

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY

In re petition of Mike Blaskovich for a private road in Barr Township, Cambria County, Pennsylvania.

Exceptions to the report of viewers in behalf of Josephine Roga, (or Rogel) Owner of the land through which the private road passes, as laid out by the viewers as shown by their report.

(1) The termini of the proposed road are not definitely stated in the petition as required by law.

(2) The report of the viewers does not show that personal service was given to Josephine Roga (otherwise Josephine Rogel) Owner of the land, of the time and place of the viewers' meeting and of the time and place fixed for the assessment of damages.

(3) The termini of the road laid out as shown in the report of the viewers differ from those named in the petition.

(4) The report of the viewers directs the damages fixed therein, occasioned by reason of the proposed road, to be paid by John Orriz and not by Mike Blaskovitch, the Petitioner.

(5) The report of the viewers fails to show the terminus of the road laid out to be a public road.

(6) The amount awarded to Josephine Roga (or Rogel) by the Board of Viewers as damages, is totally inadequate.

(7) The report of viewers fails to show the width of the road as the basis for the computation of damages.

(8) The report of viewers fails to show the termini of the road with reasonable certainty.

The Exceptant reserves to herself the right to file any

additional exceptions.

J. R. Josephine Rogel

State of Pennsylvania |
County of Cambria |

SS:

On this Feb. 28- day of February A. D. 1921 before the undersigned Notary Public in and for said County and State, personally appeared Josephine Rogel, who being duly sworn according to law says that the matters set forth in the foregoing exceptions are true and correct to the best of her knowledge, information and belief.

J. R. Josephine Rogel

Sworn and subscribed before me this _____ day of February A. D. 1921.

Peter Moncuso
Notary Public

My commission expires _____ My Commission Expires, Feb. 21, 1923.



IN THE COURT OF QUARTER SES-
SIONS OF CALBRIA COUNTY.

IN RE PETITION OF MIKE
BLASKOVITCH FOR A PRIVATE
ROAD IN BARR TOWNSHIP, CAM-
BRIA COUNTY, PENNSYLVANIA.

EXCEPTIONS TO REPORT OF
VIEWERS

Filed March 2, 1921.

*And now Oct 10th 1921,
upon due consideration
Exceptions are sustained
and proceedings dismissed
By the Court*

Harry Doerr,
Attorney-at-Law
Joanstown, Pa.

G. RANDOLPH MYERS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

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

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, upon the attached order, to view and determine as to the necessity for a private road to lead from the premises of John Orriz, in Susquehanna Twp., said county and state, to the public road or street leading from No. 3. Mine to North Barnesboro; 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 the parties interested by printed hand bills, as required by law, and being first duly sworn to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability all of met and viewed the premises and are of the opinion there is a necessity for a private road from the premises aforesaid to said street or highway; accordingly we proceeded to lay out a private road and have laid out such a road as follows- Beginning at a post at the Northerly corner of the premises of said John Orriz and running thence North twelve degrees West one hundred twenty six feet through and over the premises of Mrs. Josephine Roga and thence along the line of said Mrs. Rogas' property North fifty four degrees East three hundred seventy five feet to the line of Barnesboro Borough and the premises of the Sterling Coal Company, from whence the petitioner may have access to the public road aforesaid. A plot or draft is hereto attached showing the location of the premises and the lay of the new road as above referred to, and is made a part of this report. The Viewers have awarded damages in the sum of fifty dollars to the said Mrs. Josefina Roga to be paid to her by the said John Orriz for the inconvenience and use of the land so taken. Witness our hands this sixth day of December A. D., 1920.

A. M. Shoemaker

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 . and. determine. as. to.
the necessity for a private road; in Barr twp. said county and
state; to begin on line of land of John Orriz (formerly of S. S.
Cypher); at a point 400 feet from a corner of land of Barnes &
Tucker and John Orriz, and to end at a point in the public road
leading from North Barnesbore to the Village known as No. 3. Mine;
now owned by Barnes & Tucker; where land of Josefina Rogal corners
with land of said Barnes & Tucker and a right-of-way of the P. R.
R. Co.

will meet at the place of ending, above noted, in the
..... township..... of Barr..... aforesaid,
on the ...12th... day of November..... 1920 at ...1:00... o'clock... P. M.,
for the purpose of performing the duties of their appointment.

..... A. M. Shoemaker,
..... J. D. Ritter and
..... Adam Shuman,
Ebensburg, Pa. 10/30/1920. Viewers.

Now, Nov. 6th 1920, service of the within notice is hereby

accepted for the Commissioners of Cambria County, Pennsylvania.

James McQuinn
black

Faint, mostly illegible text, possibly containing names and addresses, separated by horizontal lines.

MOVED 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 Sixth day of September A. D. 1920, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Barr, in the said County, setting forth that they labor under inconvenience for want of a Private road or highway, ~~to lead from~~

Beginning at a post on line of land of John Orriz (formerly S.S. Cypher) being four hundred (400) feet distant from corner of land of Barnes and Tucker and land of John Orriz; thence South fifty-five (55) degrees W. a distance of two hundred twenty-seven feet to a post thence West one hundred eighty-eight (188) feet to a post; thence W. 55 S. a distance of two hundred twenty-seven feet (227) to a post; thence N. 52 East a distance of one hundred and eighty-eight (188) feet to a post and the place of beginning, containing one acre, more or less, into ^{and from} which there is no access by means of any public or private road, and that he labors under great inconvenience for want of a private road to lead from his dwelling house and property in said Township of Barr, in said County, to a point on the public road leading from North Barnesboro, in said County, to the Village known as No. 3 Mine, now owned by Barnes and Tucker in said Township and County where the land of Josefina Rogal corners with that of the said Barnes and Tucker and a right-of-way of the Pennsylvania Railroad Company

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

John D. Ritter and Adam Shuman

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:

Frank A. Roth, 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."

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No. 3	September Session, 1920	
Order to view Private Road in		
Barr Township leading from		
dwelling house and property of		
Mike Blaskovitch in said Town-		
ship of Barr, to a point on		
the Public road leading from		
North Barnesboro, to the Village		
known as No. 3 Mine in said		
County.		
A. M. Shoemaker,	Viewers:	
John D. Ritter		
Adam Shuman		
Clerk	Bojbb	90 cts.

DEC 15 1920 CERTIFIED

*11 Dec. 1920 filed in
Open Court. Frank C. Hoff.
Clerk.*

Republic Court

Cost of View

A. M. Shoemaker

Lifting Order	.90
5 Days	37.50
52 miles	2.60
Engineering work	37.50
	<u>\$ 78.50</u>

J. D. Ritter

1 Day	7.50
6 miles	.30
	<u>\$ 7.80</u>

Adam Shuman

1 Day	7.50
73 miles	3.65
	<u>\$ 11.15</u>

APPROVED FOR PAYMENT
W. B. [Signature]
W. B. [Signature]
W. B. [Signature]

ES-16 (20) CERTIFIED

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TO THE HONORABLE THE JUDGES OF THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY, PENNSYLVANIA:-

The petition of Mike Blaskovitch, of the Township of Barr, County of Cambria, and State of Pennsylvania, respectfully represents:-

That your petitioner is the owner of certain premises in the Township of Barr, County of Cambria, and State of Pennsylvania, bounded and described as follows:-

Beginning at a post on line of land of John Orriz (formerly S. S. Cypher) being four hundred (400) feet distant from corner of land of Barnes and Tucker and land of John Orriz; thence South fifty-five (55) degrees W. a distance of two hundred twenty-seven (227) feet to a post; thence West one hundred eighty-eight (188) feet to a post; thence W. 55 S. a distance of two hundred twenty-seven (227) to a post; thence N. 52 East a distance of one hundred eighty-eight (188) feet to a post and the place of beginning, containing one acre, more or less,

into and from which there is no access by means of any public or private road, and that he labors under great inconvenience for want of a private road to lead from his dwelling house and property in said Township of Barr, in said County, to a point in the public road leading from North Barnesboro, in said County, to the Village known as No. 3 Mine, now owned by Barnes and Tucker, in said Township and County, where the land of Josefina Rogal corners with that of the said Barnes and Tucker and a right-of-way of the Pennsylvania Railroad Company.

He, therefore, prays the court to appoint three persons, qualified according to law, to view and lay out the same according to law, and make report of their proceedings at the next term of this court.

Mike Blaskovitch

COMMONWEALTH OF PENNSYLVANIA |
COUNTY OF CAMBRIA | SS:

Before me, the subscriber, Clerk of the Court of Quarter Sessions in and for said County and State, personally came Mike Blaskovitch, the above named petitioner, who being by me duly sworn according to law doth depose and say that the matters and things set forth in the foregoing petition are true and correct, as he verily believes.

Mike Blaskovitch

Sworn and subscribed to before me,
this 4th day of August, A. D. 1920.

Frank C. Roth
Chas J.

DECREE.

AND NOW, Sept 6th, 1920, the foregoing
petition having been read and considered, W. H. Shumaker

John D. Curtis, and Adair Shumaker
are appointed viewers, as prayed for.

By the Court

No 3 September 1920

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

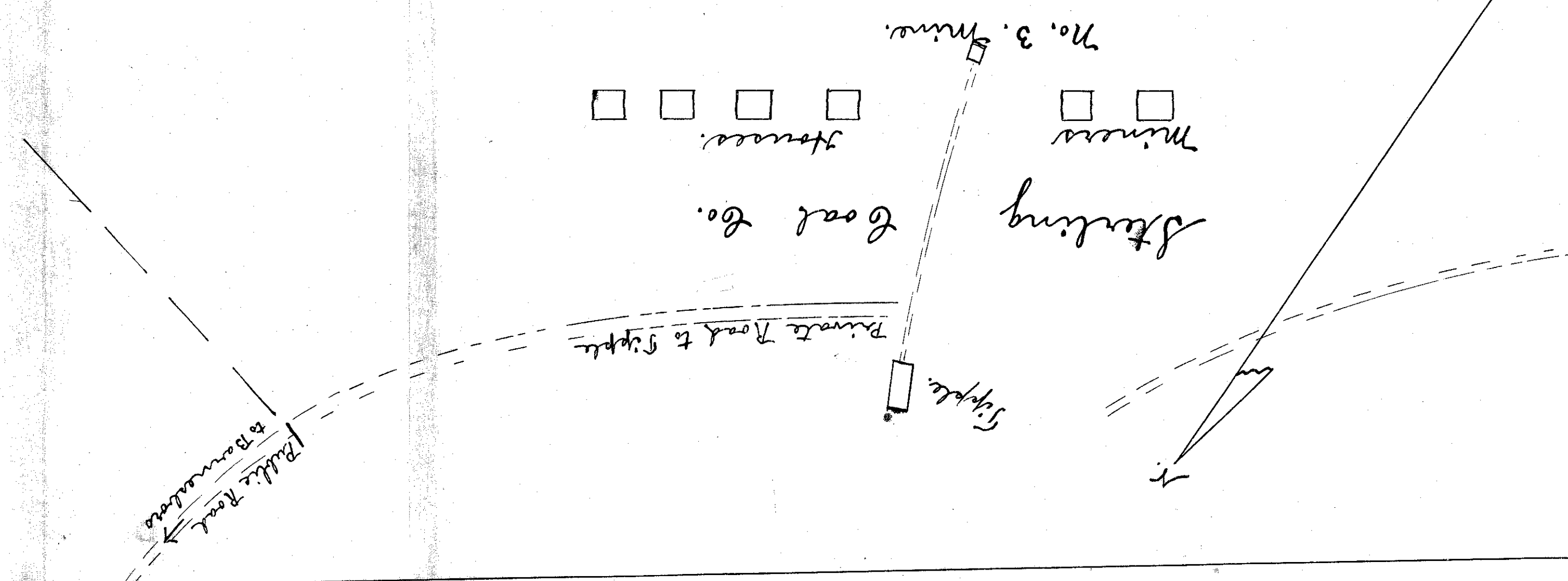
PETITION of Mike Blaskovitch
for appointment of viewers
to view and lay out private
road in Barr Township,
in said County.

(Decree Inside)

Filed 6 September 1920

LEECH & LEECH
ATTORNEYS-AT-LAW

Sketch showing the line of a proposed private road in Barn Sup., Cambria Co., Pa. Viewed upon an order of the Court of Quarter Sessions of said county A. M. Shoemaker, J. D. Ritter & Adam Shuman Viewers.



Barnesboro Borough Line

