

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 1 June 14th 1873 SESSIONS, 1873

Order to view

Public road in Jackson

Township

Viewers

James McCann

L. E. Kaylor

S. H. Jencks.

Clerk 90 cts.

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 26th day of July A. D. 1943, 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 road or highway, to lead from is 1000 feet distant in an Easterly direction along the macadam road leading from Vinco to Burkhart's, known as Highway No. 11-419, from the intersection of said last mentioned highway with the center line of State Highway Route No. 52, known as the concrete highway leading from Johnstown to Ebensburg, and the point of ending is 2,953.8 feet distant from said point of beginning measured along two streets or highways dedicated to public use by the owners of the adjoining land, one of which is a private road or lane extending from said point of beginning a distance of 711.4 feet, and the other of which is known as Page Street on a plan of lots known as Fairfield - surveyed and laid out for Harry Davis, said point of ending being at the line of land now or formerly belonging to Ed. Pringle : said point of ending is, therefore, 3953.8 feet from the intersection of State Highway Route No. 52 and Route No. 11-419 aforesaid.

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 Mc L. Kaylor H. Jencks.

viewers, to view the ground proposed for said road, and if they 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:

_____, Clerk.

NOTE : Please make Three copies of your report.

Ebensburg, Pa. December 17, 1943

Cambria County

Clerk of Courts, Ebensburg, Pa.

To John U. Shroyer, Sec., Dr.
Harrisburg, Pa.

Filing and recording proceedings in
the laying out of a public road in
the Township of Jackson, Cambria County,
Pennsylvania, and entered to No. 1 June
Sessions 1943.

\$ 3. 50

paid in full by check #684087
1-7-44
Recd

No. 1 June Sessions, 1943.

In re: Petition for
Appointment of Viewers to
Lay Out Public Road in
Jackson Township, near
Vinco, Pennsylvania.

PETITION TO AMEND

AND NOW, to-wit, Aug ¹⁷~~18~~, 1943,
the within amendment allowed
and the petition and
proceedings are directed to be
amended accordingly.

Ruth A. Mearns
R.D.

Filed Aug 17 - 43

GRAHAM, YOST, MEYERS & GRAHAM

In re: Petition for
Appointment of Viewers
to Lay Out Public Road in
Jackson Township, near
Vinco, Pennsylvania.

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

No. 1 June Sessions, 1943.

PETITION TO AMEND

The petitioners in the above entitled petition for appointment of viewers, by their counsel, Graham, Yost, Meyers & Graham, respectfully request leave to amend the petition under which viewers were appointed in the above entitled case, in order to correct the description of the point of ending therein, which said point of ending was erroneously described in the original petition. Your petitioners pray that the point of ending be amended to read as follows:

"and the point of ending is 3735.16 feet distant from said point of beginning measured along three streets or highways dedicated to public use by the owners of the adjoining land, one of which is a private road or lane extending from said point of beginning a distance of 711.4 feet, and the other two of which are known as Page Street and Second Avenue respectively, on a plan of lots known as "Fairfield" surveyed and laid out for Harry Davis, said point of ending being at the line of land now or formerly belonging to Ed. Pringle; said point of ending is, therefore, 4735.16 feet from the intersection of State Highway Route No. 52 and Route No. 11-419 aforesaid."

Petitioners respectfully represent that the above amendment is necessary because of the fact that the description of the point of ending as contained in the original petition could not have arrived at the line of land now or formerly of Ed. Pringle and the amendment herein prayed for was rendered necessary because of a clerical error in reading the dimensions on the plan of lots hereinabove referred to.

Graham Yost Meyers & Graham
Attorneys for Petitioners.

STATE OF PENNSYLVANIA :
COUNTY OF CAMBRIA : :SS

Russell R. Yost, being duly sworn according to law, deposes and says that he is a member of the firm of Graham, Yost, Meyers & Graham, attorneys for petitioners, and that the averments set forth in the above petition are true.

Russell R. Yost

Sworn to and subscribed before
me this 16th day of Aug., 1943.

Edith M. Butts
Notary Public
My Commission Expires: Mar. 6, 1945.

No. 1

June 1943

In re: Petition for
Appointment of Viewers
to Lay Out Public Road in
Jackson Township, near
Vinco, Pennsylvania.

Filed July 16-43

7-27-43 Order to
View renewed

GRAHAM, YOST, MEYERS & GRAHAM
Johnstown, Pa.

In re: Petition for
Appointment of Viewers
to Lay Out Public Road
in Jackson Township, near
Vinco, Pennsylvania.

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

No. 1- June 43

TO THE HONORABLE, THE JUDGE OF THE ABOVE COURT:

(1). The undersigned petitioners are residents and taxpayers of the Township of Jackson, County of Cambria, and State of Pennsylvania.

(2). Your petitioners, and other taxpayers and inhabitants of the County of Cambria, labor at great inconvenience for want of a public road or highway to begin and end at the points hereinafter designated, and such a public road or highway is necessary for public travel.

(3). The point of beginning of the highway so needed is 1,000 feet distant in an easterly direction along the macadam road leading from Vinco to Burkharts, known as Highway No. 11-419, from the intersection of said last mentioned highway with the center line of State Highway Route No. 52, known as the concrete highway leading from Johnstown to Ebensburg, and the point of ending is 2,953.8 feet distant from said point of beginning measured along two streets or highways dedicated to public use by the owners of the adjoining land, one of which is a private road or lane extending from said point of beginning a distance of 711.4 feet, and the other of

which is known as Page Street on a Plan of Lots known as "Fairfield" surveyed and laid out for Harry Davis, said point of ending being at the line of land now or formerly belonging to Ed. Pringle; said point of ending is, therefore, 3953.8 feet from the intersection of State Highway Route No. 52 and Route No. 11-419 aforesaid.

Your petitioners therefore pray that your Honorable Court may appoint viewers to view and lay out a public road as herein prayed for, and make report of their proceedings to your Honorable Court at the next term thereof.

W.D. Goughman

James A. Smith

Frank Munro

Blair M. Dowell

David H. Smith

Walter E. Walker

Andrew J. Felix

Stucky J. Carter

Chas. L. Tibbitts

L.M. Carpenter

STATE OF PENNSYLVANIA :
COUNTY OF CAMBRIA :SS

W. B. Goughnour, being duly sworn
according to law, deposes and says that he is one of the
petitioners within named, and that the averments set forth
in the foregoing Petition for Appointment of Viewers are
true and correct.

W. B. Goughnour

Sworn to and subscribed before me
this 24th day of July, 1943.

Edith M. Butts
Notary Public

My Commission Expires: Mar. 6, 1945.

D e c r e e

AND NOW, to-wit, July 24, 1943, the within
petition presented, and James M. Lacey

L. E. Raylan and B. N. Jinks
are hereby appointed viewers to view the ground proposed
for the road described in the within petition and to make
report of their proceedings to this court; returnable the
first Monday of September, 1943.

Bryant
M. Lacey
P. J.