

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY
PENNSYLVANIA

No. 1 ^{MARCH} ~~JUNE~~ Sessions 1946

IN RE LAYING OUR OF A PUB-
LIC HIGHWAY IN THE TOWN-
SHIP OF BLACKLICK, VILLAGE
OF TWIN ROCKS, COUNTY OF
CAMBRIA AND STATE OF PENN-
SYLVANIA.

REPORT OF VIEWERS

Filed---6/8/46

June 18-1946
Report Approved
By the Court
McKenzie
Judge

Sept. 16, 1946
Confirmed absolutely
John J. Jory
Clerk of Courts.

map #1
View No. 1

In The Court of Quarter Sessions
of Cambria County, State of
Pennsylvania. June Term, 1946

At a Court of Quarter Sessions of the Peace of Cambria County, held at Ebensburg in said county, a petition of divers inhabitants was filed setting forth that they are laboring under inconvenience for want of a public road or highway to begin at the intersection of Main Street and 2nd Street, said Main Street being otherwise known as State Highway 45, and extending over and across 2nd Street, also a public highway, all of which is shown in red on map of Plan of Big Bend, Blacklick Township. The said road to run South 62° 53' East 321 feet, being the exact distance from a point of beginning of the proposed road, namely, at the intersection of Main Street and 2nd Street, measured along the center line of the said 2nd Street in a Northeasterly direction from its intersection as shown.

We, the undersigned viewers, viewed the premises where the new road, described above, is desired on the morning of April 15, 1946 and found the situation as reported by the petitioners.

We, therefore, find that the proposed road is necessary and accordingly make a favorable report on the petition and lay out the said road according to the description above set forth.

✓ L. E. Taylor
✓ A. H. Hucks
✓ E. F. H. H. H. H. H.
VIEWERS.

ROAD VIEW #1, 2, 3 March 1946 Q.S.

CAMBERIA COUNTY to L. E. Kaylor, Viewer

1946

April 5	To preparing advertising for 3 Views	\$ 12.00
15	1 day on view	12.00
May 6	Reports on 3 views	12.00
	Mileage, Ebensburg to Big Bend and return	
	44 miles @ 10¢	4.40
		<u>\$ 40.40</u>

JUL 1 1946 CERT

CAMBERIA COUNTY to J. H. Jencks, Viewer
Ebensburg, Pa.

April 15	1 day on view	12.00
	Mileage, Ebensburg to Big Bend and return	
	44 miles @ 10¢	4.40
		<u>\$ 16.40</u>

JUL 1 1946 CERT

CAMBERIA COUNTY to Edward Dunnegan, Viewer
Ebensburg, Pa.

April 15	1 day on view	12.00
	Mileage, Cresson, Ebensburg, Big Bend and return	
	62 miles @ 10¢	6.20
		<u>\$ 18.20</u>

JUL 1 1946 CERT

752



JUL 1 1946 CERTIFIED

L. E. Kaylor

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 18th day of March A. D. 1946, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Blacklick, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to ~~begin~~

at the intersection of Main Street and 2nd Street, said Main Street being otherwise known as State Highway 45, and extending over and across 2nd Street, also a public highway, all of which is shown in red on map of the Plan of Big Bend, Blacklick Township. The said road to run South 62°53' East 321 feet, being the exact distance from a point of beginning of the proposed road, namely, at the intersection of Main Street and 2nd Street, measured along the center line of the said 2nd Street in a Northeasterly direction from its intersection as shown.

These three Court orders we handled with one trip, one Report thus saving expense. L.E.K.

The essence of this petition seems to be that the Supervisors of Blacklick Township want to improve about 1,000 feet of Street, in Big Bend and want authority before doing so.

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

L. E. Kaylor, S. H. Jencks ~~XXXXXX~~ and Edward Dunegan

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.

MCKENRICK, J.

J. Dean Joy
J. DEAN JOY

Clerk.

"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 SESSIONS, 1946

Order to view Proposed

Public Road, Blacklick
Township.

Viewers
L. E. Kaylor
S. H. Jencks
Edward Dunegan

Clerk 90 cts.



IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA
No. *1 March* Sessions, 1946

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
BLACKLICK, VILLAGE OF TWIN
ROCKS, COUNTY OF CAMBRIA AND
STATE OF PENNSYLVANIA

PETITION FOR APPOINTMENT OF
VIEWERS

Filed 3/18/46

SAMUEL R. DI FRANCESCO

ATTORNEY AT LAW

JOHNSTOWN, PENNSYLVANIA

Map #2

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
BLACKLICK, VILLAGE OF TWIN
ROCKS, COUNTY OF CAMBRIA AND
STATE OF PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA

No. 1 *June* Sessions, 1946

PETITION FOR APPOINTMENT OF VIEWERS

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

The petition of the undersigned inhabitants of the said Township of Blacklick, County aforesaid, respectfully represents;

That your petitioners labor under great inconvenience for want of a public road or highway in the said Township of Blacklick, to begin at the intersection of Main Street and 2nd Street, said Main Street being otherwise known as State Highway 45, and extending over and across 2nd Street, also a public highway, all of which is shown in red on map of the Plan of Big Bend, Blacklick Township, which map is hereto attached, made part hereof and marked "EXHIBIT A."

The said road to run South 62° 53' East 321 feet, being the exact distance from a point of beginning of the proposed road, namely, at the intersection of Main Street and 2nd Street, measured along the center line of the said 2nd Street in a northeasterly direction from its intersection as shown on said map marked "EXHIBIT A."

The beginning of the said proposed road is in a public highway and ending of said proposed road is likewise a public alley as stated above.

A copy of the written notice to the Supervisors of Said Blacklick Township of the intended presentation of this application, with the acceptance of service thereon, is hereto attached, made part hereof and marked "EXHIBIT B."

A release of damages whereby the owners of property abutting the aforesaid proposed road, releasing the said Township of Blacklick from any damages they have sustained, or may seem likely to sustain by reason of the said proposed

highway, is hereto attached, made part hereof and marked "EXHIBIT C."

Your petitioners therefore pray the Court to appoint three members of the Permanent Board of Viewers of Cambria County to view the ground proposed for such road and if they see the necessity therefor, lay out the same and make report of this proceeding to the next Session of Court.

Samuel Wright
Raymond Bradley
M. R. Crocho
W. T. Linscott
H. B. Mahan

J B Clark
Edward Rager
W. C. Denning
Elmer E. Smith
Velma Frank

* * * * *

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CAMBRIA :

Personally appeared before me, a Notary Public in and for said State and County, FELIX A. LOSURDO, who being duly sworn according to law, deposes and says that he is one of the petitioners within set forth and that the statements contained in the said petition are true and correct.

Felix Losurdo

Sworn and subscribed before
me this 11th day of February, 1946.

Samuel Wright
Notary Public
my Comm. expires Jan 1st 1950

"EXHIBIT B"

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
BLACKLICK, VILLAGE OF TWIN
ROCKS, COUNTY OF CAMBRIA AND
STATE OF PENNSYLVANIA

() IN THE COURT OF QUARTER SESSIONS
: OF CAMBRIA COUNTY, PENNSYLVANIA
:
: No. Sessions, 1946
()

NOTICE TO SUPERVISORS

TO FELIX A. LOSURDO, ALBERT FRANK, AND JAMES RUMMEL, SUPERVISORS OF BLACKLICK
TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

You will take notice that there will be a petition presented to the Court
of Quarter Sessions of Cambria County at Ebensburg, Pennsylvania, in said County,
at ten o'clock A.M. the 18 day of ^{March} ~~February~~, 1946, asking the Court for the
appointment of Viewers to view and lay out a proposed road in the said Township
of Blacklick to begin at the intersection of Main Street and 2nd Street, said
Main Street being otherwise known as State Highway 46, and extending over and
across 2nd Street, also a public highway, all of which is shown in red on map
of the Plan of Big Bend, Blacklick Township, which map is hereto attached, made
part hereof, and marked "EXHIBIT A."

The said road to run South 62° 53' East 321 feet, being the exact distance
from a point of beginning of the proposed road, namely, at the intersection of
Main Street and 2nd Street, measured along the center line of the said 2nd
Street in a northeasterly direction from its intersection as shown on said map
marked "EXHIBIT A."

The beginning of the said proposed road is in a public highway and ending
of said proposed road is likewise a public alley as stated above.

Samuel R. D. Tancern
ATTORNEY FOR PETITIONERS

* * * * *

February 25, 1946, service of the foregoing Notice is hereby accepted.

Leah Louvick

Albert Quirk

J. T. Rummel

SUPERVISORS OF BLACKLICK TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA

"EXHIBIT C".

TO THE SUPERVISORS OF BLACKLICK TOWNSHIP
CAMBRIA COUNTY, PENNSYLVANIA

Petition and release of damages for opening, maintaining and improving 2nd Street, in the Plan of Big Bend, Blacklick Township, Cambria County, Pennsylvania.

We the undersigned, your petitioners, respectively represent:

That we are the owners of all the property abutting on 2nd Street in the Plan of Big Bend, Blacklick Township, Cambria County, Pennsylvania. That we are in need of a public highway along the route of said 2nd Street for the benefit of the abutting property owners and the traveling public.

NOW THEREFORE, we respectfully petition your honorable body to proceed with the necessary legislation required for the accepting, opening, improving and maintaining of said 2nd Street as a public highway. That said proposed highway begins at the intersection of Main Street and 2nd Street, said Main Street being otherwise known as State Highway 45, and extending over and across 2nd Street, also a public highway, in said Township of Blacklick. The said road to run South 62° 53' East 321 feet, being the exact distance from a point of beginning of the proposed road, namely, at the intersection of Main Street and 2nd Street, measured along the center line of the said 2nd Street in a northeasterly direction from its intersection. The beginning of the said proposed road is in a public highway and ending of said proposed road is likewise a public alley.

In consideration of the accepting, opening, grading, improving and maintaining of said 2nd Street, we the undersigned property owners, do hereby release the Township of Blacklick, its officials, agents, and employees of any and all damages we have sustained or may seem likely to sustain by reason of the accepting, opening, grading, draining, improving and maintaining of said 2nd Street as a public highway.

Witness our hands and seals this day of February,
A.D., 1946.

Witness

Raymond Bradley
Hebster B. Mahan
Hazel Adams.
Hebster B. Mahan
Hebster B. Mahan

Signature

John B. McHugh
Marle Adams
Clyde Adams
David Smith
John B. Best

Witness

Hubert B. Mahan
Hubert B. Mahan
Hubert B. Mahan
Hubert B. Mahan

Signature

Rud. M. Hauck
John C. Adams
W. G. Leland
Manuel D. Oliveira

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
BLACKLICK, VILLAGE OF TWIN
ROCKS, COUNTY OF CAMBRIA AND
STATE OF PENNSYLVANIA

§ IN THE COURT OF QUARTER SESSIONS
: OF CAMBRIA COUNTY, PENNSYLVANIA
:
: No. Sessions, 1946
§

PRELIMINARY ORDER

AND NOW, February , 1946, the within petition having been presented and considered, a Rule is granted upon the Commissioners of Cambria County, Pennsylvania, to show cause, if any they have, why Viewers should not be appointed as within prayed for; and said Rule is returnable

1946. Service of the Rule, together with a copy of this Petition, shall be made upon the said Commissioners not less than ten (10) days before the said Return day.

BY THE COURT:

J.

* * * * *

ACCEPTANCE OF SERVICE BY THE COMMISSIONERS
OF CAMBRIA COUNTY, PENNSYLVANIA

AND NOW, ^{March} February 18, 1946 service of the above Rule is hereby accepted, together with a copy of the within petition.

H. F. Don
CLERK

IN RE LAYING OUT OF A PUBLIC
HIGHWAY IN THE TOWNSHIP OF
BLACKLICK, VILLAGE OF TWIN
ROCKS, COUNTY OF CAMBRIA AND
STATE OF PENNSYLVANIA

IN THE COURT OF QUARTER SESSIONS
OF CAMBRIA COUNTY, PENNSYLVANIA
No. Sessions, 1946

DECREE

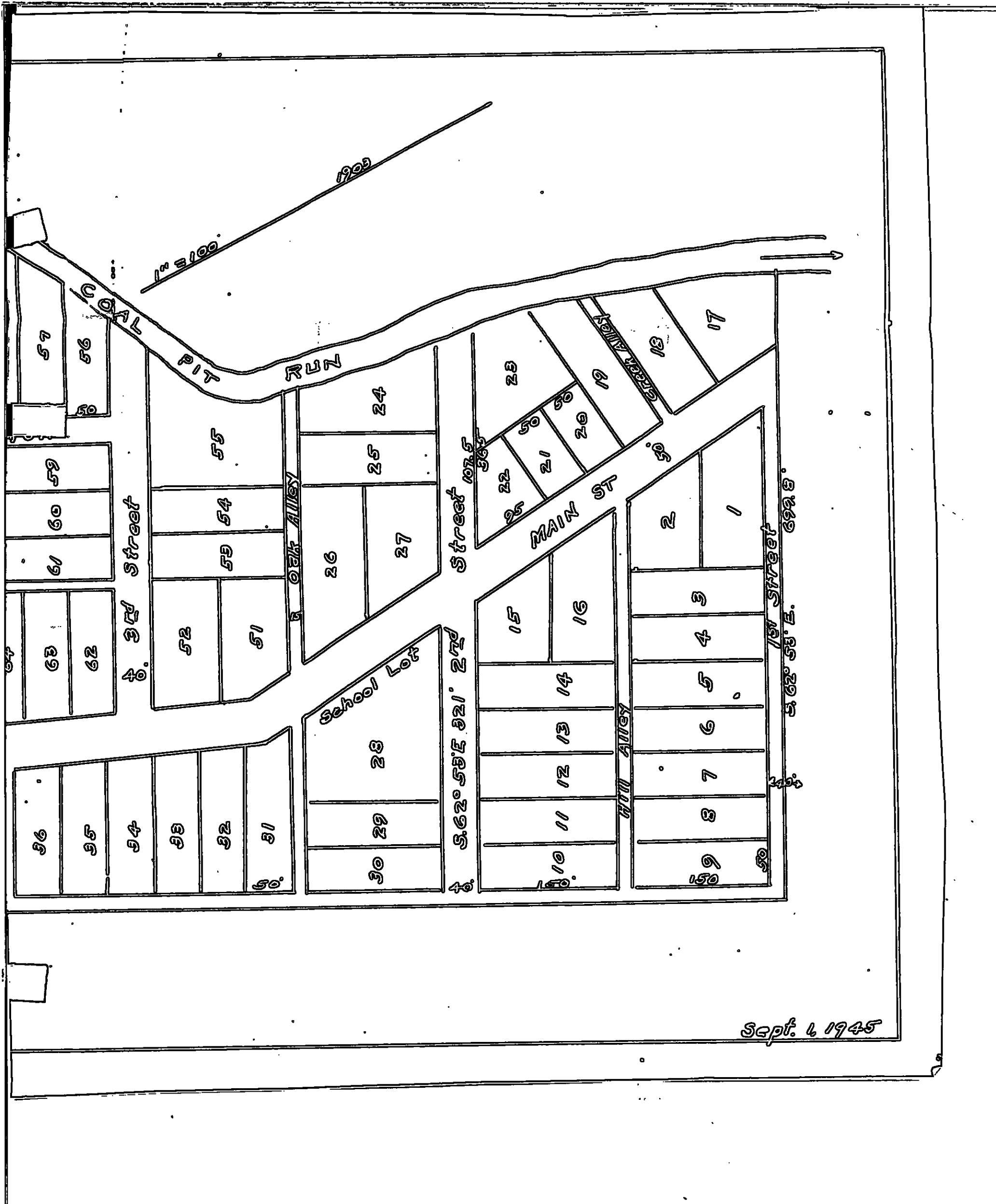
AND NOW, this 18 day of March, 1946, the within petition having
been read and considered, the Court appoint *L. E. Kayler*
J. H. Jercks and *Edward Dunegan* and
Viewers to view the road herein referred to
and make a report of their proceedings to the next term of the Court of Quarter
Sessions of said County.

BY THE COURT:

W. H. K. K. K.
J.

Rat Microfilmed

RIO#1 map. 1946
map#2



Sept. 4, 1945

Not Microfilmed

RD#1 Mar. 1946

Map #4

PLAN OF
BIG BEND, BLACKLICK TWP.
CAMBRIA COUNTY, PA.

Scale 1" = 100'



Sept. 1, 1945