

To the Honorable A. W. Barker President
Judge of the Court of Quarter Sessions of Cambria Co.

The Petition of the undersigned respectfully
represent: That a Public Road has long
since been laid out from the line of
the Borough of Portage to what is known
as the Frankston Road, at a point near
the residence of Henry Helsel in the Township
of Portage; that the said road has become
useless and inconvenient.

The Petitioners therefore pray the Court
to inquire of and vacate said road
and for that purpose to appoint three
persons qualified according to law
to view said road and inquire of the
premises and make report of their pro-
ceedings at the next Term of this Court.
And they will ever pray &c.

Joseph Casapella
George W. Stated
A. H. Stated
Henry Brown
John L. Courtney
G. Dougherty
Joseph Hanahan
J. W. McCall.

John Courtney
Wm Courtney
Richard Davidson
Joseph Shand
Robert Haysen
Alfred Taylor
John Capper
James Quye
Georg W. ...
Albert ...
E. ... Goodwell

^{For Mark}
Matt Davidson
W. A. ...
J. G. Richardson
S. W. ...
L. H. Himes
Dr. George Glass
form ...
Edward Hughes
J. C. ...

Ms. 6. 6. 1893
REV.

Petition of certain the
inhabitants of the Town and
Borough of Bortoe for the
appointment of a person to
make a public road in
said Town of Bortoe beginning
at the line of said Borough
and ending at a point near
the residence of Henry Sted
on what is known as the
Harrowston Road.

Apr 11 1893

P. H. Cawthell

Mrs. M. M. M. M.

Mrs. Sparkle

As per certified returns

By the Court

Filed 10th Apr, 1893,

Barren

000

Time of Surveyor views in
vacating road from
Portage to Henry Wheelers

P.F. Camp	See Surveyor	1 day	
			4 mile, straight
Geo. Muhlend		1 day	4 miles
Wm. Sparks		1 "	4 "

In the matter of the Report of viewers to Vacate a Road in Portage Township

In the Court of Quarter Sessions of Cambria County Pennsylvania

No. 6 of March Sessions 1893.

Road Docket

EXCEPTIONS.

- 1st. The viewers did not give notice of the time and place of their meeting as required by law.
- 2nd. The viewers were not sworn or affirmed before performing their duties.
- 3rd. The viewers did not view the route of the road proposed to be vacated.
- 4th. The road proposed to be vacated has not become useless, inconvenient and burdensome, and there is no occasion for vacating it.
- 5th. If the road should be vacated it will prevent a large number of persons from having access by a public road to their lands.
- 6th. The same viewers in another proceeding have, viewed, vacated and supplied a part of the same road.

*M. Dittell
Att'y for Petitioner. et al.
exceptants.*

No 6 March Dec. 1893
Road Book

In re Report of Owners
vacating Road in
Portage Township.

Exponents

Filed 4 Sept. 1893

Pittell

To the Honorable A. W. Barker President Judge of the Court
of Quarter Sessions of Cambria County.

We, the undersigned, appointed by the annexed order do re-
port: That having first given due and legal notice of the time
and place of meeting and all having been present at the view of
the said road, and having all been severally sworn and affirmed
in pursuance of the said order we have viewed the said road, and
that we are of opinion that the same has become useless, inconve-
nient and burdensome and ought therefore to be vacated.

Witness our hands and seals this *fifth* day of ^{June} ~~May~~ A.D. 1893

O. F. Campbell
William Sparks
John W. Mulhollen

Commonwealth of Pennsylvania, }
County of Cecilia, } ss.

At a Court of Quarter Sessions of the Peace of the County of Cecilia
held at Allegheny in the the said County, on the Tenth day of
April A. D. 1893, before the Honorable the Judges of the same
Court: Upon the petition of divers inhabitants of the township of Portage & Portage
in the said County, setting forth that they labor under inconvenience for want of a

road or highway, to lead from
a public road, has long since been laid out from the
line of the Borough of Portage to what is known as the Frank-
lin Road, at a point near the residence of Henry Helzel in
the Township of Portage. That the said road has become
useless and inconvenient

and therefore praying the Court to appoint proper persons to view and ^{vacate} lay out the
same according to law. The Court upon due consideration had of the premises, do
order and appoint J. F. Campbell SURVEYOR,
and Jno. H. Mulholland, Mrs. Sparks

^{vacation} VIEWERS, to view the ground proposed for said
road, and if they view the same, and shall agree that there is ^{no} occasion for such
road, they shall proceed to ^{vacate} 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, 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:

J. C. Darby
Clerk.

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 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."

No. 6
March Term, 1893
R. A.

Order to view a road and
locate road in Portage Twp
beginning at line of Portage
Craney and ending at a
point near the residence of
Henry Heland on the French
Creek Road

Viewers
C. J. Campbell
Geo. H. McCallum
W. Frank

Filed June 1893

Wm. Darby
R. H. Mumby
J. W. Mumby
County

Aug 3, 1893 Road and confirmed view
By the County
17 Jan'y 1894 Exception having been withdrawn
Confirmed absolutely County for costs
By the Court.