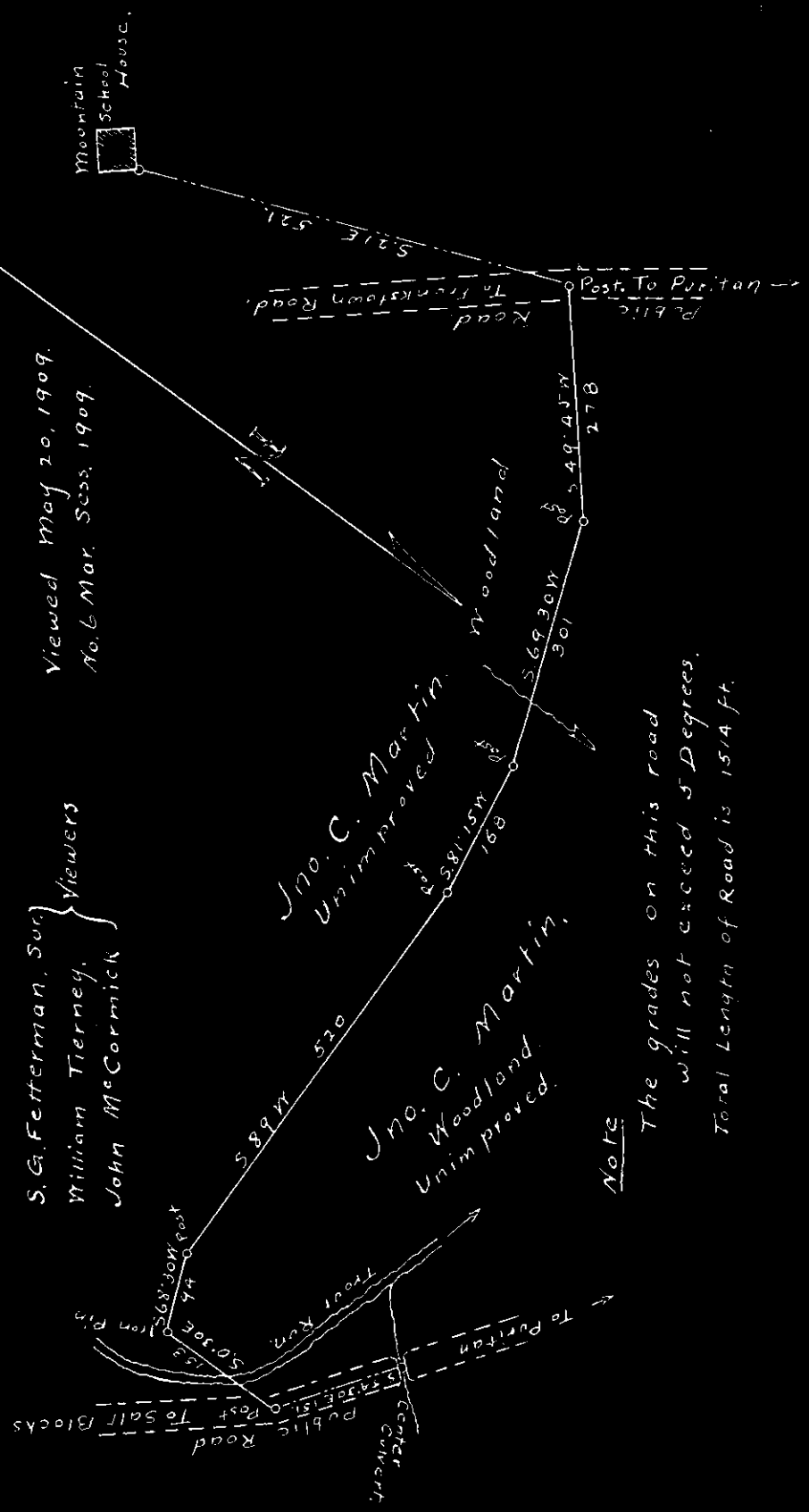


R. D #6 MAR. 1909  
Not Microfilmed

Map showing View of  
PROPOSED ROAD  
 in  
 Portage Twp. Cambria Co. Pa.  
 Scale - 200' = 1"

S. G. Fetterman, Sur.  
 William Tierney, Viewers  
 John McCormick  
 Viewed May 20, 1909.  
 No. 6 Mar. Sess. 1909.



Note  
 The grades on this road  
 will not exceed 5 Degrees.  
 Total Length of Road is 1514 ft.

KNOW ALL MEN BY THESE PRESENTS, That we, August  
Rojahn, Geo. M. Diehl William Bongha  
and Peter Guigue

are held and firmly bound unto the County of Cambria, in the State of Pennsylvania, in the sum of Fifty (50.00) Dollars, to which payment well and truly to be made we do bind ourselves, our respective heirs, executors and administrators, firmly by these presents. Sealed with our seals, and dated the 17th day of April, A. D. 1909.

WHEREAS, the above bounden, August Rojahn  
and Geo. M. Diehl, among others, have petitioned, or are about to petition the Court of Quarter Sessions of said county for the appointment of viewers to view and lay out a public road in said township from a point on the public road leading from Puritan to Salt Blocks, to a point on another public road in said township leading from Puritan to the Franks-town road.

NOW, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said petitioners shall well and truly pay or cause to be paid unto the County Treasurer of the said county such sum or sums of money as the said court may by order direct as compensation or pay for the viewers appointed or to be appointed in said proceeding, in accordance with the Act of Assembly in such case made and provided, then this obligation shall be void, and of no effect, otherwise to be and remain in full force and virtue.

Signed, sealed and delivered in the presence of:

<u>John H. Kubner</u>	x <u>August Rojahn</u>	(SEAL)
<u>Levi Jackson</u>	x <u>Geo. M. Diehl</u>	(SEAL)
	x <u>William Bongha</u>	(SEAL)
	x <u>Peter Guigue</u>	(SEAL)

*No. 6 March Sessions, 1909,  
Road Docket,*

In Re Petition for Appointment of Viewers for proposed new Road in Portage Township.

INHERITIV: fns gfr  
D. Jónð.

Seated with our agent, and dictated the 12th

[illegible]

Thomas J. Little.

State of Pennsylvania, in and for the County of Chester, ss. I, the undersigned, being the clerk of the Court of Common Pleas of and for the County of Chester, do hereby certify that the within and foregoing is a true and correct copy of the original thereof as the same appears from the records of said Court.

3256

ICOM - THE INTERNATIONAL COMMISSION ON MISSING PERSONS

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENN'A.

To the Honorable Francis J. O'Connor, President Judge of said Court;-

The undersigned inhabitants of the Township of Portage, in said County, respectfully represent,--

That your petitioners labor under great inconvenience for want of a public road or highway to lead from a point on the public road in said township, leading from Puritan to Salt Blocks, indicated by a post at the side of said road near an old bridge crossing Trout Run, to a point on the public road in said township leading from Puritan to the Frankstown road, indicated by a post alongside of said road one hundred eighty (180) yards northerly from the Mountain schoolhouse.

Your petitioners therefore pray your Honorable court to appoint proper persons to view and lay out the same, according to law, and they will ever pray, etc.

- |                     |                       |
|---------------------|-----------------------|
| 1 George W. Burke   | 15 Thomas Mulligan    |
| 2 William Bongha    | 16 Chas. E. Brinck    |
| 3 Peter Guigue      | 17 Vincent Kalman     |
| 4 Harry Marks       | 18 Theodore Hepner    |
| 5 Wm. Thompson      | 19 George Raspostrnik |
| 6 Silas Brown       | 20 Martin Raspostrnik |
| 7 A. J. McNeill     | 21 Frank. Celochinc   |
| 8 John Kuhns        | 22 Frank Broska       |
| 9 Perry Smith       | 23 J. C. Bickel       |
| 10 Gustave Scholink | 24 Louis Letinger     |
| 11 Alfred Demaree   | 25 Gabriel Letinger   |
| 12 Emily Vandam     | 26 Arnold Letinger    |
| 13 Mike Bozich      | 27 Lem Lunkhorst      |
| 14 John Papp        | 28 Jacob Brogely      |

- 29 John W Davis  
30 Herbert Brown  
31 J. K. Adams  
32 W. L. Morgan  
33 Levi Jackson  
34 John Leastel  
35 John Herman  
36 John Cooper  
37 Wm Cooper  
38 Wm Meredith  
39 Frank James  
40 Harry Brown  
Sam Sham  
Geo. C. Lipe  
Frank Coomes  
David L Davis

Portage, Pa., April 9, 1909.

To Charles Mangus, Jacob Kreitzberger and Albert Wyncoop,  
Road Supervisors of Portage Township;--

This is to notify you that on Tuesday, April 20th, 1909, there will be presented to the Court of Quarter Sessions of Cambria County the petition of the undersigned and others, inhabitants of said township, asking the said court to appoint viewers to view and lay out the proposed road in said township from a point on the public road leading from Puritan to Salt Blocks, indicated by a post at the side of said road near an old bridge crossing Trout Run, to a point on the public road in said township leading from Puritan to the Frankstown Road, indicated by a post alongside of said road one hundred eighty (180) yards from the Mountain schoolhouse.

August Rajahn  
Geo. M. Diehl

To the Honorable Francis J. O'Connor, President Judge of the  
Court of Quarter Sessions of Cambria County, Penn'a;-

This is to acknowledge that we, the undersigned,  
the road supervisors of the Township of Portage, in the County  
of Cambria, have had due notice of the intended presentation of  
the above and foregoing petition to your Honorable Court, on  
Tuesday, April 20th, 1909, as set forth in the foregoing notice.

x Charles J. Mangus  
x Albert Winkhoff.  
x Jacob Kuntzler  
Supervisors.

STATE OF PENNSYLVANIA)  
(SS:  
COUNTY OF CAMBRIA)

-----000-----  
*August Rafahn* and  
*Geo. M. Diehl* two of the petitioners above-named  
being duly sworn according to law, say that the statements of  
fact set forth in the above and foregoing petition are true  
and correct, as they verily believe.

x *August Rafahn*  
x *Geo. M. Diehl*

Sworn and subscribed to before me this 17th  
day of April, A. D. 1909.

*John J. Green*  
Notary Public  
My commission expires June 18th 1912.



# Petition

Now Apr. 30 1909, upon reading  
and presentation of the within  
petition in open Court, I, D.  
J. Attorney General, and Mr. J. D. Dunning,  
John McCombs are appointed  
reviewers, to report at next  
session of this Court. -

Bjelle Combs

Filed 20 April, 1959.

Thomas J. Still,

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

To the Honorable Francis J. O'Connor, President Judge of said Court;-

The undersigned viewers appointed by your honorable court to view and lay out a public road in Portage Township, in accordance with the directions contained in the annexed order to view, do respectfully report and return:--

(1) That having given public notice as required by law by written notices posted in the most public places in the vicinity of the ground to be viewed, and in all parts of said township, and having also served proper notice upon the supervisors of said township, and upon the county commissioners, as appears in the acceptances of notice hereto attached, and having been first sworn to perform their duties impartially and according to their best judgment, as appears from affidavit hereto attached, they met at the time and place indicated in said notice, to wit, at the Puritan schoolhouse in said Portage Township on Thursday, the 20th day of May, A. D. 1909, at 10 o'clock in the forenoon, and from there proceeded to the discharge of their duties under said appointment.

(2) There were present at said meeting all three (3) of the road supervisors of Portage Township, to wit; Charles Mangus, Albert Wynkoop, and Jacob Kreitzberger, and also a number of the petitioners, all of whom accompanied the viewers in making a personal inspection of the ground between the points designated in the petition and order to view.

(3) They are of the opinion and agree that a public road between the points mentioned in said order is necessary, and that a public road should be laid out according to the accompanying draft. They therefore lay out, have surveyed, and return for public use a road as follows:-- Beginning at a point on the public road in the Township of Portage, leading from Puritan to Salt Blocks, indicated by a post at the side of said road near an old bridge

crossing Trout Run, said point being south fifty-four (54) degrees thirty (30) minutes east <sup>(151 feet)</sup> from a culvert in said public road crossing a small stream; thence by a course south no (0) degrees thirty (30) minutes east, crossing said Trout Run, a distance of one hundred fifty-three (153) feet to an iron pin; thence south sixty-eight (68) degrees thirty (30) minutes west a distance of ninety-four (94) feet to a post; thence south eighty-nine (89) degrees no (0) minutes west a distance of five hundred twenty (520) feet to a post; thence south eighty-one (81) degrees, fifteen (15) minutes west, a distance of one hundred sixty-eight (168) feet to a post; thence south sixty-eight (68) degrees thirty (30) minutes west, crossing a small stream, a distance of three hundred one (301) feet to a post; thence south forty-nine (49) degrees, forty-five (45) minutes west a distance of 278 feet to a point indicated by a post on the public road in said township, leading from Puritan to the Frankstown road, said post being north twenty-one (21) degrees west a distance of five hundred twenty-one (521) feet (approximated in the petition and order at one hundred eighty (180) yards) from the Mountain schoolhouse. All of said road being through unimproved woodland belonging to John C. Martin, who had, prior to said view, been given due notice, but who was not present at the said view, and who is a non-resident of said township; consequently the viewers could not obtain a release of damages from him. They are of the opinion, however, that no damages will result to Mr. Martain from the laying out and opening of said road, and consequently have awarded none. The grades on said road will not exceed, at any place, five (5) degrees.

(4) The viewers further recommend that said road be approved of the width of thirty (30) feet with the line herein given and shown on the annexed draft, or plat, as the center line of the road.

WITNESS our hands this 20th day of May, A. D. 1909.

S. S. Lettman  
Wm J. Loring  
John M. Cornuck  
Viewers.

N O T I C E   O F   R O A D   V I E W .

The undersigned viewers appointed by the Court of Quarter Sessions of Cambria County to view the ground for a proposed public road in the Township of Portage, to lead from a point on the public road in said township leading from Puritan to Salt Blocks, indicated by a post at the side of said road near an old bridge crossing Trout Run, to a point on the public road in said township leading from Puritan to the Frankstown Road, indicated by a post alongside of said road one hundred eighty (180) yards northerly from the Mountain schoolhouse, and to make report thereof to said court, hereby give notice that for the purpose of attending to the duties of said appointment they will meet at the Puritan schoolhouse in said township on Thursday, the 20th day of May, 1909, at 10 o'clock in the forenoon, and from there to proceed to the discharge of their duties under said appointment, when and where all persons may attend if they see proper.

S. G. FETTERMAN,

WILLIAM TIERNEY,

JOHN McCORMICK,

Viewers.

May 6, 1909.

\*\*\*\*\*

Office of County Commissioners.

Ebensburg, Pa., May 8<sup>th</sup>, 1909.

I hereby accept service of the above notice of view  
for the county Commissioners of Cambria County.

Ed. E. Troyle  
Clerk.

*This one to be signed by the supervisors and returned to me. - J. J. -*

NOTICE OF ROAD VIEW.

The undersigned viewers appointed by the Court of Quarter Sessions of Cambria County to view the ground for a proposed public road in the township of Portage, to lead from a point on the public road in said township leading from Puritan to Salt Blocks, indicated by a post at the side of said road near an old bridge crossing Trout Run, to a point on the public road in said township leading from Puritan to the Frankstown Road, indicated by a post alongside of said road one hundred eighty (180) yards northerly from the Mountain schoolhouse, and to make report thereof to said court, hereby give notice that for the purpose of attending to the duties of said appointment they will meet at the Puritan schoolhouse in said township on Thursday, the 20th day of May, 1909, at 10 o'clock in the forenoon, and from there to proceed to the discharge of their duties under said appointment, when and where all persons interested may attend if they see proper.

S. G. FETTERMAN,

WILLIAM TIERNEY,

JOHN McCORMICK,

Viewers.

May 6, 1909.

\*\*\*\*\*

Portage township, Cambria co., Pa.,

May 10, 1909.

We, the supervisors of Portage township, hereby accept service of the above notice of view.

Charles W. Wynn  
Albert W. Wynn  
Joseph K. Wynn  
Supervisors.

STATE OF PENNSYLVANIA)  
COUNTY OF CAMBRIA) SS:

Before me, the subscriber, a Justice of the Peace in and for said county, personally appeared S. G. Fetterman, William Tierney and John McCormick, the viewers appointed by the Court of Quarter Sessions of Cambria County, to view the site for a proposed public road in Portage Township; said county, entered in Road Docket to No. 6, March Sessions, 1909, who being severally sworn according to law, say that they will perform their duties under said appointment impartially, and according to the best of their judgment.

S. G. Fetterman  
Wm J Tierney  
John McCormick

Sworn and subscribed to before me this 20<sup>th</sup> day of May, A. D. 1909.

Am Filmer  
Justice of the Peace.

My commission expires in May 1912.

## Bill of Costs

S. G. Settema, Surgeon, Viewer 2 days  
 " " " Mileage 21 miles  
 " " " Paid Chamber

10 00	
1 05	
2 00	13 05

William Tierney Viewer  
 " " " Mileage 22 miles

3 00	
1 10	4 10

John M<sup>c</sup> Cormick Viewer  
 " " " Mileage 21 miles

3 00	
1 05	4 05

John Wild. Chamber, Postage Pa.  
 William T. Lin, 3 Affidavits @ 50¢

2 00	
1 50	
<del>24 70</del>	

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.....21.....day of...April.....A. D. 1909, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of...Portage.....in the said County, setting forth that they labor under inconvenience for want of a.....Public.....road or highway, to lead from

a point on the public road in said township, leading from Puritani to Salt Bluffs, indicated by a post at the side of said road near an old bridge crossing Trout Run, to a point on the public road in said township, leading from Puritani to the Frankstown road, indicated by a post alongside of said road one hundred eighty (180) yards northwily from the Mountain schoolhouse.....

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. D. F. Hermann.....surveyor, and.....

Mr. T. J. T. & John McCombuck.....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:

J. S. Kirkland....., 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 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 Session, 1909.

Order to view public road  
in Potage Township

Viewers.

L. A. Patterson  
Wm. Tarmy  
John M. Larnick

Clerk Kirkadi 90 cts.  
Stell

No. 6 March Session, 1909.  
In the Court of Quarter Sessions  
of Cambria County, Pa.

### Report of Viewers

Appointed to view and lay out a  
public road in Portage Twp.,  
from a point on the public  
Road leading from Pottsville  
to the Salt Works to a point  
on the public road leading from  
Pottsville to the Frankstown Road.

Filed 7 June, 1909, in  
open Court.

THOMAS J. ITELL,  
ATTORNEY AT LAW,  
JOHNSTOWN, PA.

14 Sept 1909 confirmed.  
A. S. Shickel, Pres.  
J. S. Shickel, Sec.