

Frankstown Road

Magnetite Meridian

Peter Enderline and Catherine Enderline Woods

Woods

N 7° 48' E 709 Feet

Woods

90 Feet

Proposed Private Road Woods

Woods

Bruno Sanders House

Plan of the Proposed Private Road in
PORTAGE TOWNSHIP, CAMBRIA COUNTY, PENNA.

Scale: 1 inch = 100 feet. Surveyed Nov. 23/1896 by

J. Leard Elder,
Civil and Mining Engineer
Ebensburg, Penna.

Viewers appointed upon an order of the Court of
Quarter Sessions dated October 26 1896
J. Leard Elder, Frederick Keilman and John Clayman

L. R. #3 Sept. 1896

Not Microfilmed

To the Honorable A.V. Barker, President Judge of the Court of Quarter Sessions of Cambria County, Pennsylvania.

The petition of Bruno Sanders respectfully represents ,

That your petitioner labors under great inconvenience for want of a private road, to lead from his dwelling in Portage Township to the Frankstown Road.

The petitioner therefore prays the Court to appoint three persons, qualified according to law, to view the place where said road is requested and make report of their proceedings to the said Court at the next Term thereof.

And he will ever pray, &c.

Bruno Sanders

Cambria County, SS:

Before me, a Justice of the Peace, in and for said County, personally came Bruno Sanders, who being duly sworn according to law, doth depose and say that the facts set forth in the foregoing petition are true to the best of his knowledge and belief.

Sworn and subscribed before me this 0

23rd day of October A.D. 1896. 0

John J. Guen
Justice of the Peace. 0

Bruno Sanders

1896
No. 3 Dep. 1896

Petition of ~~James~~ Sanders
for the appointment of
agents to lay out a
private road from
his dwelling in Portage
Township to the Frank-
lin Road.

Oct. 26th 1896

J. L. Elder, Clerk

Heilman and John

Chapman appointed

viewers

with Court

Filed 26 Oct. 1896

L. J. L.

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

We the undersigned viewers appointed
by the annexed order respectfully report
that after giving ^{Personal} notice ^{to the land owners}, as required
by law ~~by~~ posting six posters or notices
convenient to the proposed road and
having all been present at the view
of the ground proposed for such
private road and having all been
first severally sworn or affirmed

We in pursuance of the said order
have viewed and laid out and
do return for private use the
following road of the width of
sixteen feet to wit: Beginning
at Bruno Sanders dwelling in
Portage Township Cambria County
Pa. Thence through his land North
Seven and three fourths degrees
East ninety feet. Thence through
Peter Enderlin and Catherine
Enderlins land North Seven and
three fourth degrees East Seven
hundred and nine feet to the
Frankstown Road which said
private road as aforesaid laid
out we are of the opinion

is necessary for a private road We award
or assess damages for Peter Enderline and
Catharine Enderline to the amount of ten
dollars by reason of said private road
passing through their land a plot
or draft is herewith enclosed
witness our hands this 26th day
of November 1896

J. Leard Elder
John Enderline
Frederick Kuhn

J. L. Elder 2 days	\$8.00
" " 23 miles	2.30
Frederick Kuhn 1 day	2.00
John Enderline	<u>2.00</u>
	\$14.30

In the matter of the order
to view a private road lead-
ing from the residence of
Bruno Sanders to the Franks-
town Road in Portage Township

0 In the Court of Quarter Sessions of
0
0 Cambria County.
0
0 No. 5 September Sessions, 1896. Road Dec.
0

To Peter Enderle

You are hereby notified that the Court of Quarter Sessions
of Cambria County has appointed the undersigned as viewers to lay out
and locate a private road from the residence of Bruno Sanders to the
Frankstown Road, and you are hereby notified that the viewers will meet
at the house of said Bruno Sanders in Portage Township on the 23rd day
of November, 1896, at 10 o'clock in the forenoon for the purpose of at-
tending to the duties of their appointment, and as the said road may be
located over and through a portion of your land, the damages, if any,
which may be sustained by reason of the locating and opening of said
private road over your premises will be assessed by the viewers, and it
is your right and privilege to be present, if you think proper.

November 8, 1896.

J. L. E

J. S. C.

J. C.

J. L. Elder
Friedrich Reathman
J. Klemm

Viewers.

Cambridge County, SS:

Before me, the subscriber, a Justice of the Peace in
and for said County, personally came, *Thomas P. Cullen*
who, being duly sworn according to law, doth depose and say that the
above notice was served upon *Peter Enderlein*

on the *13*th day of November, 1890, by handing to *him personally*.

a copy thereof.

Sworn and subscribed before me this

*14*th day of November A.D. 1890

John J. Green
Justice of the Peace.

Thomas P. Cullen

Original

NOTICE OF VIEW:

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the ground for a private road leading from the residence of Bruno Sanders in Portage Township and to end in a public road known as the Frankston Road in said Township of Portage, will meet at the house of the said Bruno Sanders in the Township of Portage aforesaid, on the 23rd day of November, 1896, at 10 o'clock in the forenoon for the purpose of viewing said ground.

November 6, 1896.

J. L. Elder

F. K. Klemm

J. C.

J. L. Elder

Friedrich Klemm

J. C. Klemm

Viewers.

Disputed

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 26 day of October A. D. 1896, before the Honorable Judge of the said Court: Upon the petition of ^{Samuel Snyder} ~~doers inhabitants~~ of the township of Parlage in the said County, setting forth that they labor under inconvenience for want of a ^{private} road or highway, to lead from ^{his dwelling in Parlage Township} to the Frankstown Road

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 ^{J. L. Elder} SURVEYOR and ^{Fredrick Killman and John Clayman}

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 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:

S. W. Davis

- 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 petitioner."

"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 3
Sept Term 1896

Order to view a road leading
from dwelling house of
Barnes Sanders to the
Hancock train Road

Dec 1896
Report of

Viewers =
J. L. Elder
Frederick Keenan
John Clayman

Case down for atty 90

6-1

20th June, 1897 approved and the breadth
of the road fixed at sixteen feet.
8 Mar 1897 Confirmed
Sheldons clx
By the Court