

No. 1 December Term, 1927

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

PETITION OF RESIDENTS
OR PROPERTY OWNERS OF
CAMBRIA TOWNSHIP FOR
APPOINTMENT OF VIEWERS
TO LAY OUT ROAD.

And now, January 9th 1928,
within petition read and
considered, and Alfred
Shumaker Esq., Adgen
Shuman and Edw. J. D.
Kittler appointed
viewers as within prayed
for.

By the Court
Samuel L. Linnard

PRESIDENT JUDGE OF THE ORPHAN'S COURT
SPECIALLY PRESIDING

Filed 9 Jan'y 1928.
10:30 A.M.

G. RANDOLPH MYERS
ATTORNEY AT LAW
EBENSBURG, PENNSYLVANIA

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTER SESSIONS OF
CAMBRIA COUNTY

The petition of the undersigned residents or property owners
of the Township of Cambria in said County respectfully represents:

That they labor under great inconvenience for want of a public
road or highway beginning at a point on the William Penn Highway
about one hundred (100) yards distant from the intersection of said
highway and the right of way of a branch of the Pennsylvania Railroad
running between Cresson and Indiana, near the boundary of the Borough
of Ebensburg and ending at a point on the said road known as Route
No. 17, where said road intersects with the said right of way of the
Pennsylvania Railroad at a point near the station on said railroad
known as Beulah.

The petitioners therefore pray the Court to appoint three per-
sons qualified according to law, to view the ground for such road
and if they see occasion, lay out the same, and make report of their
proceedings to the next term of this Court.

Chas. H. Foltz
Lester Lanning
St. Calvin Cook
Henry Johnson
Doek Johnson
Robert A. Hester
L. W. Brickley
J. P. Tadd
J. H. R...
Paul H. ...
Citizens Lumber & Supply Co
Herman S. Jones Treas

Webster Griffith
 T. M. Richardson
 Fred Jones
 John H. Long
 Bert James
 A. J. Ellic
~~all other H. H. H. H.~~
 Paul Zeno
 Z. L. Brothers
 Walter Brothers
 Laird C. Zimmerman
 M. J. Hoffmann
 D. H. Powell
 G. G. Empfield
 T. R. Empfield
 Guy Dunlap
 C. C. Empfield
 Walter B. Jones
 L. A. Huntley

State of Pennsylvania }
 County of Cambria } SS

John D. Long, being duly sworn according to law, did depose
 and say that the statements as set forth in the foregoing peti-
 tion are true and correct as he verily believes.

Sworn and subscribed
 before me this 23rd day
 of December, 1927.

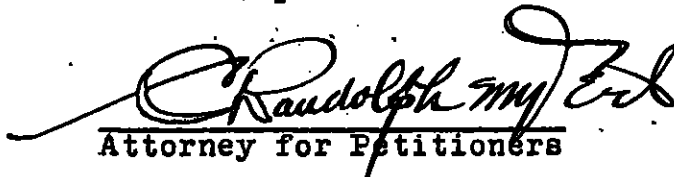
John D. Long

Geo. W. Williams
 PROTHONOTARY

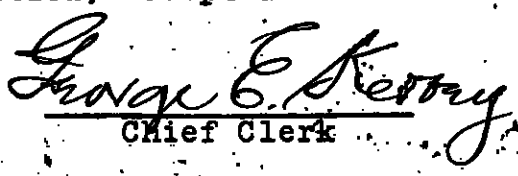
NOTICE

TO THE COMMISSIONERS OF CAMBRIA COUNTY:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, January 9TH 1928, asking for the appointment of viewers to view and lay out for public use the road described in said petition.


Attorney for Petitioners

AND NOW, January 9TH 1928, service of the above notice, together with a copy of said petition, accepted.


Chief Clerk

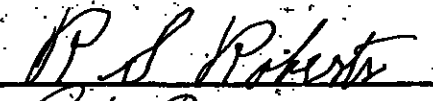

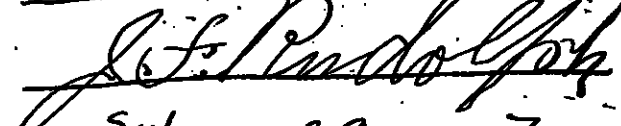
NOTICE

TO THE SUPERVISORS OF CAMBRIA TOWNSHIP

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, January 9th 1928, asking for the appointment of viewers to view and lay out for public use the road described in said petition.


Attorney for Petitioners

AND NOW, January 7th 1928, service of the above notice, together with a copy of said petition, accepted.




Supervisors of Cambria Township

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 permanent board of viewers of Cambria County, appointed by your honorable Court, and upon the attached order directed to view and determine as to the necessity for a public road in Cambria Township, said county and state, beginning on the William Penn Highway at a point about one hundred yards South West of the intersection of the said highway with the right-of-way of the Cresson - Blacklick branch of the Pennsylvania Railroad and ending at the intersection of State Highway Route No. 17. with said Cresson - Blacklick Branch of the P. R. R. just westward from Beulah Station, on said rail road; 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 Supervisors of the Township of Cambria, 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 termini and along the route of the proposed new 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 at the time and place appointed in accord with the notices served and posted as aforesaid and having gone carefully over the ground and viewed the same, noting carefully the location of those living along the route of the proposed new road and whether or not they already had access to any public highway from their premises &c. and are of the opinion that the new road as petitioned for, is not necessary for a public road.

The proposed new road desired by the petitioners between the points of beginning and ending; a plot or draft of which is hereto attached and made a part of this report; takes the following courses and distances, viz: Beginning at the termini on the William Penn Highway about one hundred yards South West of its intersection with the Cresson-Blacklick Branch of the Pennsylvania Railroad Company's right-of-way at the Southerly line of the Borough of Ebensburg and extending thence, over a dedicated street through a plot of ground known as Mylo Park, North $84^{\circ} 30'$ West 2397 feet, thence South; over land of Miss. Julia

Bishop and Quince Brickley; ^{South} 86° West 2096 feet, thence still over land
 of said Brickley and land of Mrs. Lillian Simpson South 86° 30'
 West 827 feet, thence over land of said Mrs. Simpson, South 78° West
 754 feet, South 75° West 1156 feet, South 56° 30' West 761 feet, South
 74° 25' West 617 feet, thence over land of said Mrs. Simpson and land
 of the Lloyd Heirs and Lester Larimer South 55° 30' West 221 feet to the
 public highway known as Route 17., thence following Route 17. North 49°
 North 61° 30' West 321 feet
 30' West 127 feet, and North 84° 30' West 796 feet to the intersection of
 the P. R. R. with Route 17. at the culvert, just Westward from Buelah Sta-
 tion.

As there are approximately nineteen families living along the proposed
 new road and one of these already have a private road from their residence
 to Route No. 17, near the South Westerly terminus of the proposed new
 road and the remaining eighteen families being located along and adjacent
 to the dedicated street through Mylo Park - the balance or remainder of
 the route of the proposed new road being through unimproved and unsettled
 land; and whereas the Supervisors of the Township of Cambria have; as
 indicated by their letter hereto attached and made a part of this report;
accepted; the dedication of the said street through said Mylo Park, which
 they agree to take over and maintain as a township road, thereby satisfy-
 ing the desire of the remaining eighteen families along the route of the
 proposed new road, and whereas, in the minds of the viewers the through
 traffic or use of the proposed new road by the traveling public is, for
 the present at least, well served by Route No. 17. and the William Penn
 Highway; hence the decision of the viewers as hereinabove expressed.

Witness our hands this 31st. day of January, A. D., 1928.

A. M. Shoemaker
J. D. Ritter
Adam Shuman

Viewers.

WHEREAS, a petition entered to No. 1 December Sessions, 1927 has been presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, praying for the appointment of viewers to inquire into the necessity for a new public road between a point on the William Penn Highway approximately one hundred yards southward along said highway from the southerly line of the Right of Way of the Cresson-Blecklick branch of the Pennsylvania Railroad Company at the southerly line of the Borough of Ebensburg, said County and State to the intersection of the said branch of the Pennsylvania Railroad Company with State Highway Route No. 17, just westward from Beulah Station; all in Cambria Township, Cambria County, Pennsylvania; and

WHEREAS, it has been ascertained that approximately all the parties living along or adjacent to said proposed new road, as laid out by the Viewers appointed by the aforesaid Court, and who would be benefited or served by the opening of said road live on the plot recently laid out in said township known as Mylo Park, just beyond the limits of the Borough of Ebensburg.

NOW THEREFORE BE IT RESOLVED, that the Supervisors of the Township of Cambria hereby accept the dedication of the roadway, not including the sidewalks, as laid out through said Mylo Park from the termini on the William Penn Highway above mentioned, laying North 84° 30' west through and over said plot of Mylo Park for a distance of 2400 feet to the westerly side of said Mylo Park and agree to take over, keep up, and maintain said piece of road thus taken over as a public road or highway, and

BE IT FURTHER RESOLVED, that the acceptance of said dedication shall be as of April, 1, A. D. 1928.

L. F. Crouse offered the foregoing resolution and moved its adoption. Motion seconded by J. F. Rudolph and unanimously carried.

I, hereby certify that the above resolution was duly passed by the Board of Supervisors of Cambria Township at their regular meeting held February 4, 1927.

A. S. Jones
Solicitor

Notice of View!

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 public road, in Cambria Township, said county and state: Beginning on the William Penn Highway, at a point about one hundred yards from the intersection of said highway with the right-of-way of the Pennsylvania Railroad Co.; extending between Cresson and Indiana; near the boundry line of the Borough of Ebensburg, and ending on the road known as Route No. 17, at the point where said road intersects with said right-of-way of the P.R.R.Co. near the station on said railroad known as Buelah:

will meet at the place of beginning, noted above, _____ in the _____ Township of _____ Cambria _____ aforesaid on the 20th. day January _____ 1928, at 9:00 o'clock A. M., for the purpose of performing the duties of their appointment.

_____ A. M. Shoemaker,

_____ J. D. Ritter and

_____ A. M. Shoemaker,

Viewers.

Ebensburg, Pa. 1/10/'28.

Now, Jan. 1928, service of the within notice is hereby accepted for the Commissioners of Cambria County, Pa.

George E. Kerby

Notice of View!

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 ne-
cessity for a public road, in Cambria Township, said county and
state: Beginning on the William Penn Highway, at a point about one
hundred yards from the intersection of said highway with the right-
of-way of the Pennsylvania Railroad Co.; extending between Cresson
and Indiana; near the boundry line of the Borough of Ebensburg, and
ending on the road known as Route No. 17, at a point where said road
intersects with said right-of-way of the P.R.R.Co. near the station
on said railroad known as Buelah:

will meet _____ at the place of beginning, above noted, _____ in the
_____ Township _____ of _____ Cambria _____ aforesaid
on the 20th. day _____ January _____ 1928., at 9:00 o'clock _____ A.
M., for the purpose of performing the duties of their appointment.

_____ A. M. Shoemaker, _____

_____ J. D. Ritter and _____

_____ A. M. Shoemaker, _____

Viewers.

Ebensburg, Pa. 1/10/'28.

Service of the within notice is hereby accepted by the undersigned
Supervisors of the Township of Cambria, Cambria County, Pa.

January

1928.

R. S. Roberts

L. F. Crouse

J. Rudolph

Supervisors.

Costs of View

J. D. Ritter

CERTIFIED
Joseph Cannon
COUNTY CONTROLLER

6 Days ————— 72⁰⁰

294 miles @ 10¢ per mi. 294⁰⁰

\$1014⁰⁰

Adam Shuman

CERTIFIED
Joseph Cannon
COUNTY CONTROLLER

6 Days ————— 72⁰⁰

152 miles (6 trips) 152⁰⁰

\$872⁰⁰

A. M. Shoemaker

11 Days @ 12⁰⁰ — 132⁰⁰

64 miles @ 10¢ per mi 64⁰⁰

Survey, plotting drafting

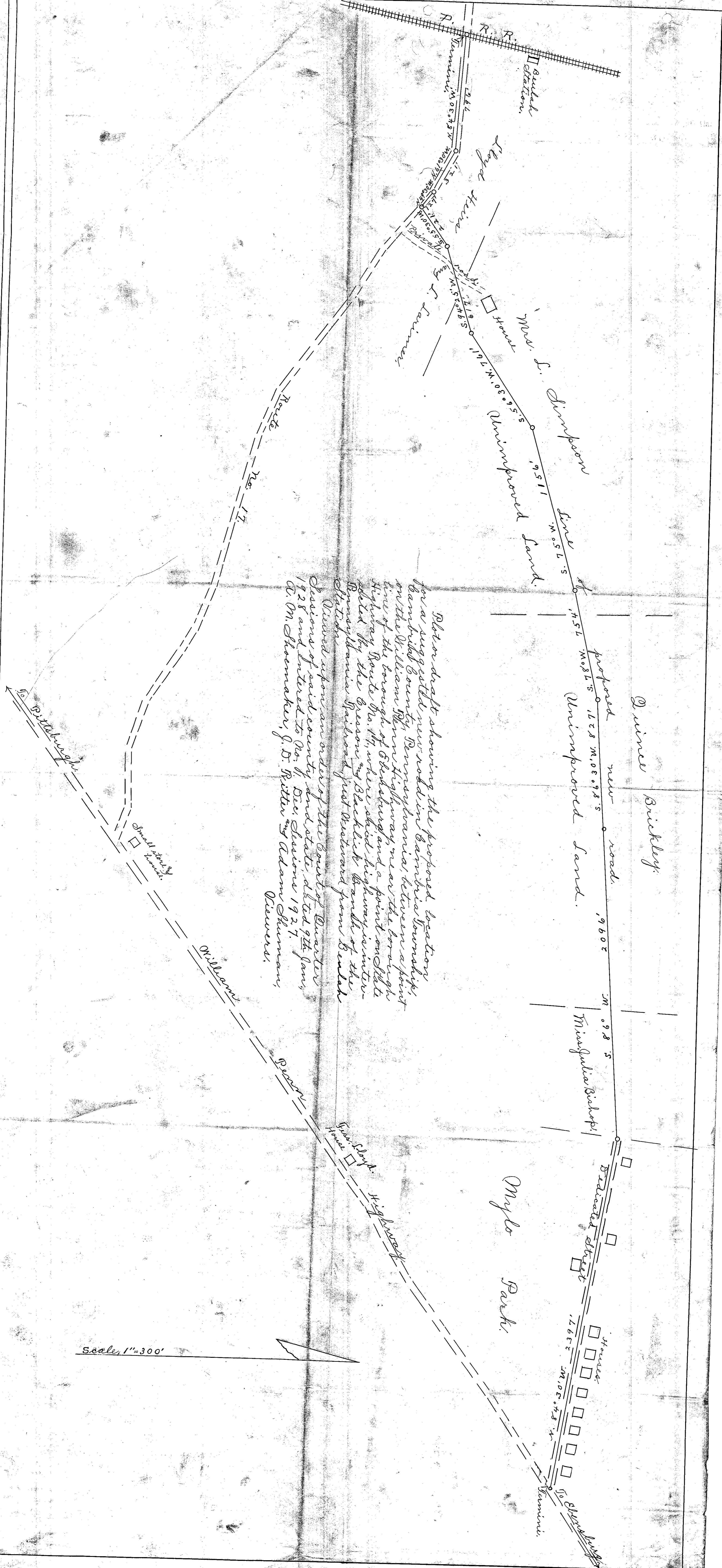
chainmen axemen and

transportation ————— 157³⁰

\$2957⁰⁰

CERTIFIED
Joseph Cannon
COUNTY CONTROLLER

[Handwritten signature and stamp]



Plot or draft showing the proposed location for a suggested new road in Garfield Township, Cambria County, Pennsylvania, between a point on the Williams Run Highway, near the borough line of the borough of Boulders and a point on the Highway Route No. 17, where said highway is intersected by the Greason and Stacklick Branch of the Pennsylvania Railroad just westward from Boulders Station.

Viewed upon an order of the Court of Quarter Sessions of said county and state, dated 9th Jan'y, A. D. M. Shoemaker, J. D. Ritter and Adam Shuman, Viewers.

NO. 1, December SESSIONS, 1927

Order to view public road in

Cambria Township

and

Report of Viewers

CERTIFIED

George P. Sumner
COUNTY CONTROLLER

Filed July 1928

11:15 A.M.

A. M. Shoemaker

Adam Shuman

J. D. Ritter

Viewers

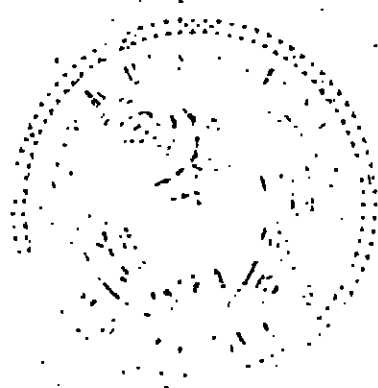
Clerk _____ 90 cts.

12 March 1928 Unrevised.

By the Court
Evans. P. J.

11 June 1928 Confirmed absolutely.

Frank B. 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."

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 9th day of January A. D. 1923, 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-for-want-of-a public road or highway, to lead from

a point on the William Penn Highway about one hundred (100) yards distant from the intersection of said highway and the right of way of a branch of the Pennsylvania Railroad running between Cresson and Indiana, near the boundary of the Borough of Ebensburg and ending at a point on the said road known as Route No. 17, where said road intersects with the said right of way of the Pennsylvania Railroad at a point near the station on said railroad known as Beulah.

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 Adám Shuman and J. D. Ritter

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 L. Robb, Clerk.