

NO. 14 ^{June} SEPT. SESSIONS 1931

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY,
PENNSYLVANIA

PETITION FOR LAYING OUT A
PUBLIC ROAD

Filed 31 August 1931.

George W. Griffith
~~XXXXXXXXXXXXXXXXXXXX~~
ATTORNEYS AT LAW
EBENSBURG,
PENNA.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA
COUNTY, PENNSYLVANIA

NO. _____ SEPTEMBER SESSIONS 1931
ROAD DOCKET

PETITION FOR LAYING OUT A PUBLIC ROAD

To the Honorable, the Judges of the above named Court:

The Petition of the undersigned respectfully represents:

I.

That H.A.Rose, A. B. Kerr and John Allbaugh are the Supervisors of Jackson Township, Cambria County, Pennsylvania and that all of the undersigned are citizens of the said Township of Jackson.

II.

That your Petitioners, as well as numerous other persons, labor under a great inconvenience for want of a public road or highway leading from the Vinco- Burkarts Road to a public cemetery known as "Brown's Cemetery" in said Township of Jackson.

WHEREFORE, your Petitioners pray that a public road or highway may be laid out in the Township of Jackson, beginning at a point on the township road leading from Vinco to Burkarts, said point being 1.00 miles from the junction at Vinco of said Twp. road and brick state highway between Johnstown and Munday's Corners and extending in a north-easterly direction a distance of .30 miles to the public cemetery known as "Brown's Cemetery". The beginning of the road prayed for being, therefore, at the said township road above mentioned and its terminus being at the said public cemetery.

And your Petitioners further pray your Honorable Court to appoint three persons qualified according to law to view the ground proposed for such road and make report of their proceedings to your Honorable Court in accordance with the Acts of Assembly in such cases made and provided.

And they will ever pray.

H. Rose
Supervisor

A. B. Kew
Supervisor

John Albright
Supervisor

Dewey H. Brown

A. W. Brown

Nicholas M. Altman

Blaine Graves

Oliver Hopkins

M. W. Denton

L. R. Byrd

W. Bert Dickson

Carl M. Smith

Wm. L. Gillis

W. Macfarlane

R. M. Singer

George C. Gandy

Robert Warner

James H. Kinross

Dwight H. Singer

C. B. Lingel

NOTICE.

To William J. Cavanaugh

M. B. Cowher

Sarah J. Walker, - 300

Commissioners of Cambria County:

You are hereby notified that the Supervisors and various citizens of Jackson Township will on the Thirty-first day of August, A. D. 1931 present a petition to the Court of quarter Sessions of Cambria County for the laying out and opening of a public road or highway leading from the Vinco-Burkharts road to a public cemetery known as "Brown's Cemetery" in Jackson Township.

George W. Griffith
Solicitor for Petitioners

And now August 31, 1931, having received a copy of the petition above referred to, I hereby accept service of the foregoing notice on behalf of the County Commissioners of Cambria County.

Clark
Solicitor for County
Commissioners. P

DECREE

And now August 31st, 1931, the within Petition having been duly presented, read and considered, and Adrian Sherman J. D. Ritter, and A. M. Summers are hereby appointed viewers to view the premises and make report thereof to the Court as required by the Acts of Assembly in such cases made and provided.

Adrian Sherman
J. D. Ritter
A. M. Summers

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 14 June SESSIONS, 1931

Order to view and lay out road

in Jackson Township

and

Report of Viewers

Filed 12 Sept. 1931

Viewers

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Clerk 90 cts

14 Sept. 1931 Approved and breadth fixed at forty feet

By the Court
Evan P.

14 Dec. 1931 confirmed absolutely
Frank C. Pollock
clerk

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 viewers appointed by your honorable Court and in the attached order directed to view and determine as to the necessity for a public road in Jackson Township, said county and state; beginning on the Vinco - Burkhardt road and extending thence in a northwesterly direction to a public cemetery, known as "Brown's Cemetery", respectfully report:

That having given due and legal 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 the Township of Jackson, evidence of which is hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places near the terminii and along the route of the proposed new road : We, the undersigned viewers met at the time and place appointed, in accord with the notices so given and posted, as aforesaid, and having gone over and carefully viewed the premises and each of us being of the opinion there was occasion and necessity for a public road, as prayed for in the petition, we proceeded to lay out and locate a public road to lead from the township road, at the point designated in the order of the Court and to end at the cemetery therein designated; a plot or draft of which is hereto attached and made a part of this report; showing the said piece of road to take the following courses and distances, viz: Beginning on the public road leading from the Village of Vinco to Burkhardt's at a point approximately one mile northward, along said road, from its intersection with the Munday's Corner - Johnstown road, in the Village of Vinco and extending thence North 20° 30' West 86 feet, North one degree West 367 feet, North 30' West 278.2 feet, North 1 15' West 283 feet; along line between lands of William J. Gill-

in James Kisoeirck, thence over lands of James Gillin North 17°
West 254.7 feet and North 38 West 142.3 feet ~~West~~ to the point
of ending at "Brown's Cemetery".

Being of the opinion that the laying out and opening of a public road along the line above indicated will not damage any of the properties through and over which it passes or result in any injury thereto, we have assessed no damages.

Witness our hands this 12th. day of September, A. D., 1931.

J. D. Ritts
A. M. Shoemaker

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, Pa., to view and determine as to the necessity for a public road in Jackson Township, said county and state: Beginning on the public road leading from the Village of Vinco to Burkhardt's, at a point one mile northward; along said road; from its intersection, in the Village of Vinco, with the public road leading from Munday's Corner to Johnstown, and extending thence in a northwesterly direction approximately fifteen hundred eighty four feet to a public cemetery, known as "Brown's Cemetery": both of said termini being in Jackson Township, aforesaid: will meet at the point of beginning, above indicated, in the Township of Jackson, Cambria Co., Pa., on Saturday, September 12th. 1931, at 9:00 o'clock a. m., E. S. T., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,
J. D. Ritter and
Adam Shuman,
Viewers.

Service of the above notice is hereby accepted for the Commissioners of the County of Cambria, Pa.

H. J. Don

Clerk

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, Pa., to view and determine as to the necessity for a public road in Jackson Township, said county and state: Beginning on the public road leading from the Village of Vinco to Burkhart's, at a point one mile northward; along said road; from its intersection, in the Village of Vinco, with the public road leading from Munday's Corner to Johnstown, and extending thence in a northwesterly direction approximately fifteen hundred eighty four feet to a public cemetery, known as "Brown's Cemetery" ; both of said termini being in Jackson Township, aforesaid: will meet at the point of beginning, above noted, in the Township of Jackson, Cambria Co., Pa., on Saturday, September 12th. 1931, at 9:00 o'clock a. m., E. S. T., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,
J. D. Ritter and
Adam Shuman,
Viewers.

Service of the above notice is hereby accepted by the undersigned Supervisors of the Township of Jackson, Cambria Co.. Pa.

H. C. Rose
A. B. [unclear]
John M. [unclear]
Supervisors.

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, Pa., to view and determine as to the necessity for a public road in Jackson Township, said county and state: Beginning on the public road leading from Vinco to Burkharfs, at a point one mile northward; along said road; from its intersection at Vinco with the public road leading from Johnstown to Munday's Corner and extending thence in a north westerly direction approximately fifteen hundred eighty four feet to a public cemetery, known as Brown's Cemetery, likewise in Jackson township; will meet at the point of beginning above noted in the township of Jackson, Cambria County, Pa., on Saturday, September 12th. at 9:00 o'clock, E. S. T., A. D., 1931, for the purpose of performing the duties of their said appointment.

A. H. Shoemaker,

J. D. Ritter and

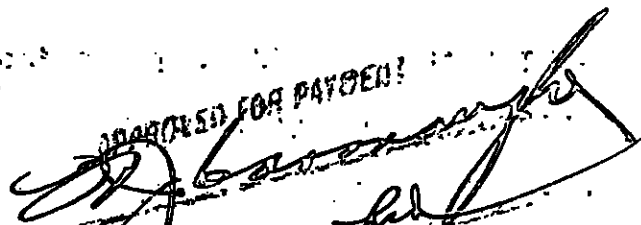
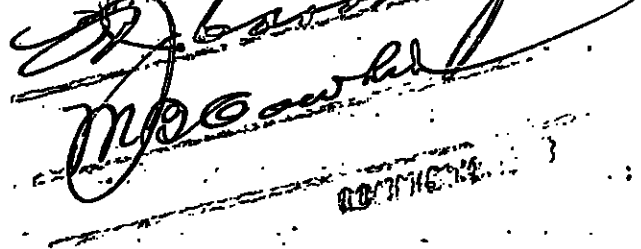
Adam Shuman,

Viewers.

Costs of View.

A. M. Shoemaker
 Preparing, posting &
 serving notice of view ^{and}
 notifying viewers — 18.00
 Stereographer & stationery 2.75
 22 miles @ 10¢ per mile 2.20
 View ————— 1/2 day — 6.00
 22 miles ————— 2.20
 Engineering work plotting draft-
 ing helpers and transportation 22.10
 Preparing having signed as-
 sembling & filing report — 18.00
 Stereographer & stationery — 2.20
773.75

J. D. Ritter
 1 Day ————— 12.00
 54 miles ————— 5.40
\$174.00

APPROVED FOR PAYMENT


 J. D. Ritter

State of Pennsylvania

SS.

County of Cambria

Before me, James McClune, Deputy Controller, personally came A. M. Shoemaker, one of the viewers named on the attached order of Court, who being duly sworn according to law deposes and says that the items contained in the attached bill relative to time of employment, milage, stenographer, stationery, postage &c. are true and correct and the expense of auto hire, help, stenoggrapher, stationery, help &c. paid and settled as he verily believes.

A. M. Shoemaker

Sworn and subscribed to this
3rd. day of August, A. D., 1931.

James McClune
Deputy Controller.

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 31st day of August A. D. 1931, 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 the Vinco-Burkharts Road to a public cemetery known as "Brown's Cemetery" in said Township of Jackson. Therefore your petitioners pray that a public road or highway may be laid out in the Township of Jackson, beginning at a point on the township road leading from Vinco to Burkharts, said point being 1.00 miles from the junction at Vinco of said Twp. road and brick state highway between Johnstown and Mundy's Corners and extending in a north-easterly direction a distance of .30 miles to the public cemetery known as "Brown's Cemetery". The beginning of the road prayed for being, therefore, at the said township road above mentioned and its terminus being the said public cemetery.

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

J. D. Ritter and Adam Shuman

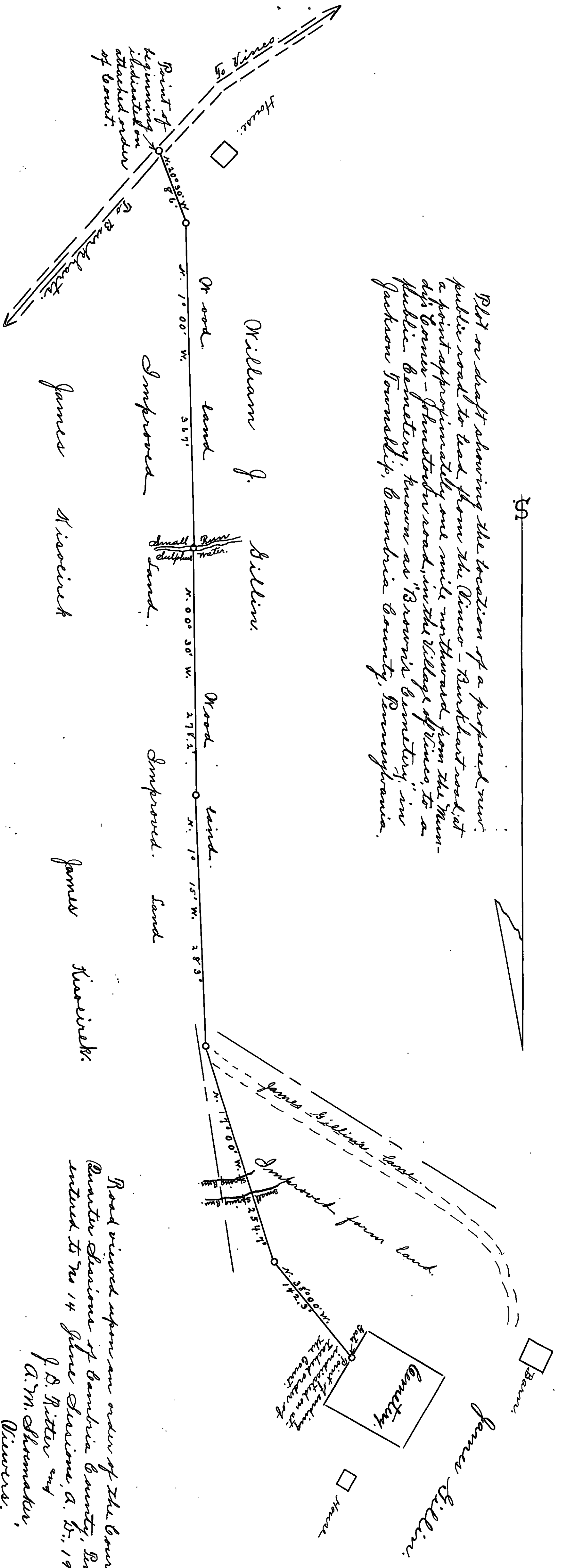
viewers, to view the ground proposed for said road, and if they view the same, and shall agree that there is occasion for such road, they shall proceed to lay out the same, having respect to the shortest distance and the best ground for a road, and in such manner as shall do the least injury to private 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 L. Robt, Clerk.

Plot or draft showing the location of a proposed new public road to lead from the Pines - Burkhardt road at a point approximately one mile northward from the Mundy Corner - Johnston road, in the village of Pines, to a Public Cemetery, known as "Brown's Cemetery", in Jackson Township, Cambria County, Pennsylvania.



William J. Billins
 Improved Land
 James Hooverick
 Improved Land
 James Hooverick

Road viewed upon an order of the County Quarter Sessions of Cambria County, Penna. entered to No 14 June Sessions, A. D., 1931

J. D. Ritter and
 A. M. Shomaker,
 Viewers.