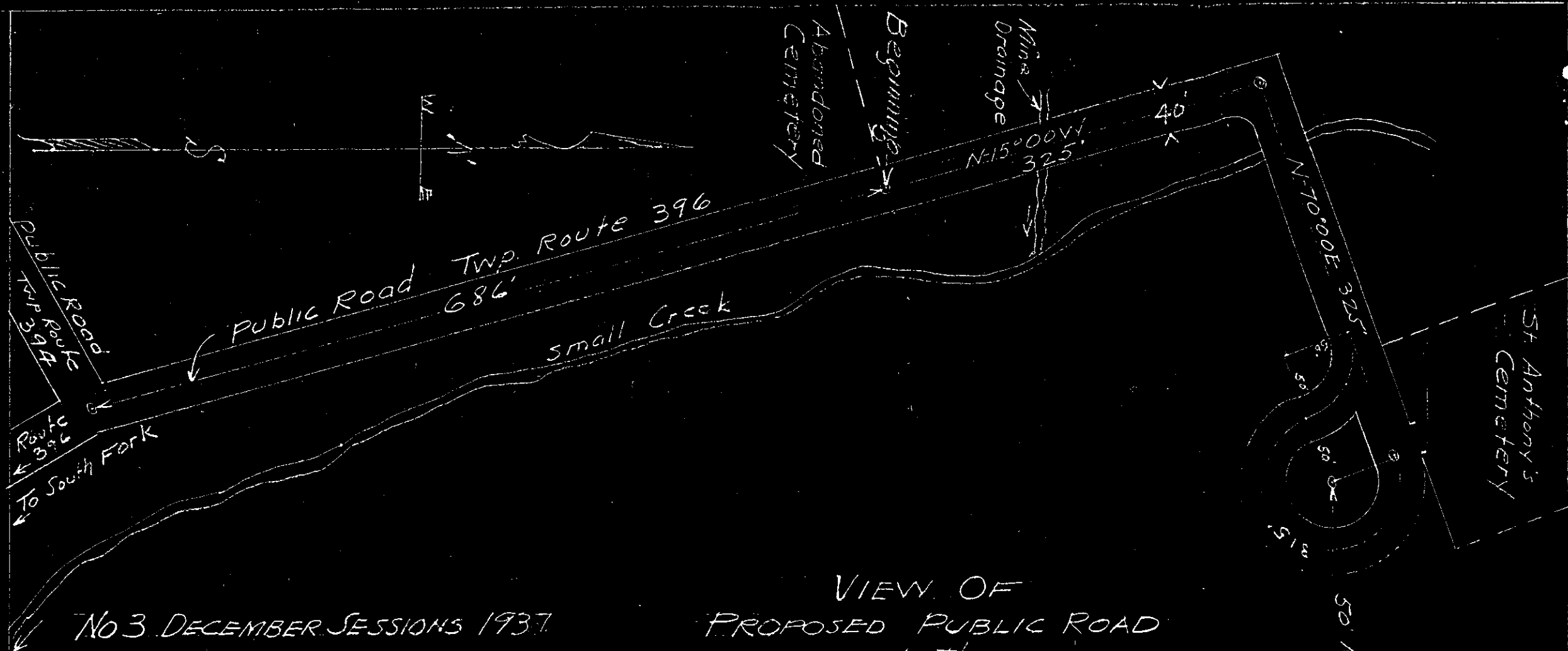


Not Microfilmed

RD# 3 Dec, 1937

Croyle Twp. Village
of Fiffick Town,
Layout of a Road



NO 3 DECEMBER SESSIONS 1937

Mahlon J. Baumgardner

S. E. Dickey

S. H. Jencks

Viewers

VIEW OF
PROPOSED PUBLIC ROAD
In The
VILLAGE OF FIFFICKTOWN
CROYLE TWP. CAMBRIA COUNTY PA
Scale - 1" = 100' April 2-1938

1-F-165

IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY, PA.
NO. 3, DECEMBER TERM, 1937.

IN RE: Laying out and exten-
sion of a public road or high-
way in the Village of Fif-
ficktown, Township of Croyle
County of Cambria and State
of Pennsylvania.

REPORT OF VIEWERS

CERTIFIED

Johnston
JOHNSTOWN, PENNA.

Filed - April - 18 - 1938

MAHLON J. BAUMGARDNER
ATTORNEY AT LAW
JOHNSTOWN, PENNA.
SWANK BLDG.

13 June 1938 Approved and breadth fixed at forty feet.

By the Court
M. Kenrick
12 Sept. 1938 Affirmed Absolutely
J. J. J. Clerk

IN RE: Laying out and extension
of a public road or highway in
the Village of Fifficktown, Town-
ship of Croyle, County of Cambria
State of Pennsylvania.

IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY, PA.
NO. 3, DECEMBER TERM, 1937.

REPORT OF VIEWERS

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned Viewers, appointed by the annexed Order of Court to view a public road and highway in the Village of Fifficktown, County of Cambria and State of Pennsylvania, to begin at a point on a public highway known as Route #396 in the Township of Croyle, which point is at the northern end of an abandoned cemetery; thence in a northerly direction a distance of 324 feet; thence in a right angle curve in an easterly direction to the St. Anthony's Cemetery a distance of 300 feet; thence in a loop from east to west and back on the said highway ending or having a terminus at or about the west corner of the said St. Anthony's Cemetery a distance of 207 feet, the total distance of said extension of said highway route #396 being approximately 800 feet, more or less and being all situate in the Village of Fifficktown, Croyle Township, County and State aforesaid, respectfully report:-

That we were duly sworn or affirmed as members of the Permanent Board of Viewers of said County as shown by the records of said Court, gave due public notice of the time and place of meeting of said Viewers by handbills posted along the route of the proposed highway and by notice served upon the Commissioners of Cambria County, a copy of which said notice is hereto attached and by acceptance of service of said notice by John Kauffman, Secretary of the Board of Supervisors of Croyle Township and Samuel R. DiFrancesco, counsel for the petitioners, all of which are hereto attached and made a part of this report.

All of this being done at least ten days prior to the making of said View.

The notices called for the meeting of the Viewers on March 28, 1938 at 10:00 o'clock A. M.; that pursuant to said notice, we met at the point of beginning on said date. There were present at the view, all of the Viewers, Thomas J. Donaghy, John Kauffman and John F. Hice, being all of the members of the Board of Supervisors, and a number of interested parties.^x We went over the proposed road, made a personal inspection of same and we are of the opinion and agree that a public road is necessary and we therefore authorize the laying out of the road hereinabove viewed taking the following courses and distances, to-wit:

Beginning at a point in a public road designated as Township Route #396 at the northeast corner of an abandoned cemetery, said point being in a northerly direction, a distance of 686.0 feet from the intersection of another public road, Township Route #394 with Township Route #396; thence North 15° 0' West 325.0 feet through land of Pennsylvania Coal and Coke Company to a point; thence continuing through same North 70° 0' East 325.0 feet to a point of a 50 ft. radius loop, at the entrance to St. Anthony's Cemetery; thence by said loop a distance of 315 feet to the place of ending, said ending being a distance of 550.0 feet from the place of beginning, measured along the center line of said proposed new road, the total length of said proposed new road, including the loop, being 965.0 feet, and colored green on the blue print attached hereto and made a part hereof.

The Board of Supervisors of Croyle Township raise no objection to the laying out of the hereinabove described road and we are unanimously of the opinion that the above road is necessary and we therefore lay out^x said road along the courses and distances hereinabove described.

We award no damages, believing that the benefits of the road more than balance the damages.

A plot or draft indicating the piece of road to be laid out is hereto attached and made a part of this report.

In WITNESS WHEREOF we have hereunto set our hands and seals this 14th day of April, A. D. 1938.

M. B. Bumpston (SEAL)

P. E. Dickey (SEAL)

A. H. Jenkins (SEAL)

Viewers

IN RE: Laying out and extension
of a Public Road or Highway in
the Village of Fifficktown, Town-
ship of Croyle, County of Cambria
State of Pennsylvania.

IN THE COURT OF QUARTER SES-
SIONS OF CAMBRIA COUNTY, PA.
NO. 3, DECEMBER TERM, 1937.

TO: MAHLON J. BAUMGARDNER, S. E. DICKEY
S. H. JENCKS, DRS.

Mahlon J. Baumgardner, Dr.

Data and Preparing Notices to View	\$12.00	
Stenographer and Stationery	2.00	
Obtaining Acceptances of Service & Posting		
Notices to View	12.00	
Mileage	2.00	
Making View	12.00	
Mileage	2.00	
Preparing Report of Viewers	12.00	
Stenographer and Stationery	1.00	\$55.00

S. E. Dickey, Dr.

Making View	12.00	
Mileage	2.00	
Preparing Draft	12.00	
Blueprints	.75	26.75

S. H. Jencks, Dr.

Making View	12.00	
Mileage	2.60	14.60

APPROVED FOR PAYMENT

John H. ...
Frank P. ...
COMMISSIONER

IN RE: Laying Out Public
Road in the Village of
Fifficktown, Croyle Twp.,
Cambria Co., Pennsylvania.

IN THE COURT OF QUARTER SESSIONS
CAMBRIA COUNTY, PENNSYLVANIA

NO. 3, DECEMBER TERM, 1937.

NOTICE TO VIEW

We, the undersigned Viewers, appointed by the above order of Court to view the premises described therein and determine as to the necessity for the extension of a public highway as prayed for by the petitioners, Beginning at a point in the Village of Fifficktown, Township of Croyle on a highway known as Route 396 in said township, which point is at the northern end of an abandoned cemetery; thence in a northerly direction a distance of 324 feet; thence in a right angle curve in an easterly direction to the St. Anthony's Cemetery, a distance of 300 feet; thence in a loop from east to west and back on the said highway ending or having a terminus at or about the west corner of the said St. Anthony's Cemetery, a distance of 207 feet, the total distance of said extension of said highway Route #396 being approximately eight hundred (800) feet, more or less, and being all situate in the Village of Fifficktown, Croyle Township, County and State aforesaid, will meet on said premises on Monday, March 28, 1938 at ten o'clock A. M., for the purpose of performing the duties of our appointment.

MAHLON J. BAULGARDNER
S. E. DICKLEY
S. H. JENCKS

Viewers.

Dated: March ~~11~~, 1938.

AND NOW this 11 day of March, A. D. 1938, I hereby accept service of the above Notice to View as chief clerk for the Commissioners of Cambria County and acknowledge to have received a copy of said Notice.

J. F. Dow
Chief Clerk
COMMISSIONERS OF CAMBRIA CO.

IN RE: Laying Out Public
Road in the Village of
Fifficktown, Croyle Twp.,
Cambria Co., Pennsylvania.

IN THE COURT OF QUARTER SESSIONS
CAMBRIA COUNTY, PENNSYLVANIA

NO. 3, DECEMBER TERM, 1937.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above order of court to view the premises described therein and determine as to the necessity for the extension of a public highway as prayed for by the petitioners, Beginning at a point in the Village of Fifficktown, Township of Croyle on a highway known as Route #396 in said Township, which point is at the northern end of an abandoned cemetery; thence in a northerly direction a distance of 324 feet; thence in a right angle curve in an easterly direction to the St. Anthony's Cemetery, a distance of 300 feet; thence in a loop from east to west and back on the said highway ending or having a terminus at or about the west corner of the said St. Anthony's Cemetery, a distance of 207 feet, the total distance of said extension of said highway Route #396 being approximately eight hundred (800) feet more or less, and being all situate in the Village of Fifficktown, Croyle Township, County and State aforesaid, will meet on said premises on Monday, March 28, 1938 at ten o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER
S. E. DICKEY
S. H. JEECKS

Viewers.

Dated: March 14, 1938.

AND NOW, March 14, 1938, I hereby accept service of the above Notice to View as counsel for the petitioners and acknowledge to have received copy of same.

Samuel R. DeFrancis
Counsel for Petitioners.

IN RE: Laying Out Public
Road in the Village of
Fifficktown, Croyle Twp.,
Cambria Co., Pennsylvania.

IN THE COURT OF QUARTER SESSIONS
CAMBRIA COUNTY, PENNSYLVANIA

NO. 3, DECEMBER TERM, 1937.

NOTICE TO VIEW.

We, the undersigned Viewers, appointed by the above order of court to view the premises described therein and determine as to the necessity for the extension of a public highway as prayed for by the petitioners, Beginning at a point in the Village of Fifficktown, Township of Croyle on a highway known as Route #396 in said Township, which point is at the northern end of an abandoned cemetery; thence in a northerly direction a distance of 324 feet; thence in a right angle curve in an easterly direction to the St. Anthony's Cemetery, a distance of 300 feet; thence in a loop from east to west and back on the said highway ending or having a terminus at or about the west corner of the said St. Anthony's Cemetery, a distance of 207 feet, the total distance of said extension of said highway Route #396 being approximately eight hundred (800) feet more or less, and being all situate in the Village of Fifficktown, Croyle Township, County and State aforesaid, will meet on said premises on Monday, March 28, 1938 at ten o'clock A. M. for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER
S. E. DICKEY
S. H. JENCKS

Viewers.

Dated: March 14, 1938.

AND NOW, March 14 A. D. 1938, I hereby accept service of the above Notice to View as Secretary of the Board of Supervisors of Croyle Township and acknowledge to have received copy of same.

 Secretary
BOARD OF SUPERVISORS OF CROYLE TWP.

NO. 3, December _____ SESSIONS, 1937

Order to view Public Road in the
Village of Fifficktown, Croyle
Township, Cambria County, Pa.

Mahlonn J. Baumgardner

S. E. Dickey

S. H. Jencks

Viewers

Clerk _____ 90 cts.

2. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to view any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to procure from the person or persons over whose land such location may be made releases from all claims that might arise from the opening of such road or the building of such bridge; and in every case if 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 28th day of February A. D. 1928, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Croyle, in the said County, setting forth that they labor under inconvenience for want ~~of~~ and extension of a public ~~road or highway, to be laid out~~ in the said Village of Fifficktown, Township of Croyle, to begin at a point on the public highway, known as Route # 396 in the said Township of Croyle, which point is at the northern end of an abandoned cemetery; thence in a northerly direction a distance of 324 feet; thence in a right angle curve in an easterly direction to the St. Anthony's Cemetery, a distance of 300 feet; thence in a loop from east to west and back on the said highway ending or having a terminus at or about the west corner of the said St. Anthony's Cemetery, a distance of 207 feet, the total distance of said extension of said highway Route #396 being approximately eight hundred (800) feet more or less, and being all situate in the Village of Fifficktown, Croyle Township, County and State aforesaid.

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

Mahlon J. Baumgardner,

surveyor, and

S. E. Dickey and S. H. Jencks

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.

IN THE COURT OF QUARTER SESSIONS
OF

CALBRIA COUNTY, PENNSYLVANIA.

No. 3 December Sessions, 1937

IN RE LAYING OUT AND EXTENSION OF
A PUBLIC ROAD OR HIGHWAY IN THE
VILLAGE OF FIFFICKTOWN, TOWNSHIP
OF CROYLE, COUNTY OF CALBRIA,
STATE OF PENNSYLVANIA.

PETITION FOR THE APPOINTMENT OF
VIEWERS

Filed: March 3, 1938

LAW OFFICES OF
SAMUEL R. DI FRANCESCO


JOHNSTOWN, PENNA

Now August 16, 1937, We the Commissioners of Cambria
County, Pennsylvania, hereby accept service of a copy of
the within petition and hereby Waive the usual
Service of Notice as required by the Rules of
Court and/or the ~~act~~ acts of assembly.

J. F. Loe
Clerk

IN RE LAYING OUT AND EXTENSION OF A
PUBLIC ROAD OR HIGHWAY IN THE VILLAGE
OF FIFFICKTOWN, TOWNSHIP OF CROYLE,
COUNTY OF CAMBRIA, STATE OF
PENNSYLVANIA.

§ IN THE COURT OF QUARTER SESSIONS
: OF CAMBRIA COUNTY, PENNSYLVANIA.
: No. 3 Dec Sessions, 1937
:
: PETITION FOR THE APPOINTMENT OF
§ VIEWERS

TO THE HONORABLE, THE JUDGES OF THE COURT OF QUARTER SESSIONS IN AND FOR
CAMBRIA COUNTY, PENNSYLVANIA:

The petition of the undersigned inhabitants of the Village of
Fifficktown, Township of Croyle in the County aforesaid, respectfully represents:

That your petitioners labor under great inconvenience for want
and extension of a public road or highway in the said Village of Fifficktown,
Township of Croyle, to begin at a point on the public highway, known as Route
#396 in the said Township of Croyle, which point is at the northern end of an
abandoned cemetery; thence in a northerly direction a distance of
324 feet; thence in a right angle curve in an eastwardly direction to the
St. Anthony's Cemetery, a distance of 300 feet; thence in a
loop from east to west and back on the said highway ending or having a
terminus at or about the west corner of the said St. Anthony's Cemetery, a
distance of 207 feet, the total distance of said extension
of said highway Route #396 being approximately ~~seven~~ ^{eight} hundred (800) feet more
or less, and being all situate in the Village of Fifficktown, Croyle Township,
County and State aforesaid.

That a written notice to the Supervisors of Croyle Township of
the intended presentation of this petition with an acceptance of service
thereon, with their consent to the opening or extension of said road is
hereto attached, made part hereof and marked "EXHIBIT A".

Your petitioners therefore pray the Court to appoint three members of the permanent Board of Viewers of Cambria County to view the ground proposed for such road or extension of road and if they see the necessity therefor, lay out the same and/or extend the same and make a report of their proceedings in the next sessions of Court.

John Schuader
 George Marchant
 Peter Bordek
 Peter Munk
 Klammie Augustus
 G. J. Felt
 Math Marzak
 Math Mergel
 Joseph Joseph
 Enock Habing
 Valente Labosny
 Kasner "Berbicki"
 Stanley Chulski

Wm. A. Shupps
 D. L. Orman
 Frank Holub
 Frank Bordek
 Ave Marshall
 John P. Raudzick
 Frank M. Mersig
 Andzej Polkowski
 Alvin Van Curbant
 Charles J. J. J.
 Henry Simendinger
 William Smigel

COMMONWEALTH OF PENNSYLVANIA

:

SS:

COUNTY OF CAMBRIA

:

Personally appeared before me, a Notary Public in and for said State and County, Stanley Chubski, who being duly sworn according to law, deposes and says that he is one of the petitioners within set forth and that the statements contained in said petition are true and correct.

Stanley Chubski

Sworn and subscribed before me

this 2 day of Aug, A. D., 1937.

A. T. Fifeck

A. T. FIFECK, Justice of the Peace

My Commission Expires

First Monday in January

IN RE LAYING OUT AND EXTENSION OF A
PUBLIC ROAD OR HIGHWAY IN THE VILLAGE
OF FIFFICKTOWN, TOWNSHIP OF CROYLE,
COUNTY OF CAMBRIA, STATE OF
PENNSYLVANIA.

IN THE COURT OF QUARTER SESSIONS
: OF CAMBRIA COUNTY, PENNSYLVANIA.
: NO. 3 Dec Sessions, 1937
:
: PETITION FOR APPOINTMENT OF VIEWERS

DE C R E E

AND NOW, this 28th day of July, 1938, the

within petition having been read and considered, the Court appoints

Wm. I. Baumgardner, A. B. Sicker

and S. H. Jencks Viewers to view the road or highway

herein referred to and make a report of their proceedings to the

Term of the Court of Quarter Sessions of said County.

By the Court
M. Kenrich

Exhibit A.

IN RE LAYING OUT AND EXTENSION OF A
PUBLIC ROAD OR HIGHWAY IN THE VILLAGE
OF FIFFICKTOWN, TOWNSHIP OF CROYLE,
COUNTY OF CAMBRIA, STATE OF
PENNSYLVANIA.

§ IN THE COURT OF QUARTER SESSIONS
: OF CAMBRIA COUNTY, PENNSYLVANIA.
: No. _____ Sessions, 1937
:
: PETITION FOR APPOINTMENT OF
§ VIEWERS

NOTICE TO SUPERVISORS

TO THOMAS J. DONAGHY, JOHN HICE and JOHN KAUFFMAN, SUPERVISORS OF
CROYLE TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA:

You will please take notice that there will be a petition presented to the Court of Quarter Sessions of Cambria County at Ebensburg, Pennsylvania in the said County at 10:00 o'clock A. M., the 16th day of August, 1937, asking the Court for the appointment of viewers to view, lay out and/or extend a proposed road in the Township of Croyle, to begin at a point on the public highway, known as Route #396 in the said Township of Croyle, which point is at the northern end of an abandoned cemetery; thence in a northerly direction a distance of — 324 — feet; thence in a right angle curve in a eastwardly direction to the St. Anthony's Cemetery, a distance of — 300 — feet; thence in a loop from east to west and back on the said highway ending or having a terminus at or about the west corner of the said St. Anthony's Cemetery, a distance of — 207 — feet, the total distance of said extension of said highway Route #396 being approximately ^{eight}~~seven~~ hundred (800) feet more or less, and being all situate in the Village of Fifficktown, Croyle Township, County and State aforesaid.

James R. Drancsics
ATTORNEY FOR PETITIONERS

ACCEPTANCE OF SERVICE

August 2nd, 1937, service of the
above stated notice is hereby accepted and our consent herewith given
for the opening and/ or extension of the said road.

Wm. J. Downing
John H. Kautz
Wm. D. Rice
Supervisors of Croyle Township