Planofthe PROPOSED PUBLIC RORD IN WASHINGTON TOWNSHIP CAMBRIA COUNTY PR. Scale linch = 200 Feet Viewed July 16/900 U.Leard Elder County Surveyor Viewers appointed upon an order of the Court of Quarter sessions dated June 27,1900. J. Leard Elder Sunon Conrad and Ino. S. Foley

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R D # 10-June 1900. Not Nicrafilmed

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

The petition of the undersigned inhabitants of the Township of Washington and vicinity, in the said county, respectfully represents:

That they labor under great inconvenience by reason of the fact that a portion of a public road in said Township which is hereinafter described has been taken and cut away by the Penn'a. Rail-road Company in the work of straightening the tracks of its main line, and which portion of said road son taken must of necessity be vacated and a new public road laid out in its stead.

They therefore pray that that portion of the public road in said Township commonly known as the Old Portage, commencing at a plank culvert in said road, about seventy-five (75) yards northerly from the house of Geo. Seabolt to a point in said road opposite the

watering trough and about one hundred and twenty-five (125) yards northerly from what is known as the old Plane Bank crossing, (said points being less than a mile distant from each other) may be vacat-

ed and a new road laid out for public use, between said points.

Beter Robins of Robert Sersen.

Maunce M. Boyland 15 WM Robins

George & Sebolt

Joseph & Robins

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Sensessins, 1900, R. B. J. S. Elder Bescheller THOMAS J. ITELL, ATTORNEY AT LAW, JOHNSTOWN, PA. HENRY HALL, PRINTER, INDIANA, PA.

In Re Order to View,
Vacate and supply a portion of a public road in
Washington Township,
commencing at a plank culvert
in the Old Portage etc.

In the Court of Quarter gessions of Cambria County, Penn'a.

No. 10 June Sessions, 1900, R.D.

Order to view granted 27 June, 1900 Report of viewers filed Sept. 3,1900

INTRE PETITION FOR REVIEW.

Filed pec. 3, 1900.

To Col. S. W. Davis, Clerk of the above-named Court,-

As Attorney for the persons who caused the petition for a review to be filed in the above-stated case, I hereby withdraw the same, the grounds upon which the petition was based having been removed, and the petitioners for review having no further objections to the confirmation of the report of viewers as filed, now move for the final confirmation of the same.

Attorney for Petitioners

October 24, 1901.

Thomas J. Itell.

In Re Order to View, Vacate and supply a por-Washington Township, commencing at a plank culvert in the

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

No. 10 June Session, 1900, R/D.

Order to view grnated 27th June 1900.

Report of Viewers filed Sept. 3, 1900.

EXCEPTIONS TO REPORT OF VIEWERS.

Peter Robine, Jr., and John Sloan, road supervisors for the Township of Washington, in which the road mentioned in the above report of viewers is located, in their own behalf as such supervisors and as tax payers and inhabitants of the said Township, as well as in behalf of the other persons who signed the petition for the appointment of viewers filed to the above mentioned number and term, except to the confirmation of the above report of viewers, for the following reasm ons:

- 1.- No release of damages for the land to be taken and used as the site for said proposed change of route is filed with or accompanies the said report of viewers, as is therein mentioned as having been agreed upon and understood at the time of the view.
- 2.- The report is otherwise irregular, and not as required by law, and therefore should not be confirmed.

tion of a public road in

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

In the Counces for the first	Township of a soft file of the	For the state of the second of the	The state of the state of	Constitution of transfer of	View, vacate washington Plank Culve Portage, et	te and Twp., ert in	comme the	ly R ncin 01đ	oad e∵a Toad	in ta	्रात्स्य व्यक्ति	and to say to relate of these	en: To Stancolo	often b	प्रतास के जिल्लाक स्थापन कर्मा कर होता कर स्थापन कर करते. जन्म	many people of the state of the
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In me Order to View,
Vacate and supply a portion
of a public road in
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in the Old Portage etc.,

In the court of Quarter gessions of Cambria county, Pennsylvania.
No. 10 June gessions, 1900 R. D.

Order to view granted 27 June 1900. Report of Viewers filed Sept. 3,1900

IN RE EXCEPTIONS TO REPORT OF VIEWERS

Filed Dec. 3, 1900.

To. Col. S. W. Davis Clerk of the above-named Court,-

As attorney for the persons who caused the exceptions to be filed to the report of the viewers in the above-stated case, I hereby withdraw the same, in accordance with their instructions, the grounds upon which the exceptions were based having been removed, and the exceptants having no further objections to the confirmation of said view, now move for the final confirmation of the same.

Attorney for Exceptants

October 24th, 1901.

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In Re Order to View,
Vacate and supply a portion of a public road in
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commending at a plank culvert
in the Old Portage etc.

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

No. 10 June Session, 1900, R. D.

Order to view granted 27th June 1900 Report of Viewers filed Sept. 3,1900.

PETITION FOR PEVIEW.

To the Honorable A. V. Barker, President Judge of said court: The undersigned respectfully represent:

- 1.- That they are the road supervisors for the Township of Washington, in said County for the current year.
- 2.- That as such supervisors it has been a part of their work to give attention to the roads reconstructed by the Pennsylvania Railroad Company to take the place of the public roads cut away by the said Company in the work of straightening its main line of tracks through said Township, one of which roads so reconstructed was the subject of the order to view and the report of viewers mentioned in the above caption.
- 3.- That in section 5 of the report of viewers above mentioned the viewers state that they laid out and returned for public use a road between the termini therein mentioned, beginning at a plank culvert in a public road commonly known as the Old Portage and about seventy-five yards northerly from the house of George Seabold, and continuing by the courses and distances therein set to a point in the center of the Old Portage road opposite a watering trough, and about seventy-five yards northerly from what is commonly known as the Plane Bank crossing. The viewers further state that the site of said road as laid out between said termini and considered as necessary for a public road lies wholly on land belonging to the Pennsylvania Pailroad Comapny, there being already reconstructed on said site at the expense of said Pennsylvania Pailroad Company a road bed which for some time has been thrown open to public use and been used by the public in place of the road bed proposed to be vacated. The viewers also further state that the location of said road as laid out and recon-

structed they believe to be the most favorable which the nature of the place will permit, and that the road bed is constructed in as perfect a manner as the original road. The viewers also further state that the said Pennsylvania Railroad Company was represented at said view by Mr. Geo. C. Clarke, Assistant Engineer of Construction for said Company, who in behalf of said Company agreed that there should be no claim for damages, for the location of the road upon said site, and further agreed that said Company would in consideration of the location and final confirmation of the road on said site, furnish a release of damages to be filed with their report.

- 4.- That your petitioners are not of the opinion that the road as mentioned and laid out in the aforesaid paragraph No.5 of the report of the viewers is reconstructed in as perfect a manner as the original road, nor have all the agreements and representations made in behalf of said Pennsylvania Railroad Company through their representative who was present at said view been fulfilled and carried out.
- 5.- That a considerable part of the route of the road as laid out in the aforesaid report of the viewers is over ground which in the wet seasons of the year becomes soft and difficult to travel, and before the same will be in as good condition as the road vacated, it will have to be well stoned with finely broken stones, and until it is so stoned will not be constructed in as perfect a manner as the original road. It was also understood that at one place in said road where it crosses a small stream the grade was to be considerably reduced by the elevation of the bridge and the filling in of approaches to conform to the same; all of which is necessary in order to make the construction of said road as perfect as the original road. Your petitioners further state that the release of damages agreed by Mr. Clarke in behalf of the Railroad Company to be filed with the said report has not been furnished to be so filed.

your petitioners, therefore, believing that the confirmation of the aforesaid report and the adoption of the road therein mentioned as a public road without the work first being done on the said toad as was agreed to be done on the part of the Pennsylvania Railroad Company by its representative who was present at the view, would be highly injurious to

the tax payers of the said Township and to the traveling public, as supervisors of the said Township of Washington, and as citizens and taxable inhabitants of the said Township, respectfully pray your honorable court to direct a review of said new road and vacation of the old one, and for that purpose to appoint proper persons as reviewers, to make report to the Court according to law, and they will ever pray etc.

John M. Elons.

State of Pennsylvania, county of Cambria,

Peter Robine, Jr., and John Sloan, the above petitioners, being duly sworn according to law depose and say that the statements of fact set forth in the above and foregoing petition are true,

as they verily believe.

November A.D., 1900.

Seter Roling.

Sworn and subscribed to before me this

26th day

C. a. M. Youngle

Justice of the Peace

No. 10 June Session, 1900, R. D. In the Court of Quarter Sessions of Carlors County, Pa, In Re Reporter of Viewers ng at a Plan bulvert in the Old Porlage ete. Petition for Review Fileus De J1910 THOMAS J. ITELL. TORNEY AT LAW, JOHNSTOWN, PA. HENRY HALL, PRINTER, INDIANA, PA.

In Re Order to View, vacate and supply a portion of a public road in Washington Township, commencing at a plank culvert in the Old Portage etc.,

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

No. 10 June Session, 1900, R. D.

Order to view granted 27th June 1900.

To the Honorable A. V. Barker, President Judge of said court:

The undersigned, the viewers named in the within and annexed order of your honorable court, respectfully report:

- 1.- That we met at the time and place specified in the notices, to wit: on the sixteenth day of July, A. D., 1900, at ten o'clock in the forenoon, at the house of Geo. Seabold in Washington Township, said county, as required in said notices.
- 2.- That the notices required by law were duly given, that is:
 to say ten days' public notice by not less than six typewritten posters placed in as many public places in the vicinity of the road to be
 viewed, also written notices to the county commissioners of said
 county, as will appear from the acceptance of the clerk of said commissioners hereto attached, also written notices to the supervisors
 of said Township, as will appear from their acceptance of service
 of said notice hereto attached, the said notice to the county commissioners and to the supervisors being given more than ten days
 before the time of said view, stating the time and place at which
 said viewers should meet to discharge the duties of their appointment
 - 3.- That we were severally sworn according to law, before proceeding to discharge our duties, as will appear from the certificate of the Justice of the Peace hereto attached.
 - 4.- That we viewed the site and locality of the road proposed to be vacated and laid out, making a personal inspection of the ground between the points designated in the petition and order, on the day mentioned in said notices, that is to say, on the sixteenth day of July, A.D., 1900.

5.- We are of the orinion and agree that that portion of the public roadcommonly known as the Old Portage, commenc-ing at a plank culvert in said road about seventy-five (75) yards northerly from the house of Geo. Seabold to a point in said road opposite the watering trough and about one hundred and twenty-five (125) yards northerly from what is known as the Old Plane Bank crossing should be vacated for the reason that the same has been cut away and changed by the Pennsylvania Railroad Company in the work of straightening its main line of tracks, and that a public road between said points is necessary. We therefore lay out and return for public use a road between said termini as follows: Beginning at a plank culvert in the public road commonly known as the Old Portage and about seventy-five (75) yards northerly from the house of Geo. Seabold, thence south forty-two (42) degrees and thirty (30) minutes West three hundred and sixty-two and five-tenths (362.5) feet to a post; thence south thirtytwo (32) degrees and forty-five (45) minutes West five hundred ninetyone (591) feet to a post; thence south sixty-five (65) degrees thirty (30) minutes West two hundred and sixty-six (266) feet to a post; te thence south seventy (70) degrees West three hundred sixty-nine (369) feet to a post; thence south thirty-two (32) degrees West seventy-two (72) feet to a post; thence south nine (9) degrees and thirty (30) minutes East eighty-one (81) feet to a post; thence south forty-three (43) degrees and thirty (30) minutes East five hundred and fifteen (515) feet to a post; thence south nineteen(19) degrees and thirti(30) minutes "East three hundred. (300) (feet to a post; thence south eight (8) degrees and thirty (30) minutes West one hundred and ten (110) feet to a post; thence south twenty-three (23) degrees and thirty (30) minutes West one hundred ninety-three (193) feet to a post; thence -south sixty-six (66) degrees and thirty (30) minutes West ninety-four and five-tenths (94.5) feet to a post; thence south seventy-nine (79) degrees and forty-five (45) minutes West four hundred and six (406) feet to a post; thence north eighty-five (85) degrees and fifteen(15) minutes West two hundred twenty-eight (228) feet to a point in the

center of the Old Portage road opposite the watering trough, and about one hundred (125) yards northerly from what is commonly known as the Plane Bank crossing. The site of said road as laid out between said termini and considered as necessary for a public road lies wholly on the land belonging to the Pennsylvania Railroad Company, there being already reconstructed on said site at the expense of said vania Railroad Company a road-bed which for some time has been thrown open to public use and been used by the public in the place of the road proposed to be vacated. The location of said road as laid out and reconstructed we believe to be the most favorable which the nature of the place will permit, and the road-bed constru-cted in as perfect a manner as the original road. The said Pennsylvania Railroad Company was represented at said view by Mr. Geo. C. Clarke, Assistant Engineer of Construction for said Company, who in behalf of said Company agreed that there would be no claim for damages for the location of the road upon said site, and further agreed that said Company would in consideration of location and final confirmation on said site, furnish a release of damages to be filed with this report.

- 6.- That considering the advantages and disadvantages to be derived from the change in the site of said road by the vacation and supply of the same, as hereinbefore stated, we are of the opinion that no damages result to the Pennsylvania Railroad Company by the proposed change of route.
- 7.- We annex hereto all the papers hereinbefore referred to, also a plot or draft showing the location of the road laid out and the vacated, stating the courses and distances and briefly noting the improvements, also the release of the Pennsylvania Railroad Company for the land to be taken and occupied by the new location or site of the said road, as hereinbefore set forth.

Witness our hands this sixteenth day of July, A.D., 1900.

Smou bonra

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Viewers.

Ebensburg, Pa., July 2, 1900.

To the County Commissioners of Cambria County,

Ebensburg, Penn'a.

Gentlemen: --

You are hereby notified that the undersigned, appointed by the Court of Quarter Sessions of Cambria County, to view the ground for the proposed vacation and supply of a portion of a public road in Washington Township, said county, commonly known as the Old Portage, from ma point in said road at the Plank Culvert about seventy-five yards northerly from the house of Geo. Seabold to a point in said road opposite the watering trough about one hundred twenty-five yards northerly from what is known as the Old Plane Bank Crossing, will meet for the purpose of discharging the duties of said appointment, at the house of George Seabold above mentioned, on Monday the 16th day of July A.D., 1900, at 10:00 o'clock in the forencen, when and where you may attend if you see proper.

J.L. ELDER, Surveyor, SIMON CONRAD,
JOHN S. FOLEY,
Viewers.

Ebensburg, Pa., July 3, 1900.

To the above-named Viewers:

I hereby accept notice of the above, on behalf of the County Commissioners.

Jno C. Gates.

NOTICE OF ROAD VIEW.

To Peter Robine, Jr., and John Sloan, supervisors of Washington Township, Cambria County, Penn'a.:

You are hereby notified that the undersigned, appointed by the Court of Quarter Sessions of Cambria County, to view the ground for the proposed vacation and supply of a portion of a public road in Washington Township, said county, commonly known as the Old Portage, from a point in said road at the Plank Culvert about seventy-five yards northerly from the house of George Seabold to a point in said road opposite the watering trough about one hundred twenty-five yards northerly from what is known as the Old Plane Bank Crossing, will meet for the purpose of discharging the duties of said appointment, at the house of George Seabold above mentioned, on Monday the 16th day of July A.D., 1900, at 10:00 o'clock in the forencon, when and where you may attend sifeyou see proper.if

J. I. ELDER, Surveyor,
SIMON CONRAD,
JOHN S. FOLEY,
yiewers.

Lilly, Pa., July 2, 1900.

Washington Township, cambria Co., Pa., July 3, 1900.

To the above-named Viewers:

We hereby accept service of the above notice of view,

Jelle 16"1900

Jelle 16"1900

Jewen Genrad 1 day 2,00

John J Foly 1 day 2,00

James Doan Chainnan 1.50

19.80

In Re Order to View,
Vacate and supply a portion of a public road in
Washington Township,
commencing at a plank
culvert in the Old
Portage etc.,

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

No. 10 June gession, 1900.

Order to view granted 27 June 1900.

Cambria County, 188.

The Viewers appointed under the above order of the Court of Quarter Sessions of Cambria County, Pa., to wit, J. I. Edder, Simon Conrad, and John S. Foley, being duly sworn according to law, depose and say that they will perform their duties as such viewers, impartially and to the best of their judgments.

Sworn and subscribed to by the said viewers, before me, this day of July, A.D., 1900.

COMMONWEALTH OF PENNSYLVANIA. SS.

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg in
the said County, on the twenty seventleday ofA. DA. D
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 inconven-
ience for water of sight and to think the sight and to the sight and the s
By reason of the fact that a portion of a public road in
been taken and cut away by the Renna Rail-road
Company in the word of straightening the tracks of
its main-line and which frontion of said road so
taken much of necessity be vacated and a new
public road laid out in it's stead. The was to be
vacated is commonly known as the Old Portage
Ormenangala pland culvert in said wad,
about seventy-five (75) yards mortherly from the house
of les deabolt to a point in said wad opposite
the watering trough and about one hundred and
twenty-five (125) yards montherly from what is
Jerum as the old Plane Band crossing, loand
- printà being less than ainnile-distant from reach
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-brief

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 ______SURVEYOR, and ______

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:

D. 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 person or 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 sworm 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 pilot 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 pre

extending to a provincin win the Well Portage and public roadiconnumer-90 CTS erypoly a privation of asound road opposition ORDER TO-VIEW NACALL TIL sing at a pland Culbert watering troughest Naphingian CLERK DAVIS. 2 3 a Cot. 1811 approved and provided and surfaces

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