

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, appointed by your honorable Court to view and determine as to the propriety of vacating a certain piece of public road in Jackson Township, said county and state, more particularly described in the attached order of court; 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 Jackson 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 public road leading from the Village of Vinco to the Paul's Luthern Church near the residence of M. W. Devlin and others; and 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 over and carefully viewed the road in question and noting there was no one living along same and that the Southern Cambria Railway having been abandoned and what was formerly the Vinco Road Station which had fallen into disuse had been torn down or removed, there is absolutely no need or demand on the part of the public for the continuance of the road as a public thoroughfare and accordingly we hereby recommend that the road in question should be vacated.

The said road which is herein recommended to be vacated, a plot or draft of which is hereto attached and made a part of this report takes the following courses and distances, viz: Beginning, as indicated on the attached order of the Court and as more particularly designated on the attached draft, on the public road

leading from the Village of Vinco to St. Paul's Luthern Church near the residence of M. W. Devlin and extending thence the following courses and distances, South 37° East 201 feet, South 28° East 106 feet, South 11° East 125 feet, South 18° East 185 feet, South 21° East 290 feet, South 37° East 213 feet, South 37° 10' East 158 feet, South 11° East 132 feet, South 30° East 59 feet, South 63° 45' East 134 feet, South 53° 15' East 236 feet, South 57° 30' East 305 feet, South 28° 15' East 104 feet, South 42° 30' East 55 feet, South 71° East 139 feet and North 56° East 96 feet to the location of the old Vinco Road Station, and the easterly termini designated on the attached order of the court.

To maintain the above described piece of road the benefit of which, to the public, would be negligible and therefore we recommend that it be vacated.

Witness our hands this      th. day of September, A. D., 1929.

Adam Shuman

A. M. Shoemaker

J. D. Ritter

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 and determine as to the propriety of vacating a certain piece of public road in Jackson Township, said county and state; Beginning on the public road leading from the village of Vinco to St. Paul's Luthern Church, both in Jackson Township, at a point near the residence of M. W. Devlin and extending thence in an Easterly direction to the old Vinco Road Station, along the Southern Cambria Railway, which has now been abandoned; will meet at the point of beginning, above indicated, in the Township of Jackson aforesaid, on the 24th. day of September, A. D., 1929, at 9:30 o'clock a. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,,

Viewers.

Now, September 23rd. 1929, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

  
George A. Kerby  
Clerk

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Jackson Township, said county and state;

Beginning on the public road leading from the Village of Vinco to St. Paul's Luthern Church, both in Jackson Township, at a point near the residence of M. W. Devlin and extending thence in an Easterly direction to the old Vinco Road Station along the Southern Cambria Railway, which has now been abandoned,; will meet at the point of beginning, above indicated, in the Township of Jackson aforesaid, on the 24th. day of September, A. D., 1929, at 9:30 o'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, Sept. 1929, service of the above notice is hereby accepted by the undersigned Supervisors of the Township of Jackson, Cambria County, Pennsylvania.



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Supervisors.



# Cost of View.

A. M. Shemmaker.

Preparing, serving, & posting notices of view <sup>and</sup> notifying viewers	\$ 24 <sup>00</sup>
Stenographer & stationery	2 <sup>50</sup>
24 miles @ 10¢ per mile	2 <sup>40</sup>
View of road	12 <sup>00</sup>
24 miles	2 <sup>40</sup>
Surveying, plotting, draft, tracing cloth transportation &c	53 <sup>65</sup>
Preparing, having signed, assembling and filing report of viewers	24 <sup>00</sup>
Stenographer & stationery	2 <sup>50</sup>
	<u>\$123<sup>45</sup></u>

J. D. Ritter

Day on View	12 <sup>00</sup>
Consultation of Viewers	12 <sup>00</sup>
Seventy two miles @ 10¢ per mi	7 <sup>20</sup>
	<u>\$31<sup>20</sup></u>

Adam Shuman

Day on View	12 <sup>00</sup>
Consultation of Viewers	12 <sup>00</sup>
Auto hire (two trips)	6 <sup>50</sup>
	<u>\$30<sup>50</sup></u>

SENT TO  
 3/20/20  
 COUNTY CLERK

J. D. Ritter  
 Roger C. George  
 J. S. [unclear]

To St. Paul  
 To Johnstown  
 To Union  
 To S. W. Gillen, Est.  
 Same

Mrs. L. R. Byers.  
 □ House.

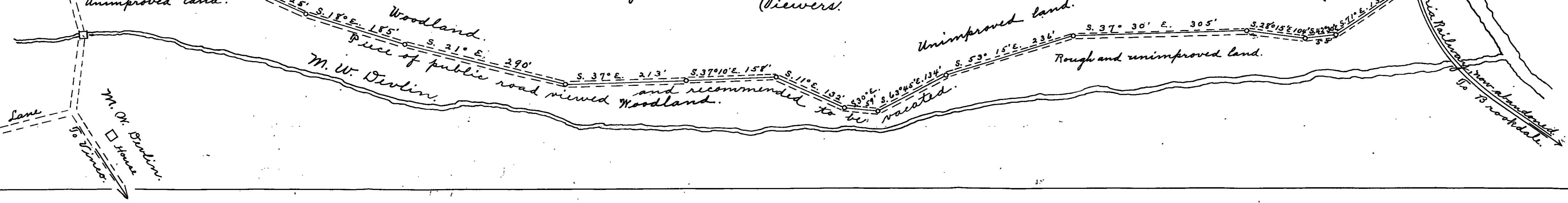
Westerly termini  
 specified in attached  
 order of the Court.

Unimproved land.

D. Devlin Est.

Same  
 M. W. Devlin.  
 □ House.

Plot or draft showing the location, courses and distances of a piece of public road in Jackson Township, Cambria County, Pennsylvania, viewed upon an order of the Court of Quarter Sessions of said county and state, and in the report of viewers hereto attached; recommended to be vacated.  
 Viewed Sept. 24<sup>th</sup> A. D. 1929, upon said order of the Court which is entered to No. 1 September Sessions, 1929.  
 A. M. Shoemaker, J. D. Ritter and Adam Shuman,  
 Viewers.



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 2nd day of September A. D. 1929, 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 had petitioned the~~  
~~viewers of the same~~ ~~at~~ ~~the~~ ~~same~~ ~~time~~ ~~and~~ ~~place~~ ~~as~~ ~~before~~ ~~and~~ ~~that~~ ~~the~~ ~~same~~ ~~road~~ ~~was~~ ~~opened~~ ~~in~~ ~~accordance~~ ~~with~~ ~~the~~ ~~following~~ ~~courses~~ ~~and~~ ~~distances~~ ~~fixed~~ ~~by~~ ~~the~~ ~~viewers:~~

on the 18th day of March, 1912, a petition was filed in your Honorable Court, praying that a road be laid out from St. Paul's Lutheran Church in the Township of Jackson to the Village of Vinco in the same township. The same day viewers were appointed, who on the third day of June, 1912, filed their report, which was confirmed on the fourth day of November, 1912, and an order to open said road issued, pursuant to which, said road was opened on the ground in accordance with the following courses and distances fixed by the Viewers:

Beginning near the residence of M. W. Devlin in Jackson Township, at a point on the Public Road leading from St. Paul's Lutheran Church to the Village of Vinco; thence South 40° East 212 feet; thence South 20° East 553 feet; thence South 30° East 270 feet; thence South 43° 45' East 204 feet; thence South 16° East 185 feet; thence South 64° 45' East 174 feet; thence South 50° East 287 feet; thence South 35° 30' East 295 feet; thence South 42° 30' West 91 feet; thence South 74° 45' East 131 feet; thence North 68° East 90 feet to a point on the Southern Cambria Railroad at the Vinco Road station; the same being laid out for the whole distance through woodland, all or nearly all of which belongs to M. W. Devlin, to whom the Viewers award no damages; all of which appears by said proceedings recorded at length in the office of the Clerk of Courts of this county, in Road Docket Vol. 5 Page 326.

The aforesaid road has now become useless, inconvenient and burdensome, it having been laid out for convenience in gaining access to the line of the Southern Cambria Railway Company at the Vinco Road Station, which said road has now been abandoned.

and therefore praying the Court to appoint proper persons to <sup>vacate</sup> 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 <sup>vacation</sup> road, and if they <sup>vacate</sup> 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. Rolt

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."

NO. 1, September SESSIONS, 1929

Order to view and vacate road

in Jackson Township

and

Report of Viewers.

Filed 27 Sept. 1929

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk Robb 90028s.

CERTIFIED

*Joseph L. ...*

COUNTY COMMISSIONER

9 Dec. 1929

Approved  
By the Court  
Council

10 March 1930

performed absolutely

Frank E. Robb

Robb

Of / Sept. Sessions, 1929

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

IN RE PETITION FOR VACATION OF  
PUBLIC ROAD IN JACKSON TOWNSHIP,  
LEADING FROM THE ROAD FROM ST.  
PAUL'S LUTHERAN CHURCH TO THE  
VILLAGE OF VINCO, NEAR THE  
RESIDENCE OF M. W. DEVLIN TO  
VINCO ROAD STATION.

*Filed 2 Sept. 1929.*

LAW OFFICES  
ROBERT C. HOMERLE  
JOHNSTOWN, PA.

UNITED STATES NATIONAL BANK BUILDING

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

IN RE PETITION FOR VACATION OF ) Of September Sessions, 1929.  
PUBLIC ROAD IN JACKSON TOWNSHIP, )  
LEADING FROM THE ROAD FROM ST. )  
PAUL'S LUTHERAN CHURCH TO THE )  
VILLAGE OF VINCO, NEAR THE RESI- )  
DENCE OF M. W. DEVLIN TO VINCO )  
ROAD STATION. )

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

The petition of the undersigned, inhabitants of the Township of Jackson, in the County of Cambria, respectfully represents:

That on the 18th day of March, 1912, a petition was filed in your Honorable Court, praying that a road be laid out from St. Paul's Lutheran Church in the Township of Jackson to the Village of Vinco in the same township. The same day viewers were appointed, who on the third day of June, 1912, filed their report, which was confirmed on the fourth day of November, 1912, and an order to open said road issued, pursuant to which, said road was opened on the ground in accordance with the following courses and distances fixed by the viewers:

BEGINNING near the residence of M. W. Devlin in Jackson Township, at a point on the Public Road leading from St. Paul's Lutheran Church to the Village of Vinco; thence South 40° East 212 feet; thence South 20° East 553 feet; thence South 30° East 270 feet; thence South 43° 45' East 204 feet; thence South 16° East 185 feet; thence South 64° 45' East 174 feet; thence South 50° East 287 feet; thence South 35° 30' East 295 feet; thence South 42° 30' West 91 feet; thence South 74° 45' East 131 feet; thence North 68° East 90 feet to a point on the Southern Cambria Railroad at the Vinco Road station; the same being laid out for the whole distance through woodland, all or nearly all of which belongs to M. W. Devlin, to whom the Viewers award no damages;

all of which appears by said proceedings recorded at length in the office of the Clerk of Courts of this county, in Road Docket Vol. 5, page 326.

The aforesaid road has now become useless, inconvenient and burdensome, it having been laid out for convenience in gaining access to the line of the Southern Cambria Railway Company at the Vinco Road Station, which said road has now been abandoned.

WHEREFORE, your petitioners pray your Honorable Court that the said road be vacated, agreeably to the Act of Assembly in such case made and provided.



STATE OF PENNSYLVANIA, )  
                                  ) SS:  
COUNTY OF CAMBRIA, )

Personally appeared before me, the undersigned authority,  
a notary public in and for said county and state,  
who being duly sworn according to law, deposes and says that the facts set  
forth in the foregoing petition are true and correct.

James Mackall

Sworn to and subscribed before me  
this 29th day of August, 1929.

Rhea V. Spatz  
Notary Public.

MY COMMISSION EXPIRES APRIL 1, 1931

DECREE.

And now, Sept 2<sup>nd</sup>, 1929, upon considera-  
tion of the foregoing petition, All Shoumoh Sey,  
J. D. Rith and Adam Shum are  
hereby appointed Viewers to inquire into and report upon the vacation of  
the road described in said petition.

By the Court  
Evans P2

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