

In the Court of Quarter  
Sessions of Cambria County  
Pennsylvania.

No. 3 Sept Term, 1924.

IN RE: PETITION TO

VACATE PUBLIC ROAD

IN CLEARFIELD TOWNSHIP.

Filed 19 Sept. 1924

Order of Court.

Now, Sept 18<sup>th</sup> 1924,  
the within petition present-  
ed to the Court, and upon  
due consideration the Court  
do appoint

Adam Shuman

Adam Shuman

J. D. Rutter

viewers to view the premises  
and make report according to  
law

By the Court

IVAN J. MCKENRICK  
LAWYER

EBENSBURG, CAMBRIA COUNTY, PA.

MCKENRICK BLDG.

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

PETITION TO VACATE PUBLIC ROAD.

TO THE HONORABLE THE JUDGES OF THE COURT OF QUARTER SESSIONS:

The Petition of the undersigned inhabitants of Clearfield Township, Cambria County, Pennsylvania, respectfully represents:

That a public road was long since laid out and opened leading from the State Road between Ashville and Chest Springs and extending to the road between Ashville and St. Augustine. That a part of said road which begins at the State road between Ashville and Chest Springs at a point 100 feet from the bridge over the Clearfield Creek and extends from thence to the road between Ashville and St. Augustine, at a point near the Moyer School, a distance of 11,000 feet, has become inconvenient, impracticable and burdensome by reason of the unusually steep grades and narrow and rocky road way, and is no longer necessary for the traveling public.

Your petitioners therefore pray the Court to appoint qualified persons to view the premises and vacate said road in whole or in part, as directed by the Act of Assembly in such case made and provided.

And they will ever pray, etc.

Cambria County: SS:-

J. S. Sprunt being duly sworn according to law deposes and says that the matters set forth in the foregoing Petition, are true to the best of his knowledge, information and belief.

Sworn to and subscribed before me this 29 day of August, 1924.

J. S. Sprunt

Frank B. Robt.

clerk

J. S. Shrent  
J. G. B. Plunket  
Mary McDermitt  
J. R. Brug  
Chas. F. Moran  
J. J. O'Heber  
Harvey W. Sutter  
Thomas O. Clifton  
Ed. Storm  
Mr. Gauntier  
Ramon McConnell  
A. J. Mahoney  
J. J. Farabough  
East W. Ames  
W. J. Karlson  
Dr. Sheehan  
East Ames  
J. J. Ragle  
J. J. Rydberg  
J. J. Ragle  
Thomas H. Barker  
John J. Gerber  
J. J. Ragle  
James D. Link  
Chas. Yell  
Leon. Kristian  
Oscar Yell  
Leon. Kristian  
J. J. Ragle  
W. B. Ragle  
Charles Bender  
J. J. Ragle  
J. C. Mc Gough

the near Ashville

# Costs of View

A. M. Shoemaker

Lifting Order		\$ 90
5 Days		\$ 37.50
Engineering work		180.00
Helpers		10.00
Auto hire (three trips)		10.50
		<u>\$ 238.90</u>

J. D. Ritter

1 1/2 Days		\$ 11.25
46 miles		2.30
Auto hire		3.34
		<u>\$ 16.89</u>

Adam Shuman

1 1/2 Days		\$ 11.25
22 miles		1.10
Auto hire		3.33
		<u>\$ 15.68</u>

APPROVED FOR PAYMENT  
J. M. Hoffman  
COUNTY CONTROLLER  
COMMISSIONERS



No. 3, September SESSIONS, 1924

Order to view and vacate road

in Clearfield Township.

*and*

*Report of Viewers*  
CERTIFIED

*Jacob M. Hoffmann*

COUNTY CONTROLLER

*Filed 13 October 1924*

A. M. Shoemaker

Adam Shuman

J. D. Ritter

Viewers

Clerk

Robb

90 cts.

8 Dec. 1924 Approved

By the Court  
E.

9 March 1925 confirmed absolutely

Frank B. Roth, 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."

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 19th day of September A. D. 194, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Clearfield, in the said County, setting forth that they have under their

~~viewed for a road of a~~  
a public road was long since laid out and opened leading from the State Road between Ashville and Chest Springs and extending to the road between Ashville and St. Augustine. That a part of said road which begins at the State road between Ashville and Chest Springs at a point 100 feet from the bridge over the Clearfield Creek and extends from thence to the road between Ashville and St. Augustine, at a point near the Moyer School, a distance of 11,000 feet, has become inconvenient, impracticable and burdensome by reason of the unusually steep grades and narrow and rocky road way, and is no longer necessary for the traveling public.

and therefore praying the Court to appoint proper persons to view and ~~lay out~~ <sup>vacate</sup> the same according to law. The Court, upon due consideration had of the premises, do order and appoint

A. M. Shoemaker

surveyor, and

Adam Shumen and J. D. Ritter

viewers, to view the ground proposed for said road, and if they agree that there is occasion for such ~~road~~ <sup>vacation</sup>, they shall proceed to ~~lay out~~ <sup>vacate</sup> 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:

Frank C. Rolt

Clerk.

N. 74° E. 256 ft., N. 75° E. 81 ft., N. 51° E. 137 ft., N. 39° 45' E. 213 ft., N. 16° 39' E. 103 ft., N. 8° W. 298 ft., N. 36° 10' W. 157 ft., N. 20° 30' E. 362 ft., N. 21° E. 294 ft., N. 50° E. 426 ft., N. 43° E. 341 ft., N. 40° 40' E. 446 ft., N. 25° 45' W. 49.5 ft., N. 55° W. 495 ft., N. 50° 30' W. 361 ft., N. 54° W. 169 ft., N. 41° W. 235 ft., N. 36° W. 154 ft., N. 71° 20' W. 146 ft., N. 47° W. 181 ft., N. 30° 10' W. 217 ft., N. 44° 30' W. 433 ft., N. 48° 10' W. 176 ft., N. 82° 30' W. 653 ft., N. 83° 30' W. 231 ft., N. 35° W. 910 ft., N. 32° 30' W. 295 ft., N. 23° 30' W. 484 ft., N. 42° W. 131 ft., N. 76° 30' W. 1142 ft. and S. 88° W. 178 ft. to the opposite termini near the Moyer School.

The Viewers found that there were three occupied farms along the road in question, two occupied by tenants, the first about three - fourths of a mile from the Ashville end of the road and the second coming on to the road in question probably a mile and a half from the same termini on the road and the third living near the Moyer School on a farm adjoining the other public road: That the road is quite steep in places and not, except for a very small portion of the distance, wide enough for traffic in opposite directions to pass each other with safety: That the road, even if widened and repaired, would accomodate only a few individuals and not the traveling public; That the cost of widening and repairing the road to make same suitable for public travel would necessitate the expenditure of more money than the use and benefit of the road would justify.

Witness our hands this 7th, day of October, A. D., 1924.

A. M. Shoemaker

J. D. Ritter

Adrian Shuman

Viewers.

## R E P O R T   O F   V I E W E R S .

To the Honorable, the Judges of the Court of Quarter Sessions of  
Cambria County, Pennsylvania.

We, the undersigned members of the Board of Viewers of Cambria county, appointed by your honorable Court upon the attached order and therein directed to view and determine as to the propriety of vacating a certain piece of public road; between the termini therein specified; in Clearfield Township, said county and state, respectfully report:-

That having given due notice of the view and of the time and place of meeting of the viewers to the Commissioners of Cambria county and the Supervisors of Clearfield township, and having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted in public and conspicuous places at and near the termini of the piece of road sought to be vacated; and having been each first duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability:

All of us met, in accord with the notices given, and having gone over and carefully viewed the premises and are all of the opinion that the piece of road referred to, in the aforesaid order, is no longer necessary for a public road and therefore recommend that it be vacated.

Said piece of road, a plot or draft of which is hereto attached and made a part of this report, takes the following courses and distances between the termini specified in the attached order, viz:

Beginning at the terminus just West of the bridge over the Clearfield Creek, at Ashville on the improved road leading from Ashville to Chest Springs and extending thence the following courses and distances, N. 44° E. 257 ft., N. 36° 05' E 189 ft., N. 35° 25' E. 162 ft., N. 00° 30' E. 427 ft., N. 33° 15' E. 185 ft., N. 64° E. 303 ft., N. 34° E. 274 ft., N. 51° 45' E. 200ft., N. 86° 15' E. 81 ft., S. 71° 45' E. 140 ft., S. 88° 30' E 169 ft., S. 79° 50' E. 270 ft., N. 80° 20' E. 331 ft., S. 71° E. 184 ft., N. 87° E. 133 ft.,

# ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of .. Quarter ..  
Sessions .. of Cambria County, Pa., to view and determine as to the  
propriety of vacating a certain piece of public road in Clearfield  
Township, said County and State...

Beginning at a point on the road from Ashville to Chest Springs  
at a point one hundred (100) ft. from the bridge over Clearfield  
Creek and extending to the road between Ashville & St. Augustine,  
at a point near the Mayer School - a distance of eleven thousand...  
(11,000) feet.

will meet at the place of beginning, above noted, in the  
Township of Clearfield aforesaid,  
on the 1st day of October, 1924, at 9:30 o'clock A. M.  
for the purpose of performing the duties of their appointment.

J. D. Ritter  
A. M. Shoemaker  
Adam Shuman  
Sept. 5th, 1924. Viewers.

Now, September 29th., 1924, service of the within notice is  
hereby accepted for the Commissioners of Cambria County,  
Pennsylvania.

*D. S. Shirkhead*



# ROAD NOTICE

Notice is hereby given that the Viewers appointed by the Court of ... Quarter.....  
... Sessions..... of Cambria County, Pa., to view and determine as to..  
... the propriety of vacating a certain piece of public road in Clear-  
... field Township, said County and State.....  
..... Beginning at a point on the road from Ashville to Chest..  
... Springs at a point one hundred feet from the bridge over Clear..  
... field Creek and extending to the road between Ashville and St..  
... Augustine, at a point near the Moyer School-- a distance of eleven  
... thousand (11,000) feet.....

will meet at the place of beginning, above noted,..... in the  
..... Township..... of ..... Clearfield..... aforesaid,  
on the 1st.... day of ..... October,..... 1924., at 9:30... o'clock ..A. M..  
for the purpose of performing the duties of their appointment.

J. D. Ritter.....

A. M. Shoemaker.....

Adam Shuman.....

.....Sept. 5th.....19.24.

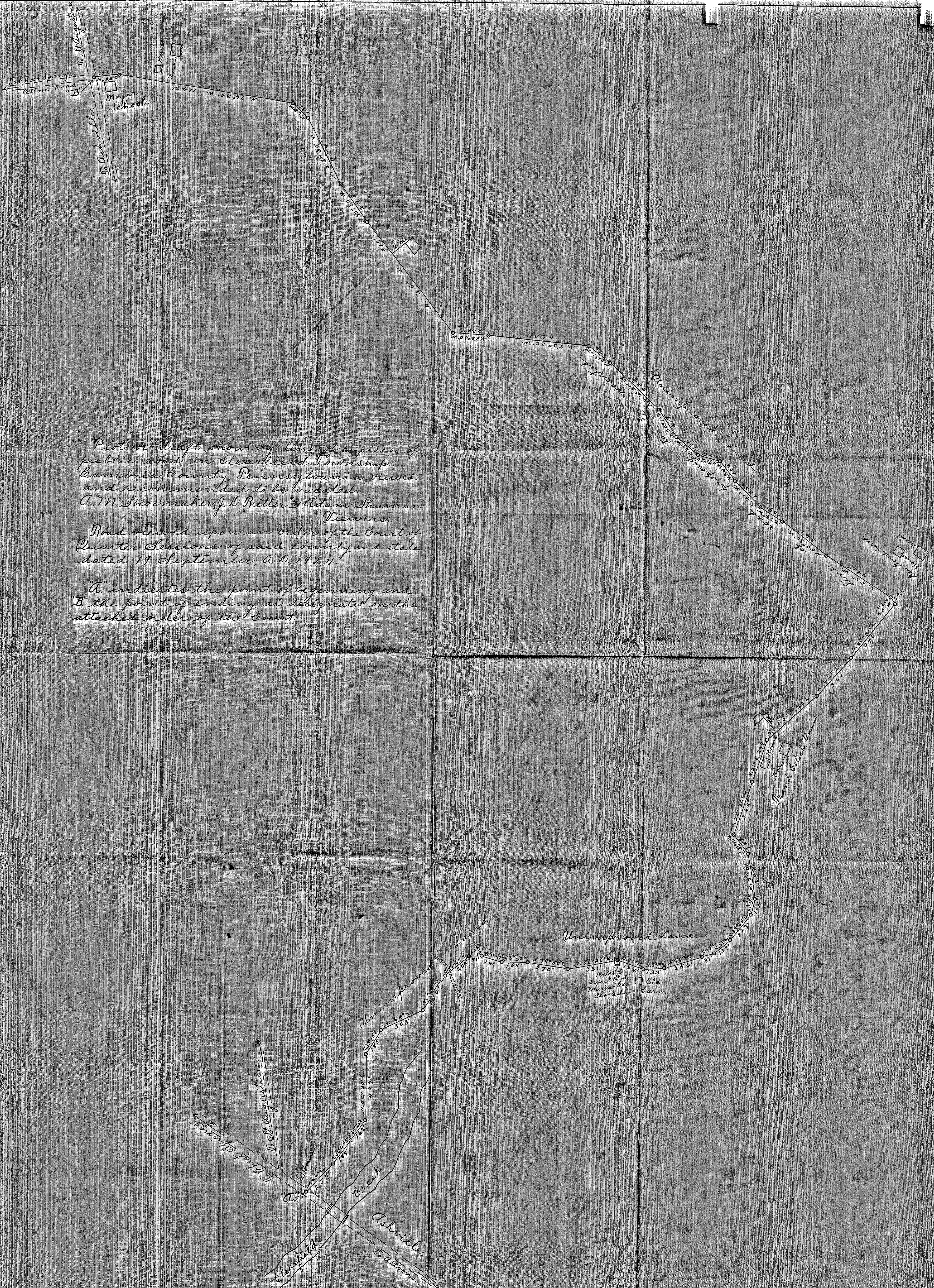
Viewers.

Now, September 1924, service of the within notice is  
hereby accepted by the undersigned Supervisors of the township  
of Clearfield, Cambria County, Pennsylvania.

*J. A. L...*

Supervisors.





Plot or draft showing line of a piece of public road in Clearfield Township, Cambria County, Pennsylvania, viewed and recommended to be vacated.  
A. M. Shoemaker, J. D. Ritter & Adam Shuman  
Viewers  
Road viewed upon an order of the Court of Quarter Sessions of said county and state dated 19 September A. D. 1924.  
"A" indicates the point of beginning and "B" the point of ending as designated on the attached order of the Court.