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No. 5 *June* ~~September~~ Sessions 1921.

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

Filed 11 August 1921

PETITION FOR APPOINTMENT OF
VIEWERS.

Now August 8, 1921, within

Petition read and

A. M. Shremaker

Adam Shuman

Joseph A. Peter

are appointed Viewers

Samuel Lammiman Reed

Presiding Judge & the

Circuit Court Specially

Presiding

SHEFFIG & NELSON

ATTORNEYS-AT-LAW

EBENSBURG, - - - PENNA.

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

No. September Sessions, 1921.

PETITION FOR APPOINTMENT OF VIEWERS.

To the Honorable Judges of the above named Court:

The petition of the undersigned inhabitants of the Township of East Carroll, in said County of Cambria, respectfully represents:

That your petitioners labor under great inconvenience for the want of a public road in said Township from a point at a distance of eight thousand five hundred fifty feet from the intersection of the old Ebensburg and Carrolltown road with the road leading therefrom to the Carrolltown-Bradley Junction road and measured along said road leading from the Ebensburg-Carrolltown road to the Carrolltown-Bradley Junction road, and extending thence to a point on the Carrolltown-Bradley Junction road, which said point is three hundred ten feet measuring along said last mentioned road from its point of intersection with a road leading from it to Chest Springs.

Your petitioners therefore pray the Court to appoint viewers to view the location of said proposed road and report to the Court upon the propriety of laying out the same as a public road. And they will ever pray, etc.

Hermann Kling
L. L. Burk
Emery M. Lether
A. R. Baker
Thad. Jones
G. A. Bearer
G. W. Sumner
J. S. Bennett
J. C. Purley
Alex. Stittwater

B. E. Randall
A. B. Schermer
Jos. Purley
Gilbert Baker
F. J. Springer
J. D. Springer

Cambridia County : SS.

Herman Ollig being duly sworn according to law says that
the matters contained in the foregoing petition are true and correct as he
verily believes.

Sworn and subscribed before me this

6th day of August, 1921.

Philip N. Shetty
Notary Public

Comm. expires Jan'y. 22, 1925

Hermann Ollig

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

No. _____ September Sessions, 1921.

ACCEPTION OF SERVICE OF NOTICE OF INTENTION TO PRESENT PETITION.

The undersigned being all of the supervisors of the Township of East Carroll in the County of Cambria hereby acknowledge that we have received notice of the intention of certain citizens of said Township to present to the Court of Quarter Sessions in Cambria County on Monday, August 8, 1921, a petition asking for the appointment of viewers to view and lay out a public road in said Township from a point at a distance of eighty-five hundred and fifty feet from the intersection of the old Ebensburg-Carrolltown road with the road leading therefrom to the Carrolltown-Bradley Junction road and measured along said road leading from the Ebensburg-Carrolltown road to the Carrolltown-Bradley Junction road, and extending thence to a point on the Carrolltown-Bradley Junction road, which said point is three hundred ten feet measuring along said last mentioned road from its point of intersection with a road leading from it to Chest Springs.

L. A. Yeatley
Hernandez

J. A. Springer
Supervisors of East Carroll Township.

TO THE COMMISSIONERS OF CAMBRIA COUNTY:

You are hereby notified that application will be made to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday August 8th, 1921, for the appointment of viewers to lay out a public road in said Township of East Carroll, Cambria County, Pennsylvania; from a point at a distance of eighty-five hundred and fifty feet from the intersection of the old Ebensburg-Carrolltown road with the road leading therefrom to the Carrolltown-Bradley Junction road and measured along said road leading from the Ebensburg-Carrolltown road to the Carrolltown-Bradley Junction road, and extending thence to a point on the Carrolltown-Bradley Junction road, which said point is three hundred ten feet measuring along said last mentioned road from its point of intersection with a road leading from it to Chest Springs.

Sheetz & Nelson

Attorneys for Petitioners.

Now, August 8th, 1921, service of within notice accepted.

T. Stanton Davis,
Dwight Roberts,
H. B. Heffley,
County Commissioners,

By *John W. Lurel*

Chief Clerk.

REPORT OF VIEWERS .

To the Honorable, the Judges of the Court of Quarter Sessions of
Cambria County, Pennsylvania.

We, the undersigned members of the board of viewers of Cambria County, appointed by your honorable Court upon the attached order and therein directed to view and determine as to the necessity for a piece of public road in East Carroll Township, Cambria County, Pennsylvania, between the terminal points specified in said attached order of court; respectfully report:

That having given due 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 East Carroll and the Pennsylvania Railroad Company by presenting them with and having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini of the piece of road desired by the petitioners; and having been duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability: all of us met at the time and place appointed and having carefully viewed the situation and are all of the opinion that a piece of public road between the terminal points set forth in the attached order is necessary for the convenience and accommodation of the traveling public.

A Plot or draft showing the courses and distances of the piece of public road as laid out is hereto attached and made a part of this report; said courses and distances being as follows, viz: Beginning at a point eight thousand five hundred fifty feet Eastward from the old Ebensburg-Carrolltown road along the public road leading therefrom to the Bradley Junction - Carrolltown road and extending thence South fifty nine degrees fifteen minutes East three hundred nine and eight tenth feet, through and over land of Joseph Burley, thence - crossing the track of the Pennsylvania Railroad Company - North forty five degrees fifty minutes East one hundred six and six tenth feet to the point of ending on the Bradley Junction - Carrolltown road, as designated on the attached order.

Witness our hands this third day of September A. D., 1921.

A. M. Shoemaker

J. D. Ritter

Viewers.

ROAD NOTICE

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 East Carroll Twp., said county and state, to begin on the road leading from the Old Ebensburg-Carrolltown road to the Bradley Junction-Carrolltown road, at a point 8550 ft. Eastward, along said road, from its junction with said Old Ebensburg-Carrolltown road and to end at a point on the E Bradley Junction-Carrolltown road 310 ft., along said last mentioned road, from its intersection with a road leading from Chest Springs: will meet ... At the point of beginning, above noted, ... in the ... Township ... of ... East Carroll ... aforesaid, on the ... 25th ... day of ... August ... 1921, at 10:30 o'clock a. m., for the purpose of performing the duties of their appointment.

WITNESSED THE JUDICIAL COMMISSIONERS OF ... A. M. Shoemaker, ... J. D. Ritter and Adam Shuman, ... Viewers.

Ebensburg, Pa. 8/12/19. 21.

Now, August 17th 1921, service of the within notice is hereby
accepted for the County Commissioners of Cambria County, Pennsylvania.

James M. Linn
Clerk.

ROAD NOTICE

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 East Carroll Twp., said county and state, to begin on the road leading from the old Ebensburg-Carrolltown road to the Bradley Junction-Carrolltown road, at a point 8550 ft. Eastward along said road, from its junction with said old Ebensburg-Carrolltown road and to end at a point on the Bradley Junction-Carrolltown road 310 ft., along said last mentioned road, from its intersection with a road leading from Chest Springs: will meet AT THE PLACE OF BEGINNING, above noted, in the Township of East Carroll aforesaid, on the 25th. day of August 1921, at 10:30 o'clock A.M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,
J. D. Ritter and
Adam Shuman,
Viewers.
Ebensburg, Pa. 8/13/1921.

Now, August *24th* 1921, service of the within notice is hereby
accepted for the Pennsylvania Railroad Company.

Wm. P. Clithers
Daphy

SEP 23 1921 CERTIFIED

Cost of View
Q.M. Shoemaker

Lifting Order — .90

4 Days — 30.00

54 Miles — 2.70

Engineering work & prints — 25.00
\$58.60

SEP 23 1921 CERTIFIED

Adam Shuman

1 day — 7.50

50 Miles — 2.50

\$10.00

SEP 23 1921 CERTIFIED

SEP 23 1921 CERTIFIED

J. D. Ritter

1 1/2 Days — 11.75

70 miles (two trips) — 3.50
\$15.25

SEP 23 1921 CERTIFIED

SEP 23 1921 CERTIFIED

APPROVED FOR PAYMENT
H. P. Heffley
COMMISSIONER

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 August A. D. 1921, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of East Carroll, in the said County, setting forth that they labor under inconvenience for want of a Public road or highway, to lead from a point at a distance of eight thousand five hundred fifty feet from the intersection of the old Ebensburg and Carrolltown road with the road leading therefrom to the Carrolltown-Bradley Junction road and measured long said road leading from the Ebensburg-Carrolltown road to the Carrolltown-Bradley Junction road, and extending thence to a point on the Carrolltown-Bradley Junction road, which said point is three hundred ten feet measuring along said last mentioned road from its point of intersetion with a road leading from it to Chest Springs.

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

Adam Shuman and J. D. Ritter.

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 C. Robb, Clerk.

NO. 5 June SESSIONS, 1921

Order to view

In re, Petition of inhabitants
of the Township of East Carroll
for the appointment of viewers
to lay out a road from the
Ebensburg-Carrolltown road to
the Carrolltown-Bradley Junction
road.

A. M. Shoemaker.

Adam Shuman.

J. D. Ritter.

Viewers

Clerk Robb. 90 cts.

Filed Sept. 10, 1921

12 Sept. 1921 approved and breadth
fixed at forty feet.

By the Court

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."

Host Bros.

