

Not microfilmed

1936

Mar 1936

Croyle Twp.

2.23.07.E.1

2.23.07.E.1

2.23.07.E.1

South Fork  
Cemetery.

Geo. E. Fenner.

A. S. Clemence.

W. H. Fenner.

30

S. 46° 45' E. 337'

S. 53° 07' E!

712.7'

30

G. E. Fenner

W. H. Fenner

Harry George

State

Lawrence  
Crum.

Road

Sketch showing the proposed location  
for a piece of public road in Brooke Town-  
ship, Cambria Co., Pa. as revised May 1st 1936.  
and recommended to the board suggesting the  
width of same be fixed at thirty feet.  
Revised upon an order of the board of Quarter  
Sessions of said county rendered to No. 1. Mar. Dec. 1936.  
James McEwan, S. E. Wicker & M. Shomaker, Clerks.

Rat Microfilmed

RIO-# 1 Mar. 1936  
Croylecup



31 March \_\_\_\_\_ SESSIONS, 1923 36

Order to view \_\_\_\_\_

and layout Public Road in  
Croyle Township known as  
Cemetary Road. and

# REPORT of VIEWERS

**CERTIFIED**  
*James McCann*  
**COUNTY CONTROLLER**

James McCann

S. E. Dickey

A. M. Shoemaker

} Viewers

Clerk J. M. Jones

90 cts.

*Filed: May 29, 1926*

8 June 1936 Approved and Breadth fixed at 30 feet  
By the Court  
14 Sept. 1936 Confirmed Absolutely  
Mettenrick



John J. Davis  
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."

James McLean  
206 Vicer St  
Johnstown Pa

I hereby acknowledge receipt of a  
notice of view to be held at  
10. A.M. Monday May 18 to 19 36  
on Cemetery Road

John J. Place

John J. Place

Notice to Mr Kaufman  
left at his home

SHETTIG & SWOPE  
ATTORNEYS AT LAW  
EBENSBURG, PA.

\$2.00

Received May 6, 1936, from James McCann the sum of Two Dollars  
for writing notices of view in Croyle Township.

*Helene E. McClune*

May 19, 1936

Received of James McCann One Dollar  
For writing a report of View in Croyle Township.

*Anne Brown*

In Re: Petition of Citizens  
of the Township of Croyle,  
Cambria County, for a public  
road to be laid out in said  
Township.

In the Court of Quarter Sessions  
of Cambria County, Pennsylvania,  
No. 1 March Sessions, 1936.

NOTICE OF VIEW.

We, the undersigned, Viewers appointed by the above  
court to view the premises and determine as to the necessity  
for a public road as prayed for by the petitioners,

Beginning at a point on the Township road leading  
from South Fork Borough in a northeasterly direction to the  
Frankstown road and improved by the Township Supervisors  
with WPA funds, and starting between the properties on said  
road known as the G. E. Flenner and Harry George properties;  
thence north seven (7) degrees fifty (50) minutes west  
eighty-three and three-tenth (83.3) feet to a point; thence  
south fifty-three (53) degrees seven (7) minutes east seven  
hundred twelve and seven-tenth feet (712.7) to a point;  
thence south forty-six (46) degrees forty-five (45) minutes  
east to the gates of the South Fork Cemetery Association,  
place of termination. The distance or length from the  
beginning of said dedicated roadway above mentioned to the  
end is one thousand one hundred twenty-nine (1129) feet,  
more or less;

Will meet at the place of beginning above described  
on the 18th day of May, 1936, at 10:00 o'clock A. M., for  
the purpose of performing the duties of our appointment, at  
which time and place all interested parties may appear if  
they think proper.

VIEWERS

James McCann

S. E. Dickey

A. M. Shoemaker

*Received notice  
May 8th - 1936*

*H. F. Don  
Clerk for the County Commission*

In Re: Petition of Citizens  
of the Township of Croyle,  
Cambria County, for a public  
road to be laid out in said  
Township.

In the Court of Quarter Sessions  
of Cambria County, Pennsylvania.  
No. 1 March Sessions, 1936.

**NOTICE OF VIEW.**

We, the undersigned, Viewers appointed by the above  
court to view the premises and determine as to the necessity  
for a public road as prayed for by the petitioners,

Beginning at a point on the Township road leading  
from South Fork Borough in a northeasterly direction to the  
Frankstown road and improved by the Township Supervisors  
with EPA funds, and starting between the properties on said  
road known as the G. E. Fleener and Harry George properties;  
thence north seven (7) degrees fifty (50) minutes west  
eighty-three and three-tenth (83.3) feet to a point; thence  
south fifty-three (53) degrees seven (7) minutes east seven  
hundred twelve and seven-tenth (712.7) feet to a point;  
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east to the gates of the South Fork Cemetery Association,  
place of termination. The distance or length from the  
beginning of said dedicated roadway above mentioned to the  
end is one thousand one hundred twenty-nine (1129) feet, more  
or less;

Will meet at the place of beginning above described  
on the 18th day of May, 1936, at 10:00 o'clock A. M., for  
the purpose of performing the duties of our appointment, at  
which time and place all interested parties may appear if they  
think proper.

**VIEWERS**

- James McCann
- S. E. Dickey
- A. M. Shoemaker

In Re: Petition of Citizens  
of the Township of Croyle,  
Cambria County, for a public  
road to be laid out in said  
Township.

In the Court of Quarter Sessions  
of Cambria County, Pennsylvania  
No. 1, March Sessions, 1936

To S. E. DICKEY Dr.

|                               |             |
|-------------------------------|-------------|
| To Making View                | \$ 12.00    |
| " Mileage, 24 miles @ 10 cts. | <u>2.40</u> |
|                               | \$ 14.40    |

In Re.  
Above View

Commissioners of Cambria Co.  
To James McLean Dr.

|        |  |                                       |
|--------|--|---------------------------------------|
| May 18 | To gathering data preparing and printing notices 24 miles Day on View 24 miles | 15.00<br>2.40<br>12.00<br><u>2.40</u> |
|        | Preparing and filing Report  | 12.00                                 |
|        | Type writing notices report  | <u>46.80</u><br>3.00                  |
|        | To A. M. Shoemaker   |                                       |
|        | 1 day on view  | \$ 12.00                              |
|        | 26 miles @ 10¢ per mile  | 2.60                                  |
|        | Making sketch  | 6.00                                  |
|        | Two copies or prints   | 1.50                                  |
|        |  | <u>\$ 22.10</u>                       |

APPROVED FOR PAYMENT

*James T. Lewis*

*Frank P. Williams*

COMMISSIONERS

CERTIFIED  
COUNTY CONTROLLER

REPORT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTERS SESSIONS  
OF CAMBRIA COUNTY, PENNSYLVANIA

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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 Croyle township,

Beginning at a point on the Township road leading from South Fork Borough in a northeasterly direction to the Frankstown road, and starting between the properties on said road known as the G. E. Flenner and Harry George properties; thence north seven (7) degrees fifty (50) minutes west eighty-three and three-tenth (83.3) feet to a point; thence south fifty-three (53) degrees seven (7) minutes east seven hundred twelve and seven-tenth (712.7) to a point; thence south forty-six (46) degrees forty-five (45) minutes east to the gates of the South Fork Cemetery Association, place of termination. The distance or length from the beginning of said dedicated roadway above mentioned to the end is one thousand one hundred twenty-nine (1129) feet, more or less.

And to estimate and determine the damages, if any, which might be sustained by the owner or owners of the land through and over which they should lay out same, 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, the Supervisors of the Township of Croyle, and to the owner of the lands through and over which the proposed road was intended to pass, and having the Commissioners and the Supervisors accept service of notice hereto attached, accordingly the viewers having been first duly sworn according to law to perform the duties of their appointment faithfully, impartially and to the best of their judgement and ability, met in accordance with the notices so given as aforesaid and also ten notices posted in public and conspicuous places along the line of the proposed road.

Having thus met and gone over the situation carefully, we agreed there was occasion and necessity for a public road and this was agreed to also by the Supervisors of Croyle Township, two of whom were present, as were also a number of the land owners whose land abuts the proposed road, and also a number of interested citizens of the township. The viewers therefore recommend to your Honorable Court that a public road be opened as above stated.

A plot or draft which is hereto attached shows the location, courses, and distances, and the premises through and over which said road shall pass in detail.

We have also agreed that no damages are sustained by any of the owners through whose land said road runs nor are any benefits awarded.

Respectfully submitted

James McBarren

VIEWERS:

A. M. Shremaker

S. E. Dickey

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 27th day of April A. D. 1926, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Croyle, in the said County, setting forth that they labor under inconvenience for want of a public ~~road or highway, to lead from~~

~~beginning at a point on North side of State Road, thence North seven (7) degrees fifty (50) minutes West eighty-three and three (83.3) tenths feet to a point; thence South fifty-three (53) degrees seven (07) minutes East seven hundred twelve and seven tenths (712.7) feet to a point; thence South forty-six (46) degrees forty-five (45) minutes East to the gates of the South Fork Cemetary Association. place of termination. The exact distance or length from the beginning of said dedicated roadway above mentioned, to the end, is one thousand one hundred twenty-nine (1129) feet, more or less.~~

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

James McCann surveyor, and

S. E. Dickey and A. M. Shoemaker, Esq.

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, 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.  
McKenrick, J.

Attest.

James M. Jones Clerk.

No. 1 March ..... Sessions 19 36

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Order to open public road in .....

Croyle Township, Cambria  
County, Penna.

*Filed: Jan. 9, 1939*

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Clerk .....

RETURN BY SUPERVISORS

Commonwealth of Pennsylvania, }  
County of Cambria. } SS.

On the 9th day of January 19.39, before me  
a Notary Public, personally came Thos. J. donaghy, John Kauff-  
Man, and John F. Hice,

supervisors of the township of Croyle, who being duly sworn  
[or affirmed] according to law, do depose and say that they effectually opened the road designated by  
the order of the Court bearing date the 14th day of September  
19.36, in accordance with the directions of the said order.

Sworn [or affirmed] and subscribed before me this  
9th day of Jan. 19.39.

*H. A. Brown*  
Notary Public.  
My Comm. expires 2/24/39.

*Thos. J. Donaghy*  
*John Kauffman*  
*John F. Hice*  
Supervisors.

Commonwealth of Pennsylvania, }  
County of Cambria. } SS.

To John Kauffman, Thomas J. Donaghy and John F. Hice

supervisors of the township of Croyle, in the county of Cambria,  
greeting:

Whereas, at a Court of Quarter Sessions of the Peace held at Ebensburg, in and for the county  
of Cambria, aforesaid, on the day of June 8, 1936, said court did approve and  
~~confirm for public use a certain road theretofore reported, and directed the same to be opened of the~~  
breadth of thirty feet, which said road so reported, approved for public use, confirmed and  
directed to be opened begins at,

as described in attached certified copy of Viewers Report.

which said road was, on the 8th day of June, 1936, ordered and di-  
rected by the said court to be entered of record, and thenceforth to be taken, deemed and allowed to be  
a lawful public road or highway:

Now, this is to authorize, empower, command and require you the said supervisors aforesaid, in  
which district the said road lies, as soon as may be practicable, effectually to open the said road, by  
the courses and distances aforesaid, and the breadth of thirty feet, as ordered and directed  
by the said court; and you are hereby further required to make return of this order to the next stated  
Court of Quarter Sessions, after the opening of the road in accordance with this order, and the man-  
ner of its execution by you, verified by the affidavit of one or both of you, setting forth that you have  
effectually opened the said road of the breadth of thirty feet, and upon the line hereinbefore  
directed.

Witness, the Honorable John H. McCann, President of our  
said court at Ebensburg, this 14th day of September, 1936.

By the Court:

Attest:

James M. Jover Clerk.

In the Court of Quarter  
Sessions of Cambria County.

No. 1 <sup>March</sup> ~~the~~ Term, 1936.

In Re. Road in the Township  
of Croyle, County of  
Cambria and State of  
Pennsylvania.

Petition to open Road.

*Filed: May 1, 1936*

**R. MEADE STINEMAN**  
ATTORNEY AT LAW  
SOUTH FORK, PA.



STATE OF PENNSYLVANIA

SS.

COUNTY OF CAMBRIA

Before me, the subscriber, a Notary Public in and for said County and State personally appeared

Harry N. George who being duly sworn according to law doth. depose and say that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Sworn and subscribed this 24 day of April, 1936.

Harry N. George

John S. Wicks  
JOHN S. WICKS, JUSTICE OF THE PEACE  
South Fork, Pa.  
My Commission Expires 1st Mon. in Jan. 1938

DECREE

AND NOW, this 27 day of April, 1936, the foregoing petition having been read and considered, it is ordered that James McLean, S. E. Dickey, Am. Shoumaker Esq 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.

McKenzie  
9