

In the Court of
Quarter Sessions
Cambria Co. Pennsylvania

No 2 June Sessions

1942

In Re-Petition for
appointment of Viewers
to assess damages for
Chas HASSON. Cambria
Ship - Cambria County
Penna.

Order of Court
Report of Viewers

Wm Mc Grain
James Mc Cameron
S. E. Dickey.
VIEWERS

Filed July 30, 1942

ask Pete

asked

Approved this 14th day
of Sept. 1942
By the Court

McKernan

gucke

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: Appointment of Viewers to
Assess Damages and Benefits for
Charles Hasson in Cambria Township,
Cambria County, Pennsylvania, by
reason of the relocation of State
Highway Route No. 422 through land
of the petitioner

NO. 2 JUNE SESSIONS

1942

REPORT OF VIEWERS

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

We, the undersigned Viewers, appointed by the attached order of the above named Court, to view the property of Charles Hasson located in Cambria Township, County of Cambria and State of Pennsylvania, located along State Highway Route No. 422, a short distance West of Ebensburg, and to estimate and determine the amount of damages that have resulted, or may seem likely to result, because of the relocation of State Highway Route No. 422 through land of the petitioner, beg leave to report as follows:

That we have been duly sworn as members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of the Court; that due public notice has been given of the time, place and purpose of said meeting by posting notices on the premises and at points adjacent thereto, copies of said notices being hereto attached and made a part of this report, and by service of notices on the Commissioners of Cambria County and on Charles Hasson, owner of the property, copies of said notices being hereto attached and also made a part of this report.

That we met in accordance with the notices given on Friday, July 3rd., 1942, and proceeded with the duties of our appointment. There were present the three Viewers, Chief Clerk Frank Dorr, Attorneys Frank Hartman, Charles Hasson and Charles S. Evans. We viewed the premises affected in a thorough manner and after completing the view, which included all the land, buildings, roads, spring, dam and trees taken, approximately 1,000 pine trees will be destroyed by a fill necessitated because the State Highway Department acquired by condemnation the right of way for the Melva Extension of the Cambria and Indiana Railroad Company, through the entire width of the property, part of the club house, the fish pond and some of the timber. This right of way, consisting of 3 acres of land, was relocated and taken from the land of the petitioner.

After completing the view the meeting adjourned after arranging for a meeting for the purpose of taking testimony at the Court House in Ebensburg, ~~Saturday~~, July 11th, 1942, at 9:30 A.M.

On ~~Monday~~ ^{Saturday} July 11th, 1942, in accordance with arrangements made, a meeting was held for the taking of testimony. Those present were the three Viewers, Attorney Charles S. Evans, representing the petitioner, Attorney George Spence, representing the Commissioners, and the following witnesses: F. J. Hartman, Attorney, Ernest Apel, H. J. Apel, Charles Hasson, Attorney, and John L. Elder. All the witnesses gave testimony as to the value of the land, immediately before the condemnation and immediately after, and as affected by the condemnation, excepting John L. Elder, who was withdrawn. A meeting of the Viewers was held on the same date to consider the testimony.

Due public notice was given of a meeting to be held in the Court House, Ebensburg, Pennsylvania, for the purpose of exhibiting a Schedule of Damages, on July 25th, 1942, at 9:30 A.M., by the posting of notices on the premises, by serving notices on the County Commissioners and Charles Hasson Attorney, owner, and by publication in the Mountaineer Herald, a newspaper of general circulation published in Ebensburg.

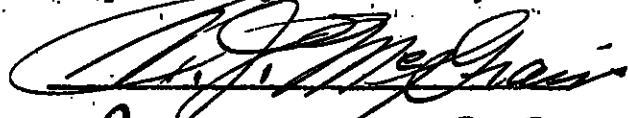
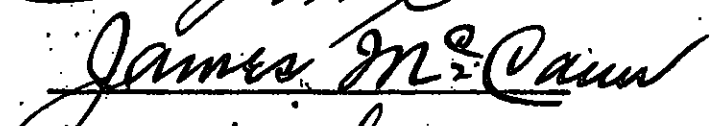

In accordance with notices given a meeting was held on July 25th, 1942, in the Court House at Ebensburg, Pennsylvania, as above stated and a Schedule of Damages was read. All three Viewers were present and Attorney Charles S. Evans representing the petitioner. The Schedule of Damages was as follows:

<u>NAME</u>	<u>BENEFITS</u>	<u>DAMAGES</u>
CHARLES HASSON	NONE	\$4800.00

No further testimony was offered nor exceptions filed and, therefore, no change is made in the amount awarded. The amount above stated, \$4800.00, is to be paid to Charles Hasson, owner, by the County of Cambria as his interest appears on the record.

Maps showing the changes made and land taken are hereto attached.

Respectfully submitted,




VIEWERS.

In the Court of Quarter Sessions of Cambria County Pennsylvania

In Re: Appointment of Viewers to
assess damages for Charles Hasson
in Cambria Township, Cambria County
Pennsylvania

No. 2 June Sessions

1942

Cambria County Commissioners to

W. J. McGrain

Dr.

June 19

Preparing, posting & serving notices & gathering data	1 da.	\$12.00	
Mileage	18 Mi.	1.80	
June 19th Stenographer		2.00	
July 3rd On View	1 da.	12.00	
11 Mileage	18 Mi.	1.80	
Taking Testimony	1 da.	12.00	
Mileage	16 Mi.	1.60	
12 Preparing, posting and serving notices - Exhibit Sched.		12.00	
Mileage	18 Mi.	1.80	
Stenographer		2.00	
25 Exhibit of Schedule	1 da.	12.00	
Mileage	16 Mi.	1.60	
30 Preparing & filing report, Expense account & Advertising		12.00	
Stenographer		2.00	
Postage & Stationery		.50	\$87.10
Advertising			<u>7.75</u>
			\$94.85

To James McCann

Dr.

July 3 On View	1 da.	\$ 12.00	
Mileage	36 Mi.	3.60	
11 At Hearing	1 da.	12.00	
25 Mileage	34 Mi.	3.40	
25 Exhibit of Schedule		12.00	
Mileage	34 Mi.	3.40	\$46.40

July 3 To S. E. Dickey			
On View	1 da.	\$ 12.00	
Mileage	41 Mi.	4.10	
11 At Hearing	1 da.	12.00	
Mileage	36 Mi.	3.60	
25 Exhibit of Schedule		12.00	
Mileage	36 Mi.	3.60	\$47.30

I hereby certify that the above bill is an exact duplicate
of bill filed with the County Commissioners.

W J McGrain

AUG 4 1942 CERTIFIED

AUG 4 1942 CERTIFIED

AUG 4 1942 CERTIFIED

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 8th day of June A. D. 1924, be-
fore the Honorable Judge of the said Court: Upon the petition of ~~Charles Hasson~~ of the Township
of Charles Hasson, in the said County, setting forth that they labor under incon-
venience for want of a view to assess damages ~~to the property~~, to lead from

See copy of petition attached

and therefore praying the Court to appoint proper persons to view a ~~plot or draft~~ ~~thereof~~
to ~~lead from~~. The Court, upon due consideration had of the premises, do order and appoint

William McGrain, James McCann Surveyor, and

S.E. Dickey

viewers, to view the ground proposed for said ~~plot or draft~~ ~~thereof~~ damages
damage and if they view the same, and shall
agree that there is occasion for such ~~plot or draft~~ ~~thereof~~ damage, they shall ~~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~~ ~~damages~~ ~~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.
McCann

Attest:

Joseph C. Weiss

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."

NO 2 June SESSIONS, 1942

Order to view to assess damages

for Charles Hasson, in

Cambria Township, Cambria

County, Pa.

Viewers

Clerk 90 cts.

Ms 2 June 1942

Charles Hasson

versus

County of Cambria

In the Court of Quarter Sessions of Cambria

County, Pennsylvania

No. 2 June Sessions, 1942.

PETITION FOR THE APPOINTMENT OF VIEWERS

TO ASSESS DAMAGES

To the Honorable, the Judges of said Court.

The petition of Charles Hasson respectfully represents:

1. That he has the legal title to a tract of land situate in Cambria Township, Cambria County, Pennsylvania, having acquired the same by deed dated the 9th day of November, 1926, and recorded in the recording office of Cambria County in Deed Book Vol. 387, page 206.

2. That your petitioner was, and is now, the legal owner of said tract of land at the time the same was damaged as hereinafter complained of and when part thereof was taken, injured and destroyed.

3. That prior to and at all times subsequent to the acquisition of said land by your petitioner there has been laid out and in use for public travel a public highway leading from the Borough of Ebensburg to the Village of Belsano in said County, which said public highway adjoined the said tract of land of your petitioner, said road running in an Easterly and Westerly direction, and from which road access was had to the building erected on said land.

4. That some time in the year 1938 the Department of Highways of Pennsylvania, by virtue of the powers and authority vested in it, re-located said highway through the land of your petitioner and supplied the said new highway by another highway known as Route #422 which took the place of the said highway which formerly ran to the border line of the land of your petitioner.

5. That in re-locating said road and laying out Route #422 the said Highway Department took and appropriated for highway purposes a

part of your petitioner's land, being a strip varying in width and containing .412 of an acre.

6. That in re-locating said old road by Route #422 the said Highway Department took and appropriated a new right-of-way for the Melva Extension of the Cambria and Indiana Railroad through the entire width of said tract of land and took and appropriated for said right-of-way 3.08 acres of land together with the timber, water, fish pond and part of the club house or building located on said land.

7. That in laying out and construction of said Route #422 the said Highway Department injured and practically made useless a strip of land containing approximately 1.71 acres and also made useless a narrow strip of land running the entire width of said tract of land containing approximately 1.63 acres.

8. That in the construction of said highway certain timber trees were cut down, destroyed and taken away.

9. That in the taking and appropriating by the said Highway Department of the right-of-way for the Railroad aforesaid, it has injured and destroyed a spring supplying ample water to the cabin or club house built on said land.

10. That there will be destroyed approximately one thousand (1,000) pine trees on said appropriated right-of-way and a large quantity of saw timber located on said appropriated right-of-way and the fish or swimming pond built on said tract of land will be entirely covered with a fill of approximately 30 feet in height, thus entirely destroying said pond, and part of the club house or cabin aforesaid will also be taken and destroyed by the right-of-way thus appropriated by the said Highway Department.

11. That a fill, at its highest point approximately 30 feet, will extend through the greater portion of said tract of land, which will destroy access from the re-located Route #422 to the said cabin or club house.

12. That the said cabin or club house will be for all

purposed destroyed and a new club house or cabin together with a road furnishing access thereto, together with a new pond and a well to supply water to the cabin will have to be constructed at a great expense.

13. That in the construction of the said Route #422 a large amount of water has been drained onto the land aforesaid and has injured and partly destroyed the driveway leading to the club house aforesaid, and the loose earth from the embankment of said new highway has been and is now continually being washed into the pond aforesaid and onto said land.

14. That your petitioner will at all times be deprived of the land appropriated for said Route #422 and for the right-of-way for the extension fo the railroad hereinbefore mentioned and will be deprived of the other land made useless by reason of the construction of said highway.

15. That your petitioner, by reason of the facts averred in this petition and by reason of many other items of damages not herein set forth in detail, has sustained damages and that the said damages are payable and owing to him by said defendant, the County of Cambria pursuant to law.

16. That your petitioner and the Commissioners of Cambria County can neither agree upon the amount of damages sustained nor are they able to arrive at an amicable settlement thereof.

WHEREFORE your petitioner prays the Court to appoint Viewers to examine the said land and premises as well as the land appropriated and taken, injured and destroyed, and to make report of their proceedings according to law. And he will ever pray.

COMMONWEALTH OF PENNSYLVANIA,

COUNTY OF CAMBERIA

SS.

Charles Hasson, the petitioner above
named, being duly sworn according to law, deposed and says that the facts
set forth in the foregoing petition are true and correct, to the best of
his knowledge, information and belief.

Sworn to and subscribed before me this _____ day of June, A. D. 1942.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: Appointment of Viewers
to Assess Damages and Benefits
for Charles Hasson, in Cambria
Township, County of Cambria and
State of Pennsylvania.

(NO. 2 JUNE SESSIONS

(1942

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court, to view the premises and estimate the damages that have resulted, or that may seem likely to result, to the property of Charles Hasson, situated in Cambria Township, Cambria County, Pennsylvania, a short distance West of Ebensburg, and adjoining State Highway Route No. 422, will meet at the Court House in Ebensburg, on Saturday, the 25th. day of July, 1942, at 9:30 o'clock A. M., at which time and place a Schedule of Damages will be exhibited, exceptions noted and further testimony, if any, will be heard.

VIEWERS

(WM. J. McGRAIN

(JAMES McCANN

(M. J. BAUMGARDNER

12th
25th July, 1942,

Notice accepted

Charles Hasson

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: Appointment of Viewers
to Assess Damages and Benefits
for Charles Hasson, in Cambria
Township, County of Cambria and
State of Pennsylvania.

{ NO. 2 JUNE SESSIONS
{
{ 1942

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court, to view the premises and estimate the damages that have resulted, or that may seem likely to result, to the property of Charles Hasson, situated in Cambria Township, Cambria County, Pennsylvania, a short distance West of Ebensburg, and adjoining State Highway Route No. 422, will meet at the Court House in Ebensburg, on Saturday, the 25th. day of July, 1942, at 9:30 o'clock A. M., at which time and place a Schedule of Damages will be exhibited, exceptions noted and further testimony, if any, will be heard.

VIEWERS.

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

IN RE: Appointment of Viewers
to Assess Damages and Benefits
for Charles Hasson, in Cambria
Township, County of Cambria and
State of Pennsylvania.

NO. 2 JUNE SESSIONS

1942

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We, the undersigned Viewers, appointed by the above named Court, to view the property of Charles Hasson, situated in Cambria Township, Cambria County, Pennsylvania, a short distance West of Ebensburg, and adjoining State Highway Route No. 422, for the purpose of estimating and determining the damage done and the benefits accruing because of the relocation of said State Highway Route through the land of the petitioner, will meet on the premises at 9:30 o'clock A. M., on Friday, July 3rd., 1942, to attend to the duties of our appointment, at which time and place all persons interested may appear and be heard, if they think proper.

VIEWERS

(WILLIAM McGRAIN

(JAMES McCANN

(S. E. DICKEY

*assigned same
June 24-1942
H. F. Dickey*

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: Appointment of Viewers
to Assess Damages and Benefits
for Charles Hasson, in Cambria
Township, County of Cambria and
State of Pennsylvania.

NO. 2 JUNE SESSIONS

1942

SCHEDULE OF DAMAGES

We, the undersigned Viewers, appointed by the above named Court, to view the premises and to determine the amount of damages, if any, that have resulted, or may seem likely to result, by reason of the re-location of State Highway Route No. 422 passing through the land of Charles Hasson in Cambria Township, Cambria County, Pennsylvania, have viewed the premises and taken into consideration all evidence and testimony before us and have estimated and assessed benefits and damages as follows:

<u>NAME</u>	<u>BENEFITS</u>	<u>DAMAGES</u>
CHARLES HASSON	NONE	\$4800.00

July 25, 1942.

W. J. McGowan
James M. Gann
W. E. Dickey
VIEWERS

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

IN RE: Appointment of Viewers
to Assess Damages and Benefits
for Charles Hasson, in Cambria
Township, County of Cambria and
State of Pennsylvania.

(NO. 2 JUNE SESSIONS

(1942

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We, the undersigned Viewers, appointed by the above named Court, to view the property of Charles Hasson, situated in Cambria Township, Cambria County, Pennsylvania, a short distance West of Ebensburg, and adjoining State Highway Route No. 422, for the purpose of estimating and determining the damage done and the benefits accruing because of the relocation of said State Highway Route through the land of the petitioner, will meet on the premises at 9:30 o'clock A. M., on Friday, July 3rd., 1942, to attend to the duties of our appointment, at which time and place all persons interested may appear and be heard, if they think proper.

VIEWERS- (WILLIAM McGRAIN
(JAMES McCANN
(S. E. DICKEY

June 24, 1942
Service Accepted
Charles Hasson

Wm. J. Mc Grain

Ebensburg, Cambria County, Pa., July 29, 1942

To The Mountaineer-Herald, Dr.

Cambria County's Leading Weekly Newspaper

First-Class Facilities For Doing All Kinds of Book and Job Printing

All Bills Payable in 30 Days

LINOTYPE COMPOSITION A SPECIALTY

Return This Bill for Receipt

1942-July 30 - 3 3/4" Viewers Notice 1t \$3.75
Hassm



Board of Viewers
James McCann

Ebensburg, Cambria County, Pa., June 25, 1942

To The Mountaineer-Herald, Dr.

Cambria County's Leading Weekly Newspaper

First-Class Facilities For Doing All Kinds of Book and Job Printing

All Bills Payable in 30 Days

LINOTYPE COMPOSITION A SPECIALTY

Return This Bill for Receipt

1942--June 25--3 1/2" Sheehan Notice 1t \$3.50
Proof .50
\$4.00



IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: Appointment of Viewers to Assess Damages and Benefits for V. M. Sheehan in Clearfield Township, Cambria County, Pennsylvania. No. 2 June Sessions, 1942.

NOTICE OF EXHIBIT OF SCHEDULE

We, the undersigned Viewers, appointed by the above named Court, to view the premises and estimate the damages that have resulted, or that may seem likely to result, to the property of V. M. Sheehan, in Clearfield Township, County of Cambria and State of Pennsylvania, will meet at the Court House, in Ebensburg, on the 2nd. day of July, 1942, at 9:30 o'clock A. M., at which time a schedule of damages will be exhibited, exceptions noted and further testimony, if any, will be heard.

JAMES McCANN

WM. J. McGRAIN

M. J. BAUMGARDNER

June 25-1942.

Viewers

**IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY,
PENNSYLVANIA**

**In Re-appointment of Viewers to As-
sess Damages and Benefits for Char-
les Hasson in Cambria Township,
Cambria County, Pennsylvania, by
Reason of the Relocation of State
Highway Route Through Land of the
Petitioner. No. 2 June Sessions 1942.**

**NOTICE OF FILING REPORT OF
VIEWERS**

We, the undersigned viewers ap-
pointed by the above named Court to
report on the above proceedings as it
affects the property of Charles Has-
son, have this 30th day of July, 1942,
filed our report to the above term and
number. Said report shows damages
and benefits to be paid as follows:

Name	Benefits	Damages
Charles Hasson	None	\$4800.00

Subject to certain conditions set
forth in said report.

Unless exceptions thereto are filed
within thirty days from the filing of
said report, same will be confirmed
absolutely.

**W. J. McGRATH
JAMES McCANN
S. E. DICKEY**

July 30, 1942-17pb. Viewers.

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

IN RE: Appointment of Viewers
to Assess Damages and Benefits
for Charles Hasson, in Cambria
Township, County of Cambria and
State of Pennsylvania.

NO. 2 JUNE SESSIONS

1942

NOTICE OF VIEW AND THE TAKING OF TESTIMONY

We, the undersigned Viewers, appointed by the above named Court, to view the property of Charles Hasson, situated in Cambria Township, Cambria County, Pennsylvania, a short distance West of Ebensburg, and adjoining State Highway Route No. 422, for the purpose of estimating and determining the damage done and the benefits accruing because of the relocation of said State Highway Route through the land of the petitioner, will meet on the premises at 9:30 o'clock A. M., on Friday, July 3rd., 1942, to attend to the duties of our appointment, at which time and place all persons interested may appear and be heard, if they think proper.

VIEWERS

WILLIAM McGRATH

JAMES McCANN

S. E. DICKEY

State of Pennsylvania }
County of Cambria } ss:

David J. Thompson being duly sworn according to law deposes and says that he is Editor of the ~~Mountaineer-Herald~~, established June 23, 1853, a newspaper of general circulation published at Ebensburg, Cambria County, Pa., and that the notice, exactly as printed and published, a copy of which is hereto attached, was published in said ~~Mountaineer-Herald~~ in the issues of June 25, 1942 that affiant is not interested in the subject matter of said notice or advertising and that all of the matters herein set forth as to the time, place and character of said publication are true.

Sworn and subscribed before me this 25th
day of June A. D., 1942
John E. Thompson
Justice of the Peace
1-1946

David J. Thompson
Editor

No. 2 June Sessions, 1942.

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

Charles Hasson

Vs.

County of Cambria

PETITION FOR THE APPOINTMENT OF
VIEWERS TO ASSESS DAMAGES.

Filed June 8, 1942
JCH

F. J. HARTMANN
ATTORNEY AT LAW
EBensburg, PA.

Charles Hasson

versus

County of Cambria

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

No. 2 June Sessions, 1942.

PETITION FOR THE APPOINTMENT OF VIEWERS
TO ASSESS DAMAGES

To the Honorable, the Judges of said Court.

The petition of Charles Hasson respectfully represents:

1. That he has the legal title to a tract of land situate in Cambria Township, Cambria County, Pennsylvania, having acquired the same by deed dated the 9th day of November, 1926, and recorded in the recording office of Cambria County in Deed Book Vol. 387, page 206.

2. That your petitioner was, and is now, the legal owner of said tract of land at the time the same was damaged as hereinafter complained of and when part thereof was taken, injured and destroyed.

3. That prior to and at all times subsequent to the acquisition of said land by your petitioner there has been laid out and in use for public travel a public highway leading from the Borough of Ebensburg to the Village of Belsano in said County, which said public highway adjoined the said tract of land of your petitioner, said road running in an Easterly and Westerly direction, and from which road access was had to the building erected on said land.

4. That some time in the year 1938 the Department of Highways of Pennsylvania, by virtue of the powers and authority vested in it, re-located said highway through the land of your petitioner and supplied the said new highway by another highway known as Route #422 which took the place of the said highway which formerly ran to the border line of the land of your petitioner.

5. That in re-locating said road and laying out Route #422 the said Highway Department took and appropriated for highway purposes a

part of your petitioner's land, being a strip varying in width and containing .412 of an acre.

6. That in re-locating said old road by Route #422 the said Highway Department took and appropriated a new right-of-way for the Melva Extension of the Cambria and Indiana Railroad through the entire width of said tract of land and took and appropriated for said right-of-way 3.08 acres of land together with the timber, water, fish pond and part of the club house or building located on said land.

7. That in the laying out and construction of said Route #422 the said Highway Department injured and practically made useless a strip of land containing approximately 1.71 acres and also made useless a narrow strip of land running the entire width of said tract of land containing approximately 1.63 acres.

8. That in the construction of said highway certain timber trees were cut down, destroyed and taken away.

9. That in the taking and appropriating by the said Highway Department of the right-of-way for the Railroad aforesaid, it has injured and destroyed a spring supplying ample water to the cabin or club house built on said land.

10. That there will be destroyed approximately one thousand (1,000) pine trees on said appropriated right-of-way and a large quantity of saw timber located on said appropriated right-of-way and the fish or swimming pond built on said tract of land will be entirely covered with a fill of approximately 30 feet in height, thus entirely destroying said pond, and part of the club house or cabin aforesaid will also be taken and destroyed by the right-of-way thus appropriated by the said Highway Department.

11. That a fill, at its highest point approximately 30 feet, will extend through the greater portion of said tract of land, which will destroy access from the re-located Route #422 to the said cabin or club house.

12. That the said cabin or club house will be for all

purposes destroyed and a new club house or cabin together with a road furnishing access thereto, together with a new pond and a well to supply water to the cabin will have to be constructed at a great expense.

13. That in the construction of the said Route #422 a large amount of water has been drained onto the land aforesaid and has injured and partly destroyed the driveway leading to the club house aforesaid, and the loose earth from the embankment of said new highway has been and is now continually being washed into the pond aforesaid and onto said land.

14. That your petitioner will at all times be deprived of the land appropriated for said Route #422 and for the right-of-way for the extension of the railroad hereinbefore mentioned and will be deprived of the other land made useless by reason of the construction of said highway.

15. That your petitioner, by reason of the facts averred in this petition and by reason of many other items of damages not herein set forth in detail, has sustained damages and that the said damages are payable and owing to him by said defendant, the County of Cambria, pursuant to law.

16. That your petitioner and the Commissioners of Cambria County can neither agree upon the amount of damages sustained nor are they able to arrive at an amicable settlement thereof.

WHEREFORE your petitioner prays the Court to appoint Viewers to examine the said land and premises as well as the land appropriated and taken, injured and destroyed, and to make report of their proceedings according to law. And he will ever pray.

Charles Vasson

COMMONWEALTH OF PENNSYLVANIA,

COUNTY OF CAMBRIA,

SS.

Charles Hasson, the petitioner
above named, being duly sworn according to law, deposes and says
that the facts set forth in the foregoing petition are true and
correct, to the best of his knowledge, information and belief.

Charles Hasson

Sworn to and subscribed before me this 8th day of June, A.D. 1942.

John L. Hite

Prothonotary

AND NOW, 8th June, A. D. 1942, the Commissioners of Cambria County do hereby waive the provisions of Rule No. 301-1/2 of the Court of Quarter Sessions of Cambria County, and the issuing of a Rule upon them pursuant thereto, to show cause, if any they have, why Viewers should not be appointed for the purpose of awarding damages alleged to have been occasioned to Charles Hasson by the re-location of a public highway in Cambria Township, Cambria County, Pennsylvania, by the Department of Highways of the Commonwealth of Pennsylvania, with the same force and effect as if a Rule had been regularly issued and served, together with a copy of the petition, service of a copy of said petition being hereby accepted; and said Commissioners of Cambria County hereby waive all further notice, and consent to the appointment of Viewers forthwith upon presentation of said petition.



Chief Clerk.

DECREE

AND NOW, June 8, A. D. 1942, the within
petition presented, read and considered, the County Commissioners
of Cambria County having waived the provisions of Rule No. 301-1/2
of the Court of Quarter Sessions of Cambria County, Pennsylvania,
by their stipulation endorsed thereon, upon motion of (F. J. Hartmann,
Attorney for the petitioner, the Court do now appoint William
McGrain, Chairman, James McCann and S. E. Dickey,
members of the Permanent Board of Viewers of the County
of Cambria, as Viewers to view and examine the premises in said
petition described, for the purpose of ascertaining the damages, if
any, sustained by the petitioner, and make return of their proceed-
ings according to law.

BY THE COURT:

McCann
S. E. Dickey

RD² - 21st June 1942
Nat Microfilm

DE PAIR TRACT
PLAN
LOT
DE PAIR TRACT
PLAN
LOT

EDWARD GRIFFIN ET AL
J.D. PARISH

PLAN
OF
SPRUCE CABIN CLUB LANDS
SITUATED, CAMBERIA TWP CAMBERIA CO. PA
CONTAINING 50 ACRES MORE OR LESS

Scale 1" = 200'
N-10-W-26

W. 1/2 Sec 26

W. 1/2 Sec 26

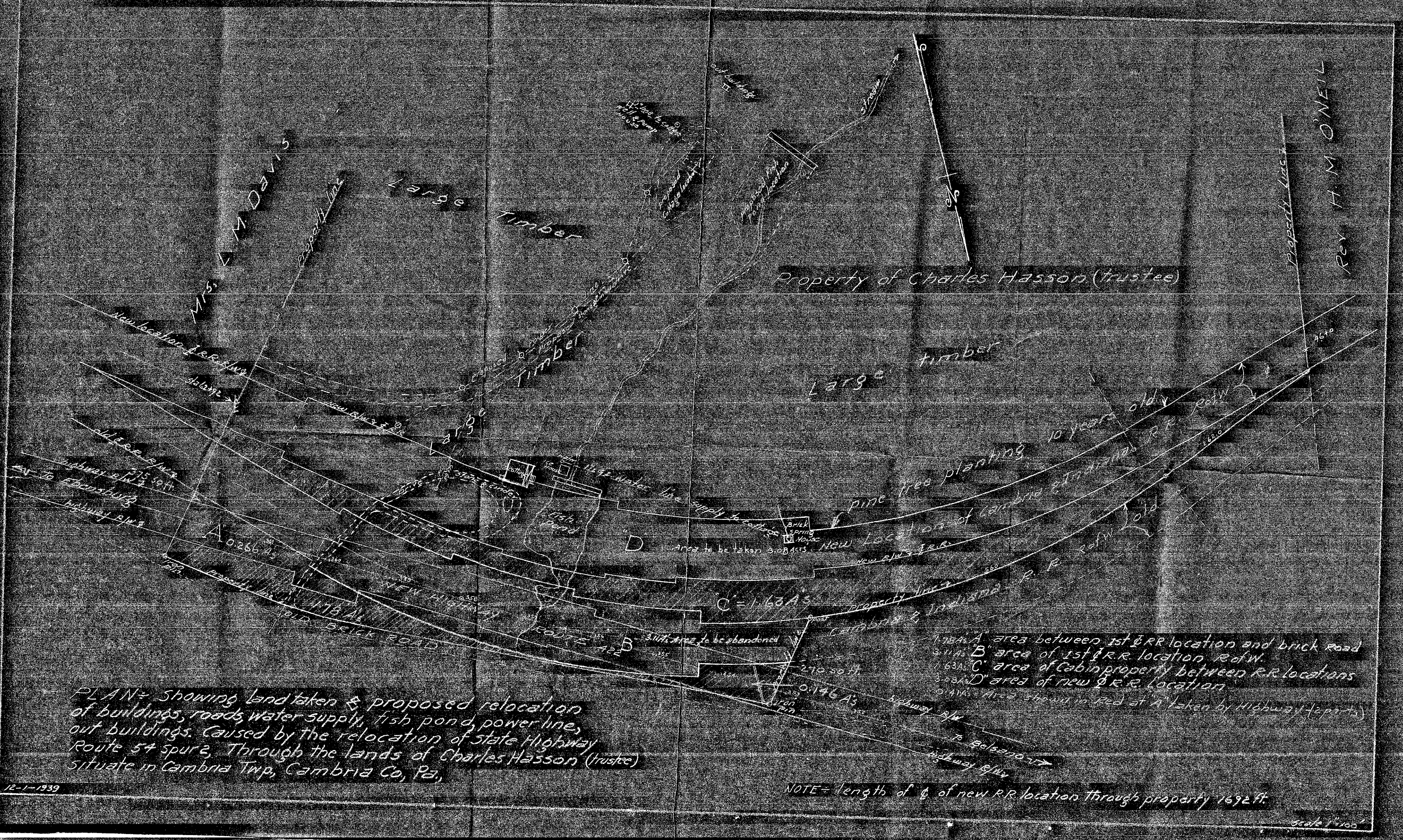
W. 1/2 Sec 26

W. 1/2 Sec 26

W. 1/2 Sec 26

Not Microfilm

RD#2 June 1942



12-1-1939

PLAN= showing land taken & proposed relocation of buildings, roads, water supply, fish pond, power line, out buildings. Caused by the relocation of state Highway Route 54 spur, Through the lands of Charles Hasson (trustee) situate in Cambria Twp, Cambria Co, Pa,

NOTE= length of C of new RR location through property 1692 ft.

Scale 1"=100'