Jacob M. Hoffman
5/7/24
COUNTY CONTROLLER

Adam Shuman

1 1/2 Days

\$11.25

Auto hire

5.00

22 miles @ 5¢

1.10

\$17.35

CERTIFIED
Jacob M. Hoffman
5/7/24
COUNTY CONTROLLER

APPROVED FOR PAYMENT

John Swanker
James S. Morgan
Commissioners

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 April A. D. 1924, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Susquehanna, in the said County, setting forth ~~that they labor under the inconvenience for want of a~~ ~~road or highway to lead from~~

That under proceedings of this Court, entered to number five September Sessions, 1903, a public road was laid out and opened in the Township of Susquehanna and the Township of Elder, described as follows; to wit: Beginning at a point on the public road leading from Plattville to Hastings, or from Sandy Hollow School House to John A. Dillions, near the residence of Celestine McMullen, in Susquehanna Township; thence along line of Joseph Miller and Celestine McMullen North seven degrees and thirty minutes East 650 feet; thence North 52 degrees and 30 minutes East 1130 feet; thence North 39 degrees East 525 feet; thence North 33 degrees and 30 minutes East 217 feet; thence North 39 degrees and 30 minutes East 220 feet; thence North 41 degrees East 365 feet; thence North 58 degrees East 266 feet; thence North 40 degrees East 196 feet; thence North 37 degrees and 30 minutes East 230 feet; thence North 30 degrees and 30 minutes East 475 feet; thence North 43 degrees and 30 minutes East 280 feet; thence North 42 degrees East 164 feet; thence North 45 degrees 157 feet; thence North 82 degrees East 166 feet; thence North 89 degrees East 620 feet, thence South 80 degrees and 30 minutes East 160 feet; thence South 73 degrees East 352 feet; thence North 86 degrees and 30 minutes East 500 feet; thence North 81 degrees and 30 minutes East 983 feet; thence North 73 degrees and 30 minutes East 931 feet; thence South 83 degrees East 450 feet; thence South 38 degrees East 320 feet to a point in the public road leading from Nagles School House to Semelsbergers Cross Roads, near the residence of Anthony Yeagers in Elder Township. That all of said public road situated in Susquehanna Township is now become useless, inconvenient and burdensome.

and therefore praying the Court to appoint proper persons to ^{vacate} 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

J. D. Ritter and Adam Shuman

viewers, to view the ground proposed for said ^{vacation} ~~road~~, and if they ^{vacation} 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:

Frank L. Robb, 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. 10, March Sessions, 1924

Order to view and vacate road

in Susquehanna Township

Order to View
and
Report of Viewers

Filed 5 May 1924

A. M. Shoemaker

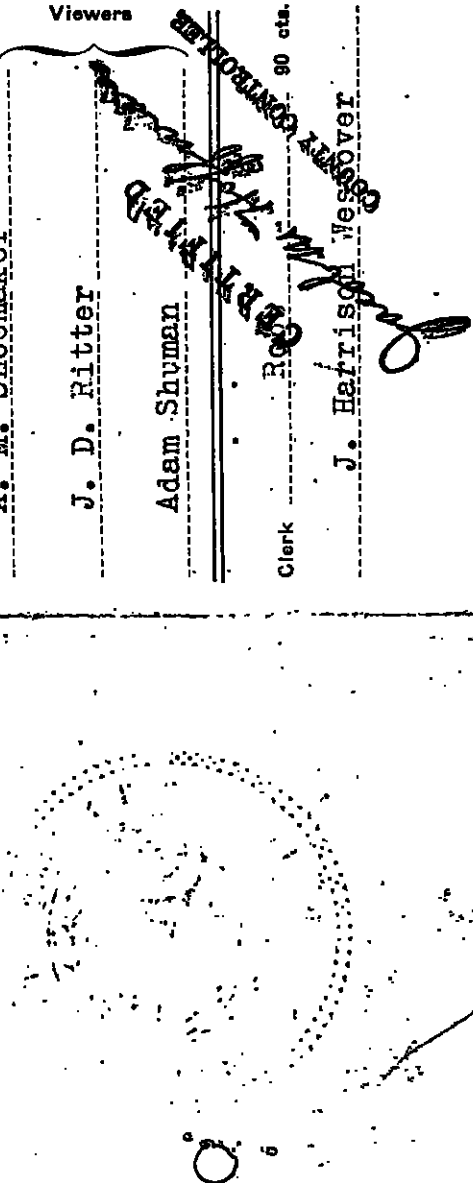
J. D. Ritter

Adam Shuman

Clerk

J. Harrison Wessover

9 June 1924. Approved
By the Court



IN THE COURT OF QUARTER SESSIONS FOR THE COUNTY OF CAMBRIA.

To the Honorable the Judges of said Court:

The petition of the undersigned inhabitants of the Township of Susquehanna, County of Cambria and State of Pennsylvania, respectfully represents:

That under proceedings of this Court entered to number five September Sessions 1903, a public road was laid out and opened in the Township of Susquehanna and the Township of Elder, described as follows, to wit: Beginning at a point in the public road leading from Plattville to Hastings, or from Sandy Hollow School House to John A. Dillons, near the residence of Celestine McMullen, in Susquehanna Township; thence along line of Joseph Miller and Celestine McMullen North seven degrees and thirty minutes East 650 feet; thence North 52 degrees and 30 minutes East 1130 feet; thence North 39 degrees East 525 feet; thence North 33 degrees and 30 minutes East 217 feet; thence North 39 degrees and 30 minutes East 220 feet; thence North 41 degrees East 365 feet; thence North 58 degrees East 266 feet; thence North 40 degrees East 196 feet; thence North 37 degrees and 30 minutes East 230 feet; thence North 30 degrees and 30 minutes East 475 feet; thence North 43 degrees and 30 minutes East 280 feet; thence North 42 degrees East 164 feet; thence North 45 degrees 157 feet; thence North 82 degrees East 166 feet; thence North 89 degrees East 620 feet; thence South 80 degrees and 30 minutes East 160 feet; thence South 73 degrees East 352 feet; thence North 86 degrees and 30 minutes East 500 feet; thence North 81 degrees and 30 minutes East 983 feet; thence North 73 degrees and 30 minutes East 931 feet; thence South Eighty three degrees East 455 feet; thence South 38 degrees East 320 feet to a point in the public road leading from Nagles School House to Semelsbergers Cross Roads, near the residence of Anthony Yeagers in Elder Township.

That all of said public road situated in Susquehanna Township is now become useless, inconvenient and burdensome.

Your petitioners therefore pray the Court that the said road may be vacated, agreeably to the Act of the General Assembly in such case made and provided; and they will ever pray, etc.,

A. J. Westrich

Walter J. Smith

William A Link

Samuel Floyd

Hermon Miller

H V Lloyd

Andy Bobak

H B Clark

John Chira

Clyde Westover

Ignatz Beltrami

Merle Swamp

W D Debnak

Valentine W Beckland

Andrew Long

Joseph B Miller

Andrew Dalger

Sydney Miller

Haron Slord

Earl High

State of Pennsylvania

County of Cambria

;SS.

Wm A Link

being duly sworn

according to law deposes and says that the matters set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

William A Link

Sworn and subscribed to before me this 7 day of Apr, 1924.

R J Watz
APR 1, 1924
MY COMMISSION EXPIRES

In the Court of Quarter Sessions of Cambria County, Penna.

No. 10 March Sessions, 1924.

Petition to Vacate a Public Road in the Township of Susquehanna.

Filed 7 April 1924

Now April 7 1924, the within petition presented to Court and upon due consideration the Court appoint A.M. Shoemaker, J.D. Ritter and Adam Shum viewers, to view the road in said petition prayed to be vacated and to consider whether it is become useless, inconvenient and burdensome and make return thereof according to law.

By the Court

LAW OFFICES OF
J. HARRISON WESTOVER
FIRST NATIONAL BANK BUILDING
SPANGLER, PENNSYLVANIA

KNOW ALL MEN BY THESE PRESENTS, that we Charles Hetrick of the Borough of Hastings, Cambria County, Pennsylvania, and Sam Commons of Hastings Borough said County and State, are held and firmly bound unto the Commonwealth of Pennsylvania in the sum of one hundred dollars, lawful money of the United States of America, to be paid to the said Commonwealth or its certain attorney or assigns, to which payment well and truly to be made we do bind ourselves, our heirs, executors and administrators and every of them firmly by these presents.

Sealed with our seals and dated the 2 day of ^{April} ~~March~~, 1924.

Whereas a petition has been presented to the Court of Quarter Sessions for the County of Cambria, Pennsylvania, praying for the appointment of viewers to view the premises and to inquire into the question of vacating a public road in Susquehanna Township, Cambria County, which petition is entered to number _____ of _____ Sessions, 1924.

Now the condition of this obligation is such that if the petitioners or any of them, for said appointment of viewers, shall pay the costs and expenses which shall be ordered and decreed by the said Court of Quarter Sessions to be paid, then this obligation to be void, otherwise to be and remain in full force and virtue.

Sealed and delivered in presence of

W. L. Samplel

Chas Hetrick (SEAL)

Sam Commons (SEAL)

In the Court of Quarter Sessions for Cambria County.

No. 10 *March* June Sessions, 1924.

In re: Petition to Vacate a public road in Susquehanna Township.

Bond

Now *April 7* 1924,
the within bond approve and
directed to be filed.

By the Court
L

Filed 7 April 1924

LAW OFFICES OF
J. HARRISON WESTOVER
FIRST NATIONAL BANK BUILDING
SPANGLER, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA VOUNTY, PENNA.

In Re: Petition of Inhabitants of No. 10, March Sessions, 1924.
Inhabitants of Susquehanna Township to
vacate Public Road beginning at Sandy
Hollow School House and ending near
residence of Anthony Yeagers, in Elder
Township.

EXCEPTIONS :

Christ Otto, being a party in interest in the above entitled proceedings, and aggrieved by the Report of the Viewers appointed by the Court, in behalf of himself and others in interest, files the following Exceptions to the Report of Viewers:

1st. That the Report of Viewers having been filed on May 5th, 1924, was filed irregularly and before the Return Day of the Order of View, in violation of Rule No. 23, of the Rules of Court and the Act of Assembly approved June 3, 1836.

2nd. That the Report of Viewers having been "approved" by the Court on June 9th, 1924, and before the time had elapsed within which interested parties might file Exceptions to the Report, the Approval of the said Report by the Court was irregular.

3rd. The Report of the Board of Viewers is defective in that the Viewers have neglected to prepare and file a Report in accordance with the provisions of the Act of Assembly of June 13th, 1836.

4th. The Report of the Board of Viewers is defective in that the findings therein contained, as shown by the Report filed, are based upon the observations of the Viewers in going over the portion of road proposed to be vacated, instead of taking the testimony of interested parties living along and in the neighborhood of said road, and who will be affected adversely by the vacation of said road.

5th. The Viewers did not give Exceptant an opportunity to be heard by himself and his witnesses in opposition the the proposed vacation of said road.

6th. The Report of Viewers does not contain data or information sufficient to enable the Court to intelligently review the same for the purpose of approval or disapproval.

7th. The Report of Viewers does not disclose the fact that interested parties living along said road proposed to be vacated, oppose the vacation of said road and that they will be seriously inconvenienced and damaged by the closing or vacating of said road.

8th. The Report of Viewers is defective in that the findings of fact therein contained, are not based upon the testimony of the public who make use of said road, no hearing having been held by the Viewers and interested parties having been accorded and opportunity to testify as to the necessity for said road.

9th. That the Board of Viewers failed in the performance of their duty in the premises in not conducting a public hearing and receiving the testimony of interested parties before attempting to make findings of fact as reported in their Report.

10th. That the Viewers failed in their duty as viewers in not posting a notice of the meeting of the Board of Viewers, at the respective termini of the road which it is proposed to vacate.

Exceptant requests the privilege of filing additional Exceptions later.

Chris. Otto

Cambria County, ss;

Christ Otto, being duly sworn according to law, deposes and says that he is a party in interest in the above entitled proceeding, and that the matters contained in the within Exceptions, are true and correct as he verily believes.

Sworn and subscribed Before me
this 5th day of July, 1924.

Charles Harrison
Notary Public.
My Commission expires 7th March, 1925.

Chris. Otto

No. 10 March Sessions, 1924.

In the Court of Quarter Ses-
sions of Cambria County, Pa.

In Re; Petition of Inhabi-
tants of Susquehanna Township
to vacate Public Road begining
at Saddy Hollow School House
and ending near residence of
Anthony Yeagers, in Elder
Township.

EXCEPTIONS
To Report of Board of View-
ers.

Filed July , 1924.

Filed 5 July 1924.

CHARLES HASSON
ATTORNEY AT LAW
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNA.

In Re: Petition of Inhabitants of
Inhabitants of Susquehanna Township to
vacate Public Road beginning at Sandy
Hollow School House and ending near
residence of Anthony Yeagers, in Elder
Township.

No. 10, March Sessions, 1924.

ADDITIONAL EXCEPTIONS:

Christ Otto, being a party in interest in the above entitled proceedings aggrieved by the Report of Viewers, appointed by the Court, in behalf of himself and others in interest, files the following additional exceptions to the Report of the Viewers:

First: The petition for the appointment of Viewers in the above entitled proceedings, is fatally defective in that it fails to state in what particular the road sought to be vacated has become useless, inconvenient and burdensome, and fails to comply with Section Twenty-three of the Act of June 13, 1836, P. L., 551, (558), which reads as follows:

"Every application to vacate any road shall set forth in a clear and distinct manner the situation and other circumstances of such road or highway, or the part thereof, which the applicants may desire to have vacated as aforesaid."

Second: The petition for the appointment of Viewers is fatally defective in that the only cause alleged in said petition for the vacation of said road is as follows:

"That all of said public road situated in Susquehanna Township has become useless, inconvenient and burdensome."

Third: The petition for the appointment of Viewers is fatally defective in that it does not follow strictly, the provisions of the Act of Assembly and does not furnish the Court such facts as are necessary to induce and aid the Court in the exercise of its discretion in granting the prayer of said petition.

Christ Otto

Cambria County, ss

Christ Otto, being duly sworn according to law, deposes and says that he is a party in interest in the above entitled proceeding, and that the matters contained in the within Exceptions, are true and correct.

Sworn and subscribed before me as
he verily believes,
this 15th day of August, 1924.

Charles H. Hason
Notary Public.

My Commission expires 7th March, 1925.

Christ Otto

No. 10, March Sessions, 1924.

IN THE COURT OF QUARTER S
SESSIONS OF
CAMERIA COUNTY, PENNA.

In Re: Petition of Inhabit-
ants of Inhabitants of Sus-
quehanna Township to vacate
Public Road beginning at
Sandy Hollow School House
and ending near the residence
of Anthony Yeagers, in Elder
Township.

ADDITIONAL EXCEPTIONS.

Filed August , 1924

Filed 16 August 1924.

CHARLES HASSON
ATTORNEY AT LAW
EBENSBURG, PA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNA.

In Re: Petition of Inhabitants
of Susquehanna Township to vacate
Public Road beginning at Sandy
Hollow School House and ending near
the residence of Anthony Yeagers in
Elder Township.

No. 10, March Sessions, 1924

TO THE HONORABLE, THE JUDGES, OF THE ABOVE NAMED COURT:

The Petition of the undersigned Inhabitants of the Townships of
Susquehanna and Elder, Cambria County, Penna., respectfully represents:

That on or about the 7th day of April, 1924, a Board of Viewers
consisting of A. M. Shoemaker, Esq., J. D. Ritter and Adam Shuman, was
appointed by your Honorable Court to view and consider the advisability
of vacating that portion of a public road in Susquehanna Township,
beginning at Sandy Hollow School House and ending near the residence
of Anthony Yeagers, in Elder Township, Cambria County, Penna., and
entered to No. 10; March Sessions, 1924, Road Docket No. 6, page 117,
which road the said Viewers, by a report filed in this Court on the 5th
day of May, 1924, have reported in favor of vacating, and which road,
if vacated upon confirmation of report of said Viewers by the Court,
will result in great injury and inconvenience to your petitioners and
to other inhabitants of said Townships of Susquehanna and Elder, through
which the same is laid out and which road your petitioners and other in-
habitants of said Townships have used continuously since its opening, by
a proceeding in this Court, entered to No. 5, September Sessions, 1903,
Road Docket No. 5, page 111, and which said road as laid out and now
in use is described as follows:

Beginning at a point in the public road leading from Plattville
to Hastings, or from Sandy Hollow School House to John D. Dillons,
near the residence of Celestine McMullen in Susquehanna Township, thence

(Clergymen) Elder
 Paul Bell Sagard Elder
 Frank Heah Labor Elder
 Philip J. Lenz Labor Elder
 Louis Bernauer

Ed. Christ Labor Elder
 Charles Christ Elder
 Oino Yeager Elder
 William Lambly Elder

Raymond H. Thomas Elder

Ernest Healand	Farmer
* Had Thomas	Farmer Elder
Joseph J. Miller	Former Sausage Maker
Lawrence Volk	Farmer
James Wealand	Labor Elder

J. M. Cronauer	Former Elder
----------------	--------------

Ed. B. B. B.	Farmer	Sausage Maker
Dennis S. Chestrick	"	Elder
Edward Ashcraft	"	Elder

along line of Joseph Miller and Celestine McMullen, North seven degrees thirty minutes East, six hundred fifty feet; thence North fifty-two degrees thirty minutes East, eleven hundred thirty feet; thence North thirty-nine degrees East, five hundred twenty-five feet; thence North thirty-three degrees thirty minutes East, two hundred seventeen feet; thence North thirty-nine degrees thirty minutes East, two hundred twenty feet; thence North forty-one degrees East, three hundred sixty-five feet; thence North fifty-eight degrees East, two hundred sixty-six feet; thence North forty degrees East, one hundred ninety-six feet; thence North thirty-seven degrees thirty minutes East, two hundred thirty feet; thence North thirty degrees thirty minutes East, four hundred seventy-five feet; thence North forty-three degrees East, one hundred sixty-four feet; thence North forty-two degrees East, one hundred sixty-four feet; thence North forty-five degrees one hundred fifty-seven feet; thence North eighty-two degrees East, six hundred twenty feet; thence South eighty degrees thirty minutes East, one hundred sixty feet; thence South seventy-three degrees East, three hundred fifty-two feet; thence North eighty-six degrees thirty minutes East, five hundred feet; thence North eighty-one degrees thirty minutes East, nine hundred eighty-three feet; thence North seventy-three degrees thirty minutes East, nine hundred thirty-one feet; thence South eighty-three degrees East, four hundred fifty feet; thence South thirty-eight degrees East, three hundred twenty feet; to a point in the public road leading from Nagles School House to Semelesberger's Cross Road, near the residence of Anthony Yeagers in Elder Township.

That the portion of the above described road lying in Susquehanna Township, which the Viewers heretofore reported in favor of vacating, has been used by the traveling public for upwards twenty years, and is valuable for the use and convenience of the inhabitants of Susquehanna Township and Elder Township, as well as to other citizens living in surrounding districts.

Your petitioner, therefore, pray your Honorable Court, to appoint proper persons to Re-View the said road and make report to the next Court. And they will ever pray, etc.,

Wm. Linnberger Con. Stable Elder Twp
Jesse Hahn Farmer

Theodore Huber Stone Mason Elder Twp

Frank X Krus Farmer Elder Township

Frank X Ott Elder Township

Gust Ott Elder Township

Andrew Ott Elder Township

A J Beck Farmer Elder Township

G. A. Westrick Farmer Supervisor

A. J. Gahner Farmer

John Anderson Farmer Elder Township

Frederick Miller Election Elder Twp

G. W. Thomas Farmer

Wm. J. Curran Farmer

Edith Kibler

Sam. Thomas Miner Elder Twp

+ F. A. Kibler Farmer Elder Twp

Philip Blacksmith Elder Twp

John Stewart miner Elder

Joseph A Koontz miner Elder

David Keefe Jr. Labor Elder

Name	Occupation	Residence
C. Otto	Farmer	Elder Twp
J. Churniak	Farmer	Susq. Twp
J. Churniak	Farmer	Susq. Twp
Andy Polak	Farmer	Susq. Twp
Wm. H. H. H.	Farmer	Susq. Twp
Ignatz Beltowski	Farmer	Susq. Twp
Andrew Long		Susq. Twp
Andrew Holzer		Susq. Twp
H. H. H.	labor	Susq. Twp
H. H. H.	labor	Susq. Twp

H. H. H.	Farmer	Susq. Twp
Francis W. W.	labor	" "
Blair Rodkey	labor	" "
L. S. Bitterbaugh	labor	" "
W. M. A. A.		

Anthony B. B.	Farmer	Susq. Twp
John C. C.	Farmer	Susq. Twp
Lawrence W. W.	labor	Susq. Twp
Dennis Kline	former	Susq. Twp
Frank W. W.	former	Susq. Twp
Louis Carpinello	farmer	Susq. Twp
Robert S. S.	farmer	Susq. Twp
Michael Kline		

Mary A. A.
 Bertha B. B.
 H. H. H.

J. E. Somerville	Farmer	Sus. Twp
Ben. Somerville	farmer	
J. A. McKee	Farmer	Sus. Twp

John A. Holt	Farmer			
John A. Holt	Farmer			
Anthony Holt	Farmer			
John A. Holt	Farmer			
Leonard Holt	Farmer			
Walter L. Holt	Farmer			
Charles G. Holt	Farmer			
J. A. Beeler	Farmer			
John A. Beeler				
J. B. Dillon	Laborer			
George Bush	Laborer			
W. S. Weikamp	Farmer			
E. J. Weikamp	Farmer			
E. J. Weikamp				
A. J. Westrich	Farmer			
W. J. Fritz	Farmer			
Modest Miller	Laborer			
Bernard Weikamp	Laborer			
William A. Giviz				
Charles Thomas	Laborer			
A. B. Crothers	Laborer			
Anthony Simelshager	Miner			
E. J. Byrone	Farmer			
Carol M. Miller	Laborer			
E. F. Luthin				
C. A. Angert	Farmer			
Fred Beck	Farmer			
W. B. Wick				
W. A. Simelshager				

Name	Occupation	Residence
Mrs. Robert Ineson		
Robert Ineson	Farmer	
Jacob Krug	Farmer	Sus
Reed Krug	Farmer	Sus
Mrs. Mary Ann Miller		Sus
Levin Miller	Farmer	Sus
O. B. Straser	Laborer	Sus
Andy Wegland	Laborer	Sus
Henry (Straser)	Farmer	Sus
Sylvester Straser	Laborer	Sus
James Straser	Farmer	Sus
Elmer Straser	Laborer	Sus
Walter J. Miller	Farmer	Sus
Casper Miller	Farmer	Sus
O. B. Miller		Sus
J. J. Byrne	Farmer	Sus
W. L. Wagon		Sus
John Wagon		Sus
Ross	Engineer	Sus
Valentine Wagon		Sus
Mrs. W. C. Straser		Sus
Edward Inman	Farmer	Sus
H. E. Inman	Farmer	Sus
W. J. Inman		Sus
Anthony C. Berger	Farmer	Sus
Casper	Laborer	Sus
Harriet Miller		Sus
Luke Dillon	Farmer	Sus

Homers E. Lee

Elder

Elder

Wine Tormen

Edwards

Elder

1. 1st Lt. Col.

Former Elder Troy

Mineforsmen, C. de Puy

9
Hiram Loomis Elder To

Friday

.....

Donald L. Lewis

Elder ..

Eden

Henry R. Born, Labor Elder

Tanner 11 11

El Paso

Farmer. Elder Tapp.

Eden Trope

- 44 -

44-38861-107

Frank A. Huber

Thomas Burkhardt

Robert M. G. Farmer

Chas. Fox assessors

“ “ Laborer

.. .. 7/26/2021,

State of Pennsylvania,

Cambria County,

ss:

Christ Otto, being duly sworn according to law, deposes and says that he is a party in interest in the above entitled proceeding, and that the matters contained in the foregoing petitions, are true and correct as he verily believes.

Sworn and subscribed before

me this 1st day of Sept, 1924,

Charles Harrison
Notary Public.

C. Otto

My Commission expires 7th March, 1925.



In the Court of Quarter
Sessions of Cambria County,
No. September Term, 1924

In Re: Petition of In-
Habitants of Susquehanna
Township to vacate Public Road
beginning at Sandy Hollow
School House and ending near
the residence of Anthony
Yeagers in Elder Township.

Filed 1 Sept. 1924

Petition For Appointment of
Viewers to Re-View Road in
Susquehanna Township.

*And now, Sept. 1st, 1924,
the within petition presented
and read and upon considera-
tion thereof, the Court appoints
J. E. District Engineer, Philip C. Con-
frel and Nicholas H. Baumgardner
viewers to Re-view
said road and make a re-
port thereof to December
Term, 1924. By the Court
J. E. District Engineer
J. E. District Engineer*

CHARLES HASSON
ATTORNEY AT LAW
EBENSBURG, PA.