



Plot or draft showing the location of a piece of public road; partly in Croyle and partly in Jackson Township, Cambria County, Pennsylvania; proposed to be vacated; and the line of a new road, likewise partly in Croyle and partly in Jackson Township, suggested to supply the strip of road desired to be vacated.

Viewed upon an order of the Court of Quarter Sessions of Cambria County Pennsylvania, dated 5th Dec. A.D. 1921.

A.M. Shoemaker,
Dixon Tomb and
Adam Shuman
Viewers.

#1 December Sess. 1921

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

IN RE CHANGE OF ROAD IN
JACKSON AND GROYLE TOWN-
SHIPS, CAMBRIA COUNTY,
PENNSYLVANIA.

Petition to Change Route of Road .

DECREE WITHIN.

Filed Dec 6 1921.

Alvin Sherbine,
Johnstown, Pa.

IN-RE CHANGE OF ROAD IN
JACKSON AND CROYLE TOWNSHIPS,
CAMBRIA COUNTY,
PENNSYLVANIA.

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

No. _____ SESSIONS, 1921

PETITION TO CHANGE ROUTE OF ROAD

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

The petition of the undersigned supervisors, residents and tax payers of the Townships of Jackson and Croyle, in said County and State, respectfully represent:

FIRST. That a public road has long since been laid, opened and used in the said Townships of Jackson and Croyle, beginning at Burkhart's Corners, in said Jackson Township, and extending in a southeasterly direction about Fifteen Thousand Five Hundred and Twenty (15,520) feet in Jackson Township and one (1) mile in Croyle Township to a point where the said road intersects with a road leading from Summerhill to Wilmore; that a portion of the said described road, beginning at a point Four Thousand Nine Hundred and Sixty (4,960) feet southeast of Burkhart's Corners and extending in a southeasterly direction two (2) miles in Jackson Township and one (1) mile in Croyle Township to a point where said road intersects with a road leading from Summerhill to Wilmore, has become inconvenient, burdensome and difficult of passage, and there would be great improvement if, instead of following the portion expressly mentioned and described above, should be vacated, and there should be supplied instead thereof a road beginning at a point on the said road leading from Burkhart's Corners to the intersection of said road and the road leading from Summerhill to Wilmore, Four Thousand Nine Hundred and Sixty (4,960) Feet southeast of said Burkhart's Corners and running in a southeasterly direction to a point on the public road leading from Summerhill to the William Penn Highway 550 feet north of the point where the road leading from New Germany intersects and joins with the road leading from Summerhill to the William Penn Highway.

SECOND. That, of the new road, about one (1) mile thereof will lie

in Jackson Township and about one-half ($\frac{1}{2}$) mile thereof will lie in Croyle Township.

YOUR PETITIONERS THEREFORE PRAY THE COURT to appoint qualified persons to view the premises and to inquire into the expediency of making the said change, and otherwise proceed as directed by the Acts of Assembly in such case made and provided.

AND THUS they will ever pray, etc.

John Albrough
J. H. Nealen

Supervisors of Jackson Township, Cambria County,
Pennsylvania.

<u>J. C. Headrick</u>	<u>S. B. Hildebrand</u>
<u>Lewis Gillin</u>	<u>D. W. Munster</u>
<u>James Mackall</u>	<u>L. A. Bucken</u>
<u>Kyrus W. Davis</u>	<u>E. L. Paul</u>
<u>Martin Dyer</u>	<u>Joshua Bracken</u>
<u>W. S. Mackell</u>	<u>L. F. Burkhardt</u>
<u>E. B. Wimmer</u>	<u>H. E. Reishard</u>
<u>C. B. S. Under</u>	<u>Cornelius Gillin</u>

Residents and Tax Payers of JACKSON TOWNSHIP, Cambria County, Pennsylvania.

John L. Price
C. S. Stutzman
Stephen Haddon

Supervisors of Croyle Township, Cambria County, Pa.

<u>Samuel J. Wilson</u>	<u>John Ford</u>
<u>John S. Wilson</u>	<u>Christian Ford</u>
<u>John West</u>	<u>J. W. Stiller</u>
<u>E. E. Stiller</u>	<u>Er. Stiller</u>
<u>J. A. Wilson</u>	<u>Herman Huber</u>
<u>W. H. Wilson</u>	<u>Joseph Huber</u>
<u>O. R. Wilson</u>	<u>E. S. Stutzman</u>
<u>J. E. Stiller</u>	<u>John G. Price</u>
<u>D. M. Stiller</u>	<u>Stephen Hadden</u>

Residents and Tax Payers of CROYLE TOWNSHIP, Cambria County, Pennsylvania.

COMMONWEALTH OF PENNSYLVANIA :
: SS :
COUNTY OF CAMBRIA :

Personally appeared before me, a Justice of the Peace,
in and for said County and State, John Albaugh, J. G. Nealen and B. F. Rager,
Supervisors of Jackson Township, said County and State, who being duly sworn
according to law, depose and say that the within statements are true and correct
to the best of their knowledge, information and belief.



J. C. Wakefield
Justice of the Peace
my commission expires on
January 1st, 1922

COMMONWEALTH OF PENNSYLVANIA :
: SS :
COUNTY OF CAMBERTA :

Personally appeared before me, a in Alderman,
in and for said County and State, C. S. Stutzman, John Hice and Stephen Haddon,
Supervisors of Croyle Township, said County and State, who being duly sworn
according to law, depose and say that the within statements are true and correct
to the best of their knowledge, information and belief.

Wesley J. Lambard
Alderman

MY COMMISSION EXPIRES
JANUARY 1926

I CERTIFY that the foregoing petition for the appointment of road
viewers is lawful and conforms to the purpose of the petitioners, and that the
same is in regular and due form.

Clavin O. H. H. H.
Attorney for Petitioners.

Wm 5, 1921

July , 1921

DECREE

AND NOW, the 5th ¹⁰⁶⁶ day of ~~August~~, A. D., 1921,
the foregoing petition having been presented, read and considered, Adam Shuman, Dwight Lamb
and Amshremak
are appointed viewers for the purpose prayed for.

BY THE COURT

Ernest J.

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 propriety of vacating and supplying certain portions of public road in the townships of Jackson and Croyle, said county and state, between the terminal points specifically designated in said order, 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 and having them accept service of notices hereto attached, and to the Supervisors of said townships, who were present at the view, and to the traveling public by printed hand bills posted in public and conspicuous places along the route and at or near the terminal points of the pieces of road proposed to be vacated and that proposed to be supplied; all of us met at the time and place appointed and having been first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability: we viewed the premises and are unanimously of the opinion that the piece of new road requested to be supplied is not necessary for the accomodation of the public and that the piece of road suggested to be vacated should not be vacated.

The piece of road proposed to be vacated, from a point 4,960 ft. South East of the cross-roads at Burkhart's Corner takes the following courses and distances, viz; South 38° East, 494 ft.; South 53° East 200 ft.; South 39° East 130 ft.; South 8° 30' East 280 ft.; South 34° East 260 ft.; South 56° East 496 ft.; South 8° 30' East 499 ft.; South 4° 15' East 948 ft.; South 28° East 911 ft.; South 24° 30' East 370 ft.; South 35° East 745 ft.; South 40° 30' East 1824 ft.; South 37° East 327 ft.; South 50° 30' East 1430 ft.; South 42° East 400 ft.; to the corner at the old Betz School House (now down) and continuing South 36° East 975 ft.; South 45° 45' East 215 ft.; South 43° East

1070 ft. (crossing the line between the townships of Jackson and Croyle at 1040 ft.), and South 61° 30' East 480 ft. to the Summerhill- Wilmore road, in Croyle township; and the piece of road proposed to be supplied takes the following three courses and distances through and over lands of the Pennsylvania Coal and Coke Company and land of John Bodenschatz; likewise partly on each of said townships; viz; South 69° 50' East twenty six hundred thirty nine (2639) feet, South 60° 12' East forty hundred fifty four (4054) feet, and South 84° 15' East twenty two hundred eighty five (2285) feet, to a point on the public road leading from Summerhill to the William Penn Highway, past the farm of John Bodenschatz.

A plat or draft showing the location of the piece of road proposed to be vacated and likewise the piece of road proposed to be supplied is hereto attached and made a part of this report.

Although the portion of the present public road proposed to be vacated is in bad shape and the grade on the several hills quite steep, while the grade through and over which the proposed supply road was expected and intended to be laid out is good ground for a public road and generally of a nice grade; yet, in the opinion of the viewers, the necessity for the proposed new road, at this time, is not by any means such as would demand or justify the expenditure necessary to construct the proposed new road.

Witness our hands this 4th.
day of February, A. D., 1922.

A. M. Shoemaker
Dyon Tomb
Adam Shuman

Cost of View

A. M. Shoemaker

Lifting Order	\$.90
4 1/2 Days on View,	
Notices & Report	\$ 33.75
6 (additional) Days on Survey	
Draft & Engineering work	60.00
156 Miles (7 trips)	7.80
	<hr/>
	102.45-

FEB 11 1922 CERTIFIED

Dixon Tomb

5 Days	\$ 37.50
138 miles (5 trips)	6.90
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	44.40

FEB 11 1922 CERTIFIED

Adam Shuman

5 Days	\$ 37.50
128 miles	6.40
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	43.90

FEB 11 1922 CERTIFIED

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 propriety of vacating and supplying portions of public road in the townships of Jackson & Croyle, said county and state: ... Beginning to vacate from a point 4960 ft. South East of Burkhardt's Corner, in Jackson Twp., on the road leading from said corner to the Summerhill-Wilmore road, in Croyle Twp.; and to supply from the point of beginning of the piece of road proposed to be vacated to a point on the public road leading from Summerhill to the William Penn Highway, 550. ft. North of the juncture of the road leading from New Germany with the road leading from Summerhill to the William Penn Highway:

will meet ... at Burkhardt's Corner ... in the ... Township ... of ... Jackson ... aforesaid, on the ... 22" ... day of ... December, ... 1921, at ... 9:30 o'clock a. m. ... for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

Adam Shuman and

Dixon Tomb,

Viewers.

Ebensburg Pa. 12/10/1921.

Now, Dec 22nd 1921, ~~notice of the~~ acceptance of
service of the within notice is
hereby accepted for the Commissioners
of Cambria County, Pennsylvania.

James H. Clark
Clerk

FEB 1 1922 CERTIFIED

No. 1, December SESSIONS, 1921.

Order to view public road in
Jackson and Croyle Townships,
1 mile in Jackson Township,
 $\frac{1}{2}$ mile in Croyle Township.

*Order to View
and Report of
Viewers.*

FEB 1 1922 CERTIFIED

A. M. Shoemaker

Adam Shuman

Dixon Tomb

Viewers

FEB 1 1922 CERTIFIED

Clerk Robb

90 cts.

Filed Feb 9, 1922

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."

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 fifth day of December A. D. 1921, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Jackson and Croyle, in the said County, setting forth that they labor under inconvenience for want of a public road or highway, ~~to lead from~~

FIRST - That a public road has long since been laid, opened and used in the said Townships of Jackson and Croyle, beginning at Burkhardt's Corners, in said Jackson Township, and extending in a southeasterly direction about Fifteen Thousand Five Hundred and Twenty (15,520) feet in Jackson Township and one (1) mile in Croyle Township to a point where the said road intersects with a road leading from Summerhill to Wilmore; that a portion of the said described road beginning at a point Four Thousand Nine Hundred and Sixty (4,960) feet southeast of Burkhardt's Corners and extending in a southeasterly direction two (2) miles in Jackson Township and one (1) mile in Croyle Township to a point where said road intersects with a road leading from Summerhill to Wilmore, has become inconvenient, burdensome and difficult of passage, and there would be great improvement if, instead of following the portion expressly mentioned and described above, should be vacated, and there should be supplied instead thereof a road beginning at a point on the said road leading from Burkhardt's Corners to the intersection of said road and the road leading from Summerhill to Wilmore, Four Thousand Nine Hundred and Sixty (4,960) Feet southeast of said Burkhardt's Corners and running in a southeasterly direction to a point on the public road leading from Summerhill to the William Penn Highway 550 feet north of the point where the road leading from New Germany intersects and joins with the road leading from Summerhill to the William Penn Highway.

SECOND - That, of the new road, about one (1) mile thereof will lie in Jackson Township and about one-half ($\frac{1}{2}$) mile thereof will lie in Croyle Township.

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 Dixon Tomb

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.