

In the Court of Quarter
Sessions of Cambria County,

Pennsylvania.

In re Petition of Obediah
Reese for Appointment of
Viewers to Assess Damages,
in Cambria Township, Cambria
County, Pennsylvania.

Order to View and Report
of Settlement .

Filed 24 June 1927.

CERTIFIED

Jacob M. Hoffmann

COUNTY CONTROLLER

A. M. Shoemaker.

R E P O R T .

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

In the matter of the appointment of Viewers to ascertain and determine the damages, if any, sustained by Obediah Reese by reason of the change or alteration of the width, line and grade of the public Highway whers same passes through and over his premises in Cambria Township, Cambria County, Pennsylvania, the undersigned viewers respectfully report:

That having received the attached order of the Court to view the premises above referred to and to determine the damages, if any, as stated; and having prepared, posted and served nitices of the view and of the time and place of meeting of the viewers and arranged for and served written notices of the time for a hearing in in the matter and of a time and place for the sitting of the viewers to exhibit their ~~xxx~~ schedule of benefits and damages and to hear any and all exceptions thereto: We were notified by the Commissioners of Cambria County and by the Attorney for the Petitioner that a settlement or adjustment of the damages had been arrived at and that therefore further services on the part of the Viewers was unnecessary.

Accordingly, we hereto attach and return herewith the order of the Court as issued the 8th. day of June, A. D., 1927.

A. M. Shoemaker

J. D. Ritten

Adam Shuman

Viewers.

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Obediah Reese; owner of a certain tract of land situate in Cambria Township, said county and state; by reason of the change or alteration of the width, line and grade of the public highway - leading from Ebensburg to Loretto - where same extends through and over his premises - - -

will meet - ON THE PREMISES - in the Township of Cambria aforesaid on the 24th. day June 19 27, at 10:00 o'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, June ~~25~~²⁴th., 1927, service of the within notice is hereby
accepted for the Commissioners of Cambria County, Pennsylvania.

D. S. Kinnead,

Notice of View!

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., to view and determine the damages, if any, sustained by Obediah Reese; owner of a certain tract of land situate in Cambria Township, said county and state; by reason of the change or alteration in the width, line and grade of the public highway - leading from Ebensburg to Loretto - where same extends through and over his premises

will meet ON THE PREMISES in the Township of Cambria aforesaid on the 24th day June 1927, at 10:00 o'clock A. M., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

now, June 14th., 1927, service of the within notice is
hereby accepted for Obediah Reese, petitioner named therein.

Morgan St. Evans.
attorney for Petitioner.

Viewers Costs

A. M. Shoemaker

Preparing notices of View
& notifying viewers ————— \$ 12 00

Posting notices - auto hire ————— 2 00

Posting and serving notices of
view ^{and} of time & place of meeting
of viewers ————— 12 00

Preparing and serving written
notices of hearing and of time
and place of sitting to exhibit
schedule and hear any and all
exceptions thereto, as required
by the Act of Assembly ————— 6 00

Examination of Records for
viewers against petitioner and
report of settlement ————— 6 00
\$ 38 00

CERTIFIED
Jacob M. Hoffman
COUNTY CONTROLLER

J. D. Ritter

One day ————— \$ 12 00

4 6 miles @ 10¢ per mi

4 60
\$ 16 60

CERTIFIED
Jacob M. Hoffman
COUNTY CONTROLLER

Adam Shuman

One day ————— \$ 12 00

22 miles ————— 2 20

\$ 14 20

CERTIFIED
Jacob M. Hoffman
COUNTY CONTROLLER

RECORDED FOR PAYEE
J. M. Hoffman
COUNTY CLERK

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

No. 1 June Sessions, 1927. R.D.

TO THE HONORABLE THE JUDGES OF SAID COURT:

The petition of Obediah Reese respectfully represents:

1. That he is the owner of a certain farm or tract of land, situate in Cambria Township, Pennsylvania, bounded and described as follows:

Beginning at a post on line of land of D. J. Evans heirs; thence partly by same and partly by land of Doyle, North 150 perches, more or less, to stones; thence by land of William D. Pryce, North 41 degrees East 66 $\frac{3}{4}$ perches, more or less, to a Spruce; thence by land of Scanlan East 19 $\frac{1}{4}$ perches, more or less, to stones; thence by land of Scanlans, South 207 $\frac{3}{4}$ perches, more or less, to a stone pile; thence by land of Evans' heirs West 66 $\frac{3}{4}$ perches, more or less, to the place of beginning.

Containing 81 Acres and 113 $\frac{3}{4}$ perches, more or less.

Excepting $\frac{1}{2}$ Acre at and about the Station of the E. & C. Railroad.

Being the same tract of land title to which became vested in said Obediah Reese by deed of Charles Bradley and wife, dated March 23, 1971, and of record in the Recorder's Office of Cambria County in Deed Book, Vol. 32, at page 212.

2. That a Public Road, being the road leading from Ebensburg to Loretto, runs through the farm of your petitioner.

3. That during the Fall of 1921 the State Highway Department permanently improved and paved with macadam a portion of said Road.

4. That before said paving was undertaken, certain portions of said Road, leading through the property of your Petitioner, were raised, others lowered, and in other places the course of the road was changed and re-located and other ground of your Petitioner was ~~now~~ occupied and taken by the Highway Department, aforesaid.

5. That your Petitioner has sustained injury thereby as follows:

- (a) Approximately one-half of an acre of valuable farm land has been occupied and taken for the new road.
- (b) An acre of valuable farm land has been practically cut in two by a drain opened therein in the construction of said road and the tilting of same has been permanently interfered with and a large part of its productivity destroyed, and its value lessened.
- (c) Other portions of petitioner's land have been cut off from the remainder thereof so as to render the part cut off valueless.
- (d) New and un-natural culverts have been opened, throwing drainage water on the arable lands, of your petitioner, which would not otherwise be thrown thereon, thus interfering with the tilling of same, and destroying their productivity and value, and otherwise damaging your petitioner.
- (e) By raising that part of said road lying between the Winterset Bridge and a point below the barn of your petitioner the usual and natural drainage of the lands on either side have been changed, so that the drainage is now thrown on the fertile fields of your petitioner, and the cultivation thereof is interfered with, their productivity lessened and the value of said fields is materially lowered.
- (f) Access to certain parts of Petitioner's farm have been rendered more difficult, expensive and hazardous by reason of the re-location of said road, and the abolishing of the public railroad crossing.
- (g) Petitioner has also been injured by the destruction of his fences.

6. That the County of Cambria is liable for the damages sustained by your petitioners.

7. That the County of Cambria and your petitioner are unable to agree upon the damages sustained by reason of the matters above set forth.

8. That no viewers have ever passed upon the question of the damages sustained by your petitioner as within set forth.

Your pig

Your petitioner, therefore, prays the Court of appoint three viewers to ascertain and assess such damages as he may have sustained by reason of the injuries within complained of.

Obadiah Reese.

D E C R E E .

And now, June 7, 1927, the within petition having been presented, the same considered, and the Court appoints A. M. Shoemaker, J. D. Ritter and Adam Shuman, Viewers, to ascertain and assess such damages as the Petitioner, Obadiah Reese, may have sustained by reason of the injuries complained of in the foregoing petition.

By the Court,
Samuel Lemmon Reed,
P.J.O.C.S.P.

Extract from the Record.

Certified this 8th day
of June, A. D. 1927.

Frank L. Roll

Clerk of the Court of Quarter
Sessions.

No. 1 June Sessions, 1927.

In the Court of Quarter
Sessions of Cambria County.

Petition of Obadiah Reese
for appointment of Viewers
to ascertain and assess
damages.

Filed 6 June 1927

Morgan W. Evans.

and now, June 7, 1927 we, The Commissioners of Cambridge
County, hereby acknowledge receipt of a copy of the
within petition, and notice of its presentation to Court
on this date.

J. J. Kunkend
Clerk.

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

TO THE HONORABLE THE JUDGES OF SAID COURT:

The Petition of Obediah Reese respectfully represents:

I. That he is the owner of a certain farm or tract of land, situate in Cambria Township, Cambria County, Pennsylvania, bounded and described as follows:

Beginning at a post on line of land of D. J. Evans heirs; thence partly by same and partly by land of Doyle, North 150 perches, more or less, to stones; thence by land of William D. Pryce, North 41 degrees East 66 $\frac{3}{4}$ perches, more or less, to a Spruce; thence by land of Scanlan East 19 $\frac{1}{2}$ perches, more or less, to stones; thence by land of Scanlans, South 207 $\frac{3}{4}$ perches, more or less, to a stone pile; thence by land of Evans' heirs West 66 $\frac{3}{4}$ perches, more or less, to the place of beginning.

Containing 81 Acres and 113 $\frac{3}{4}$ Perches, more or less.

Excepting $\frac{1}{2}$ Acre at and about the Station of the E. & C. Railroad.

Being the same tract of land title to which became vested in said Obediah Reese by deed of Charles Bradley and wife, dated March 23, 1871, and of record in the Recorder's Office of Cambria County in Deed Book, Vol. 32, at page 212.

2. That a Public Road, being the road leading from Ebensburg to Loretto, runs through the farm of your Petitioner.

3. That during the Fall of 1921 the State Highway Department permanently improved and paved with macadam a portion of said Road.

4. That before said paving was undertaken, certain portions of said Road, leading through the property of your Petitioner, were raised, others lowered, and in other places the course of the road was changed and re-located and other ground of your Petitioner was occupied and taken by the Highway Department, aforesaid.

5. That your Petitioner has sustained injury thereby as follows:

(a) Approximately one-half of an acre of valuable farm land has been occupied and taken for the new road.

(b) An acre field of valuable farm land has been practically cut in two by a drain opened therein in the construction of said road and the tilling of same has been permanently interfered with and a large part of its productivity destroyed, and its value lessened.

- (c) Other portions of petitioner's land have been cut off from the remainder thereof so as to render the part cut off valueless.
- (d) New and un-natural culverts have been opened, throwing drainage water on the arable lands of your petitioner, which would not otherwise be thrown thereon, thus interfering with the tilling of same, and destroying their productivity and value, and otherwise damaging your petitioner.
- (e) By raising that part of said road lying between the Winterset Bridge and a point below the barn of your petitioner the usual and natural drainage of the lands on either side have been changed, so that the drainage is now thrown on the fertile fields of your petitioner, and the cultivation thereof is interfered with, their productivity lessened and the value of said fields is materially lowered.
- (f) Access to certain parts of Petitioner's farm have been rendered more difficult, expensive and hazardous by reason of the re-location of said road, and the abolishing of the public railroad crossing.
- (g) Petitioner has also been injured by the destruction of his fences.

6. That the County of Cambria is liable for the damages sustained by your petitioner.

7. That the County of Cambria and your petitioner are unable to agree upon the damages sustained by reason of the matters above set forth.

8. That no viewers have ever passed upon the question of the damages sustained by your petitioner as within set forth.

Your Petitioner, therefore, prays the Court to appoint three viewers to ascertain and assess such damages as he may have sustained by reason of the injuries within complained of.

Radiah Reese

STATE OF PENNSYLVANIA, (SS:
COUNTY OF CAMBRIA (

Obadiah Reese, the within petitioner, being duly sworn according to law, deposes and says that the matters set forth in the foregoing petition are true and correct, as he verily believes.

Sworn and subscribed before me
this 7 day of June, 1927.

Obadiah Reese

Gentle E. Brady
Notary Public
Com expires March 6-1931

DECREE

And now, June 7, 1927, the within petition having been presented, the same considered, and the Court appoints A. M. Shuman and J. D. Pester Viewers, to ascertain and assess such damages as the Petitioner, Obadiah Reese, may have sustained by reason of the injuries complained of in the foregoing petition.

By the Court
Samuel B. Mumford
J. C. C. P.