

Not Microfilmed

RO# 3 June 1942

Draft showing location of a proposed public road in Jackson Township, Cambria County, Pennsylvania. Divided upon the order of Mr. County Commissioner of Cambria County, Pa., dated the 2nd day of June, 1942 and returned to Mr. S. June Gleason, 1942.



T. M. Abernethy,
-J. N. Jerska, and
Geo. M. Bann,
Surveyors.

REPORT OF VIEWERS .

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

We, the undersigned members of the Permanent Board of Viewers of Cambria County, Pa., appointed by your Honorable Court, and upon the attached order directed to view and determine as to the necessity for a public road in Jackson Township, said county and state, between the termini therein specified, respectfully report:

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria County and to the Supervisors of Jackson Township, and having had them accept service of same, and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini of the piece of proposed new public road; and each 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: All of us met upon the premises at the time and place appointed, in accord with the notices posted and served as aforesaid, and having gone over and carefully viewed the premises observing the number of residents and property owners along the proposed route; having agreed there was occasion and necessity for a public road between the termini specified in the petition, we proceeded to lay out a road, which we recommend for public use, taking the following courses and distances, viz:

Beginning on the brick road, formerly State Highway Route No. 219, at the line dividing the Townships of East Taylor and Jackson, on the property known as the Amos Wagner farm, and extending thence the following courses and distances, north 47 degrees 40 minutes east 76 feet, along said brick road, and thence north 79 degrees 45 minutes east 360 feet; south 63 degrees 40 minutes east 211 feet; north 81 degrees 35 minutes east

95 feet; north 88 degrees 30 minutes east 294 feet; north 79 degrees east 114 feet; north 71 degrees 10 minutes east 385 feet; north 62 degrees 30 minutes east 273 feet; north 57 degrees 20 minutes east 228 feet; north 63 degrees east 253 feet; north 24 degrees east 196 feet ; north 79 degrees 40 minutes east 208 feet; north 84 degrees 45 minutes east 267 feet; south 84 degrees east 533 feet; south 83 degrees 20 minutes east 465 feet; north 87 degrees 25 minutes east 158 feet; north 56 degrees 15 minutes east 247 feet; north 48 degrees 55 minutes east 268 feet and north 45 degrees 45 minutes east 212 feet to the point of ending at the easterly termini at the line of the property known as the Philip Davis of Fields Farm. All of said distance being through the Township of Jackson. A plot or draft of said piece of road being hereto attached and made a part of this report.

The piece of proposed road as laid out and recommended will pass along or over lands of _____ DeRubis, _____ Wagner, Frank Crawley, Geo. F. Reed, William Grave, Willis Marsh, Elsie Marsh, Paul Adams and Charles Simmons, and will provide an outlet from the easterly termini for E. G. Hammers, Geo. R. Strayer and George Butalla; all of whom, as it appears to the viewers, will be much benefitted by the opening of the above described piece of road, and, though no claim or claims for damages were presented to the viewers, we have estimated and determined ~~to~~ that the benefits which will accrue to all parties interested will more than offset any damages which might be sustained and therefore we have assessed no damages.

Witness our hands this 25th. day of July, A. D., 1942.

A. M. Shoemaker

A. H. Jewers

James M. Carr
Viewers.

N O T I C E O F V I E W .

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view the site and determine as to the necessity for a public road in Jackson Township, said county and state, to begin of the brick road; formerly State Highway Route No. 219; on the line between the townships of East Taylor and Jackson, on the property known as the Amos Wagner farm, and extending thence in a north-easterly direction through Jackson Township to the property known as the Philip Davis or Fields Farm, a distance of approximately one mile.

Said Viewers will meet on the former State Highway Route No. 219, on the line between the Townships of Jackson and East Taylor on the 21st. day of July, 1942, at 9:30 O'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

S. H. Jencks and

James McCann,

Viewers.

Now, July 1942, service of the above notice is hereby accepted by the undersigned Supervisors of the Township of Jackson, Cambria Co., Pa.

B. Dwight Griffith
John Shuman

Supervisors.

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view the site and determine as to the necessity for a public road in Jackson Township, Cambria County, Pa., to begin on the brick road on the boundary line between the townships of East Taylor and Jackson; former State Route NO. 219; on the property known as the Amos Wagner farm; and extending thence in a north-easterly direction through Jackson Township, to the property known as the Philip Davis or Fields Farm, a distance of approximately one mile.

The Viewers will meet on the former State Highway Route No. 219. on the line between the Townships of East Taylor and Jackson on the 31st. day of July, 1942, at 9:30 O'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker.

S. H. Jencks and

James McCann,

Viewers.

Now, July 10th., 1942, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

H. F. Dow
Clerk

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Jackson Township
July 21, 1942

Accepted for the Commission of the Public Health Service.

John J. ...

John J. ...
John J. ...

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A. M. Shoemaker,

S. H. Jencks and

James McCann,

Viewers.

Innre View of Road in Jackson Township,

Cambria County, Pennsylvania.

NO. 3. June Sessions, 1942.

County of Cambria - - - - - Dr.

1942. To A. M. Shoemaker

6/9&10	To preparing, serving and posting notices of view	\$18.00.
" "	Stenographer & stationery	1.50.
" "	26 miles at 10¢ per mile	2.60.
" /21	Day on View	12.00.
" "	26 miles	2660.
" 22.	Making survey of road	12.00.
" "	Chainman - paid by A. M. S.	1.50.
" 23	Plotting and drafting	12.00.
" 24	Three (3) Blue Prints @ 60¢ each	1.80.
" 25	Preparing Report of Viewers	12.00.
" "	Stenographer & stationery	1.00.
		<u>\$77.00.</u>

To S. H. Jencks

1942.		
6/21	Day on View	\$12.00.
"	26 Miles @ 10¢ per mile	2660.
		<u>\$14.60.</u>

To James McCann

1942.		
6/21	Day on View	\$12.00.
"	12 Miles @ 10¢ per mile	1.20.
		<u>\$13.20.</u>

PAID AUG 5 1942

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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 22nd day of June A. D. 1912, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Jackson, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to lead from Beginning on brick road on boundary line of East Taylor Township and Jackson Township, formerly State Highway Route No. 219, on the property known as the Amos Wagner farm; thence in a northeasterly direction through Jackson Township to the property known as the Philip Davis or Fields Farm a distance of approximately one mile

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 Alfred Shoemaker, S. H. Jenks surveyor, and James McCann.

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.
McCann P. J.

Attest:

Joseph C. Wess, 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 3 June SESSIONS, 1924

Order to view and lay out
a public road in Jackson
Township, Cambria County,
Pa.

Filed July 31, 1942

ORDER TO VIEW

AND

REPORT OF VIEWERS.

Viewers
A. M. Shoemaker
S. H. Jenks
James McCann

Clerk *Joseph P. Moran* 90 cts.

*Approved this 14th day
of Sept. 1942
By the Court
McKenrick
Judge*

And Now, June 18th, 1942, we hereby acknowledge receipt of a copy of the within petition and waive the issuance of a rule and agree that viewers be appointed.

COMMISSIONERS OF CAMBRIA COUNTY

By *J. A. Dow*
Chief Clerk

No 3 June 1942

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE ROAD IN JACKSON TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA

Filed June 24, 1942

PETITION FOR THE APPOINTMENT
OF VIEWERS

G. RANDOLPH MYERS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

PETITION FOR THE APPOINTMENT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of the undersigned, residents and property owners of Jackson Township, Cambria County, Pennsylvania, respectfully represents:

1.

That they labor under a great inconvenience by reason of the fact that a roadway leading from the old brick roadway formerly known as State Highway Route No. 219 at the boundary line of Jackson and East Taylor Townships and running in a Northeasterly direction to the Philip Davis or Fields farm has not been taken over by the Township of Jackson.

2.

A particular description of said roadway is as follows:

Beginning on brick road on boundary line of East Taylor Township and Jackson Township, formerly State Highway Route No. 219, on the property known as the Amos Wagner farm; thence in a northeasterly direction through Jackson Township to the property known as the Philip Davis or Fields Farm a distance of approximately one mile.

That the said roadway is constantly used by the abutting property owners and others and is in need of repair and proper maintenance.

Your petitioners, therefore, pray the Court to inquire of and open said road and for that purpose to appoint Viewers according to law to view said road and inquire of the premises and make return of their proceedings according to law and to the Act of Assembly in such case made and provided.

R. Dwight Griffith
John Shuman

Supervisor of Jackson Township

Supervisor of Jackson Township

E. G. Hammer

Edw. E. Hammer

Geo. F. Reed

Olive Wagner
Mr. Paul C. Adams
Mrs. Olive A. Adams
Mr. Rudline Thomas
Mrs. Thomas Rudline
Mrs. Willis Marsh
Mrs. Estelle Marsh
Geo. R. Strayer
May J. Strayer
Charles F. Simmons
Frank J. Crowley
Woodrow Albert
Geo. A. Seidy
Patry D. Rubin

STATE OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBERIA :

E. S. Hammer, being duly sworn according to law, did
depose and say that the statements set forth in the foregoing petition are true
and correct, as he verily believes.

E. S. Hammer

Sworn and subscribed before me
this 17 day of June, A. D. 1942.

John L. Hite
Prothonotary

DECREE

AND NOW, June 22, 1942, the foregoing petition having been read and considered, it is ordered that A. M. Shremaker,
J. A. Jencks and James M. Lane,
members of the Board of Viewers of Cambria County, be and hereby are appointed to view and report on the above matter, according to law.

By the Court
J. M. Lane
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