

Not Microfilmed

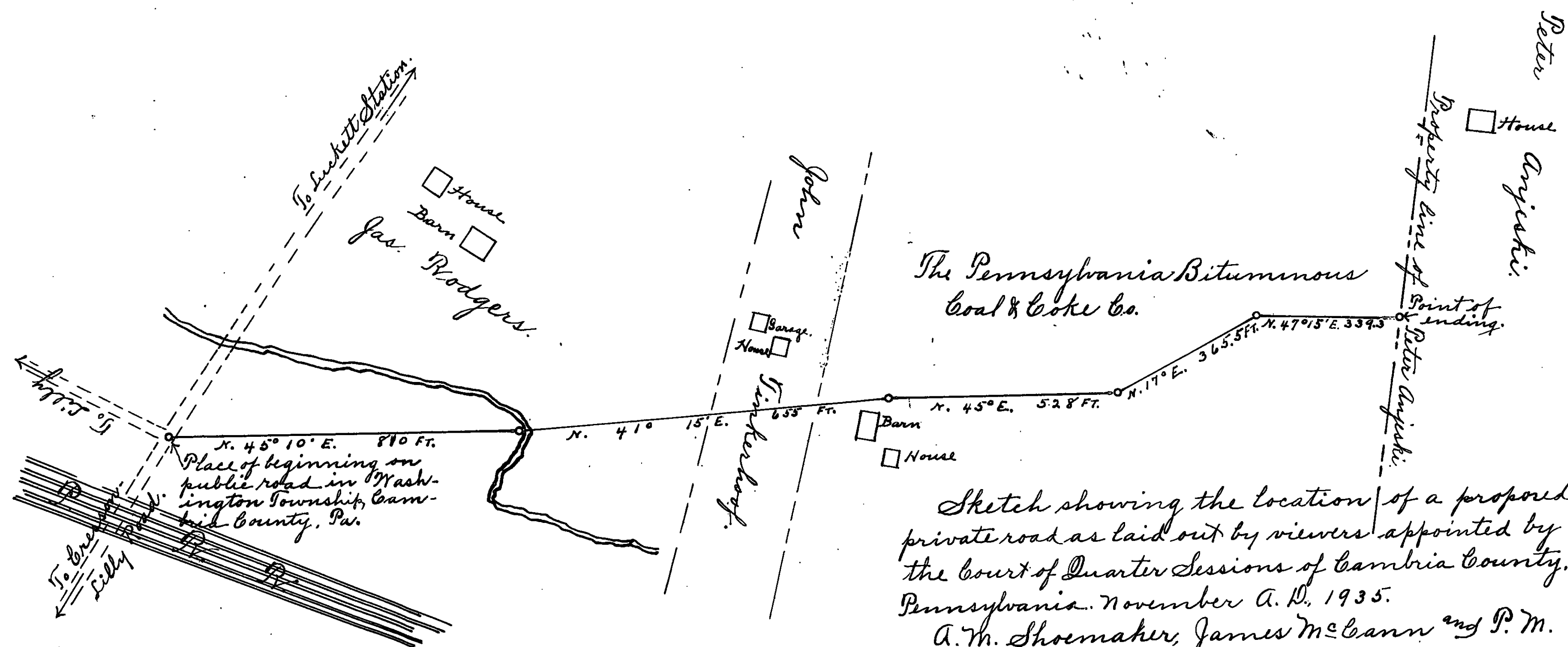
RD# Sept. 1935
Washington Twp.
Largest of Private
Roads

Anglican

Mount Pleasant
Coke Co.

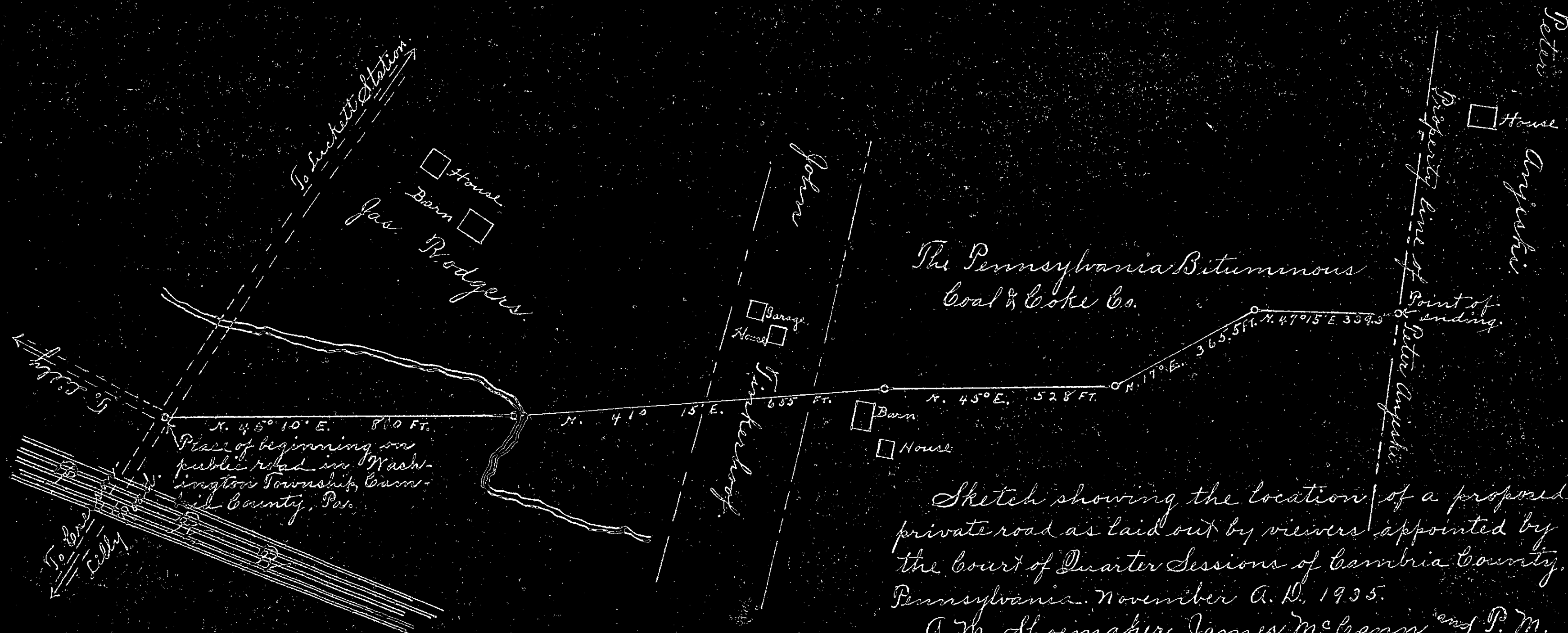
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Land in M. T. 3



Lat. Mississippi

No. 2. Sept. Secs. 1 & 35
Washington Twp. Layout of Private Road



Sketch showing the location of a proposed private road as laid out by viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania. November A. D. 1935.

A. M. Shoemaker, James McCann and P. M. Kinney, Viewers.

No. 2 Sept 1935

Dr. H. H. H. H.

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

No. 2 *Sept* December Sessions, 1935.

TO THE HONORABLE THE JUDGES OF THE ABOVE NAMED COURT:

The petition of Peter Angeleski respectfully represents:

1. Your petitioner is a resident of the Township of Cresson, in the County of Cambria and State of Pennsylvania, and is the owner of a farm in said Township, into and from which said farm there is no access by means of any public or private road.

2. Your petitioner labors under great inconvenience for want of a private road to lead from his dwelling house, located on the farm property hereinabove mentioned, to a point in the public road leading from Luckett to Lilly Borough, which said point is near a small bridge crossing the Conemaugh River, and is situate in the Township of Washington, in said County and State.

Your petitioner therefore prays your Honorable Court to appoint three viewers to view and lay out the same in accordance with the Act of Assembly in such case made and provided, and to make report of their proceedings at the next term of Court.

P.A. Peter Angeleski

State of Pennsylvania

SS:

County of Cambria

Peter Angeleski being duly sworn according to law says that the matters set forth in the foregoing petition are true and correct as he verily believes.

Sworn and subscribed before me
this *10th* day of October, 1935.

P.A. Peter Angeleski

J. J. [Signature]
Judge of the Peace
my Commission Expires
1st Monday June 1936.

ORDER.

Now, October 14 1935, the within petition having been read
and considered, and James M. Egan, P. M. Kinney
and A. M. Chremaker are appointed Viewers as prayed for.

By the Court
W. E. Egan
P. J.

No. *2* *Sept.* ~~December~~ Sessions, 1935.

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

In the Matter of the Appointment
of Viewers to lay out a private road
in Washington Township, Cambria County.

Filed: Oct. 14, 1935.

SHETTIG & NELSON
ATTORNEYS AT LAW
EBENSBURG, PA.

Lilly road

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

REPORT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

We, the undersigned, members of the permanent Board of Viewers of Cambria County, appointed by your Honorable Court, and upon the attached order, directed to view and determine as to the necessity for a private road, situate in Washington and Cresson Townships and described as follows:

BEGINNING on public road leading from the Borough of Lilly to Luckett Station, at a point in said road, approximately seventy eight (78) feet westward from the Pennsylvania Railroad Tracks at the crossing on the road leading from the Cresson-Lilly road, westward past the residence of James Rodgers, and extending thence over land now or late of said James Rodgers, North 45 degrees, ten minutes East, 810 feet to a post on the southerly side of a small stream; thence north 41 degrees 15 minutes, east 655 feet over land of John Tinkerhoof to a point just west of the barn on land of the Pennsylvania Bituminous Coal & Coke Company; thence across Coal Company's property north 45 degrees east 528 feet, north 17 degrees east 365.5 feet, and north 47 degrees 15 minutes east, 339.3 feet to line of land of Peter Anjeski, in the Townships of Cresson and Washington, said county and state;

and to estimate and determine the damages, if any, which might be sustained by the owner or owners of the land through and over which they should lay out, the same, respectfully report:

That having given due and legal 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 Townships of Cresson and Washington, and to the owner of lands through and over which the proposed road was intended to pass, and having the Commissioners and the Supervisors accept service of the notice hereto attached, accordingly the viewers, having been first duly sworn according to law to perform the duties of their appointment faithfully, impartially, and to the best of their judgment and ability, met in accordance with the notices so given as aforesaid, and also ten notices posted in public and conspicuous places along the line of the proposed road and along the Luckett to Lilly road adjacent to the place where the proposed private road intersects with said Luckett to Lilly Road.

Having thus met and gone over the situation carefully, we agreed there was occasion and necessity for a private road in that a greater part of the owners of the land through which said road would run have no ingress or egress to their properties by any public highway or private road. This was also agreed to by the

Supervisors of Washington and Cresson Townships, who were present together with several owners of the land through which said private road should pass. The viewers therefore recommend to your Honorable Court that a private road be opened as above stated.

A plot or draft which is hereto attached shows, in detail, the location, courses and distances, and the premises through and over which the said road shall pass. We have also agreed that no damages are sustained by any of the owners of said land, nor will any benefits be awarded.

Respectfully submitted,

VIEWERS

James McLean

P. McKinney

A. M. Shoemaker

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 14th day of October A. D. 192³⁵, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Washington, in the said County, setting forth that they labor under inconvenience for want of a Private road or highway, to lead from his dwelling his dwelling house, located on the farm property hereinabove mentioned, to a point in the public road leading from Luckett to Lilly Borough, which said point is near a small bridge crossing the Conemaugh River, and is situate in the Township of Washington, in said County and State.

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

James McCann

surveyor, and

P. M. Kinney and A. M. Shoemaker

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:

James M. Jones Clerk.

Order to view Private Road in
Washington Township leading
from dwelling house of Peter
Angeski to point in the public
road leading from Luckett to
Lilly Borough.

James McCann

P. M. Kinney

A. M. Shoemaker

Clerk J. M. Jones

Viewers

90 etc.

NOTE. "It shall be the duty of all persons appointed to review any public road or bridge, if a person or persons over whose land such location may be made, shall decide in favor of locating such road or bridge, to enforce the same, and in every case where said viewers shall fail to procure such releases, and it shall appear to the Court 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."

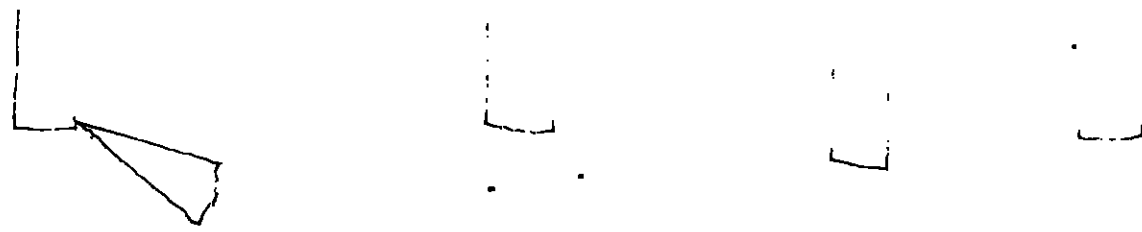
"The several counties of this Commonwealth shall decide in favor of locating such road or bridge, to enforce the same, and in every case where said viewers shall fail to procure such releases, and it shall appear to the Court that any damages will be sustained, it shall be their duty to assess the damages 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."

\$2.00

Received October 28, 1935, from James McCann, the sum of Two Dollars for writing notices as to View to be held in laying out road in Cresson and Washington Townships, Cambria County.

Helene M. Blum

Thank you.



November 20, 1935

Received from James McCann the sum of \$1.00 for
typing and arranging the Viewers' Report.

Loretta Best

Thank you.

CAMBERLAIN COUNTY, SS:

No. 2 September Session, 1935.

ROAD NOTICE.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the necessity of a private road, in Cresson and Washington Townships, said County and State,

Beginning at a point on Township Road in Washington Township leading from the Borough of Lilly to Pennsylvania Railroad Station at Luckett, in Munster Township, at a point forty-five feet, more or less, North of the concrete bridge over the Little Conemaugh River; thence in a southeasterly direction for a distance of four hundred sixty feet, more or less, to a point on the line between Washington and Cresson Townships; thence through the lands of James Rodgers, the John Tickerhoof Tract, and Clearfield Bituminous Coal and Coke Company, in Cresson Township, to the lands of Peter Angeiska; thence through the Angeiska tract to a point near the buildings of said Angeiska tract, a total distance of three thousand feet, more or less;

Will meet at the public road leading from Luckett to Lilly on the North side of the Pennsylvania Railroad, on Friday, November 8th, 1935, at 10:00 o'clock A. M., for the purpose of performing the duties of their appointment.

Viewers | James McCann
| P. M. Kinney
| A. M. Shoemaker

Received Oct. - 28 - 1935
H. F. Don
Clk. for County Commission

CAMBERIA COUNTY, SS:

No. 2 September Sessions, 1935

ROAD NOTICE.

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Viewers | James McCann
| P. M. Kianey
| A. M. Chomaker

I hereby acknowledge receipt
of notice of above view
Oct. 28, 1935
Daniel Fayner (President)
John Linewyer, Sec.
W. Monahan

CAMBRIA COUNTY, SS:

No. 2 September Sessions, 1935.

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Viewers

James McCann
P. M. Kinney
A. M. Shoemaker

*I hereby acknowledge receipt of above
Notice to view
Oct 28 - 1935*

*Respectfully Submitted
Bernard Riley Supervisor*

CAMBRIA COUNTY, SS:

No. 2 September Sessions, 1935.

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Viewers

James McCann
P. M. Kinney
A. M. Shoemaker

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

No. 2 September Sessions 1935

RE: Private Road in Washington
and Cresson Townships, Cambria
County, Pennsylvania.

REPORT OF VIEWERS

Viewers:

James McCann
P. M. Kinney
A. M. Shoemaker

Filed, Nov. 29, 1935

CORRECT

2 Decemr. 1935 approved and recorded fixed at twenty-five feet

2 Mar. 1936

Confirmed absolutely

profoundly

By the Council
J. M. Kennerly

J

Commissioners of Cambria Co.
 To James McEann Dr.

To securing data, writing and
 printing notices and serving on
 Commissioners and Supervisors in
 Yaws Townships 9 1/2 days -

18.00 ✓

4.40 ✓

Oct 28 - 1935.

Mileage 44 miles

Nov 8 - "

1 day on View

12.00 ✓

4.40 ✓

Nov 25th

Mileage 44 miles

Preparing report and filing same

12.00 ✓

Type writing

~~8.00~~
 36.01

\$53.80

APPROVED FOR PAYMENT

L. M. Keller

James Thompson

Frank P. Volkmann

COMMISSIONERS

CERTIFIED

James P. Keller

CLERK

In return for Private Road Washington Twp.

County of Cambria

To A. M. Shoemaker

Dr.

Day on view _____

\$12⁰⁰

26 miles _____

2⁶⁰

Survey & draft _____

12⁰⁰

Two blue prints _____

9⁰

26 miles _____

2⁶⁰

\$30.10.

To P. M. Kinney

Day on view _____

\$12⁰⁰

48 miles _____

4⁸⁰

\$1.680

APPROVED FOR PAYMENT

L. M. Keller

John Thompson

COMMISSIONERS

CERTIFIED