

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. 5 December 30 SESSIONS, 192

Order to view and vacate road

in Portage Township

and

Report of Viewers.

Filed 2 March 1931

Viewers

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Clerk 90 cts.

9 March 1931 Approved
By the Court
Evan P.

8 June 1931 confirmed absolutely
Frank C. Roff
Clerk.

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 Permanent Board of Viewers of Cambria County, Pa., appointed by your honorable Court and upon the attached order directed to view and determine as to the propriety of vacating a certain piece of public road in Portage Township, Cambria Co., Pa., from the bridge, known as the Cherry Bottom Bridge, on the public road leading from Munster to Jamestown, and ending at the intersection of said road proposed to be vacated with the Washington - Portage Township line, 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, Pa. and to the Supervisors of the Township of Portage, and having them accept service of notices hereto attached, and to the traveling public by printed hand bills posted in conspicuous places at the termini and along the route of the piece of road proposed to be vacated, and each having been first duly sworn according to law to perform the duties of their appointment faithfully, impartially and according to the best of their judgment and ability; All of us met at the time and place appointed in accord with the notices served and posted and having carefully viewed the road petitioned to be vacated and obtained considerable information as to the use to which it had been subjected during many years past and are all of the opinion that the prayer of the petitioners should be granted and the piece of road in question vacated.

The piece of road viewed as aforesaid and herein recommended to be vacated; a plat or draft of which is hereto attached and made a part of this report; takes the following courses and distances, viz: Beginning on the Munster - Jamestown road at the Cherry Bottom Bridge and extending thence North 82° east two hundred twenty one feet, thence north 66° east eighty one feet, then-

thence north $74^{\circ} 30'$ east one hundred seventy nine feet, thence
south $68^{\circ} 50'$ east one hundred sixty two feet and south $75^{\circ} 35'$
east 293 and fourtenths feet, thence south 66° east ninety eight
and six tenths feet, thence south $88^{\circ} 30'$ east one hundred seven-
ty seven feet, south $80^{\circ} 30'$ east one hundred twenty seven feet
thence $75^{\circ} 15'$ east two hundred fourteen and three tenth feet,
thence north seventy ~~threesixty~~ three degrees east one hundred
seventy nine feet and north seventy six degrees thirty minutes
east one hundred twenty feet, more or less to the township line
dividing the townships of Washington and Portage.

The above described piece of road passes almost entirely throu-
gh rough woodland and unpopulated territory and for many years
has been falling into disuse. Although the easterly end of the
road is in use to some extent and there are several living along
and handy the easterly terminii yet the traffic from their re-
spective residences is all, as indicated on the ground, toward
the easterly or Washington township end of the road.

Witness our hands this 1st, day of March, A. D., 1931.

A. M. Shoemaker

J. D. Ritter
Adam Shuman

N O T I C E O F V I E W .

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County Pa., and directed to view and determine as to the propriety of vacating a certain piece of public road in Portage Township, said county and state: Beginning on the road leading from Munster to Jamestown at the bridge known as the Cherry Bottom Bridge, in said township of Portage, and extending in an easterly direction approximately three thousand feet, to the intersection of the Washington - Portage Township line: Said Viewers will meet Friday, February 27th., 1931, at 10:00 a. m., at the place of beginning above indicated, in the Township of Portage, Cambria County, Pennsylvania, for the purpose of performing the duties of their said appointment.

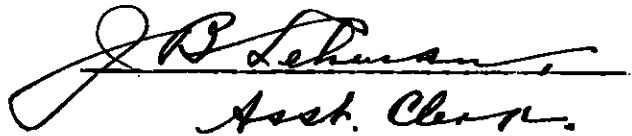
A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.


Asst. Clerk.

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., and directed to view and determine as to the propriety of vacating a certain piece of public road in Portage Township, said county and state: Beginning on the road leading from Munster to Jamestown at the bridge known as the Cherry Bottom Bridge, in said township of Portage, and extending in an easterly direction approximately three thousand feet, to the intersection of the Washington - Portage Township line: Said Viewers will meet Friday, February 27th., 1931, at 10:00 a. m., at the place of beginning above indicated, in the Township of Portage, Cambria County, Pennsylvania, for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Service of the above notice is hereby accepted by the undersigned Supervisors of the Township of Portage, Cambria County, Pennsylvania.

M. A. S. L. S.

Supervisors of Portage Township

Carrick
Spring



of the ...
...
...

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Dambria County, Pa., and directed to view and determine as to the propriety of vacating a certain piece of public road in Portage Township, said county and state:

Beginning on the road leading from Munster to Jamestown at the bridge known as the Cherry Bottom Bridge, in said township of Portage, and extending in an easterly direction approximately three thousand feet to the intersection of the Washington Twp. line Said viewers will ^{at said bridge} meet Friday, February 27th. at 10:00 o'clock a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

1825

2541

119

79

255

100±

Power hand

0

Cost of View

A. M. Shoemaker	
Preparing, serving & pasting notices given & notifying viewers	18 ⁰⁰
Auto hire - Stenographer & stationery	5 ⁹⁵
View and auto hire (35 mi @ 10¢)	15 ⁵⁰
Consultation with viewers	3⁰⁰
Survey, plotting drafting transportation	31 ⁷⁶
Preparing report of viewers, having report signed, assembling & filing	18 ⁰⁰
Stenographer & stationery	2 ¹⁵

~~794³⁵~~
91.35

J. D. Ritter

Day on View	12 ⁰⁰
52 mi @ 10 cts per mi	5 ²⁰
Consultation	6⁰⁰
34 mi	3 ⁴⁰

~~226⁰⁰~~
70⁶⁰

Adam Sherman

Day on View	12 ⁰⁰
58 miles	5 ⁸⁰
Consultation	6⁰⁰
22 miles	2 ²⁰

~~226⁰⁰~~
70⁰⁰

[Signature]
Portage T. T. T.

State of Pennsylvania

SS.

County of Cambria

Before me, James McClune, Deputy Controller, personally came A. M. Shoemaker, one of the viewers named in the within order who, being duly sworn according to law deposes and says that the items contained in the bill hereto attached; relative to time of employment, auto hire, stenographer and station-printing ery/&c., are correct and the expenses of auto hire help &c. paid and satisfied, as he varily believes.

A. M. Shoemaker

Sworn and subscribed to before me this 2nd day of

Mar. A. D., 1931.

James M. McClune
Deputy Controller

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 11th day of February A. D. 1951, before the Honorable Judge of the said Court: Upon the petition of ^{Supervisors} ~~diverse~~ inhabitants of the Township of Portage, in the said County, setting forth that they ~~are~~ ~~consider~~ ~~incen-~~

~~vide~~ ~~for~~ ~~and~~ ~~of~~ ~~or~~ ~~road~~ ~~or~~ ~~highway~~ ~~to~~ ~~be~~ ~~from~~
are the township supervisors of the Township of Portage, County of Cambria and State of Pennsylvania. That that certain township road in Portage Township leading from the bridge known as the Cherry Bottom Bridge on the township road leading from Jamestown to Munster and extending in an easterly direction to Washington Township a distance of approximately three thousand feet and known as the Cherry Bottom Road has become useless, inconvenient and burdensome. That this petition does not contain a reference to the number and term of the original proceedings under which road was opened for the reason that after a diligent search in the Road Docket in the Office of the Clerk of Court of Quarter Sessions the original proceedings were unable to be located or identified.

and therefore praying the Court to appoint proper persons to view and ^{vacate} ~~vacate~~ the same according to law. The Court, upon due consideration had of the premises, do order and appoint

A. M. Shoemaker surveyor, and

J. D. Ritter and Adam Shuman
viewers, to view the ground proposed for said ^{vacation} ~~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:

Frank E. Rolt Clerk.

No. 5 December Sessions 1930

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

PETITION OF THE PORTAGE
TOWNSHIP SUPERVISORS FOR
VACATION OF A ROAD IN SAID
TOWNSHIP OF PORTAGE.

Filed 11 July 1931

LEECH AND HIBBS
ATTORNEYS AT LAW
EBENSBURG, PENNSYLVANIA

In the Court of Quarter Sessions
Cambria County, Pennsylvania

To the Honorable the Judges of said Court:

The petition of the undersigned respectfully represents:

1. That they are the township supervisors of the Township of Portage, County of Cambria and State of Pennsylvania.
2. That that certain township road in Portage Township leading from the bridge known as the Cherry Bottom Bridge on the township road leading from Jamestown to Dunster and extending in an easterly direction to Washington Township a distance of approximately three thousand feet and known as the Cherry Bottom Road has become useless, inconvenient and burdensome.
3. That this petition does not contain a reference to the number and term of the original proceedings under which road was opened for the reason that after a diligent search in the Road Docket in the Office of the Clerk of Court of Quarter Sessions the original proceedings were unable to be located or identified.

Your petitioners therefore pray that the said road may be vacated agreeably to the Act of the General Assembly in such case made and provided.

...Charles W. Allen

...John Timura

...M. A. Sanders

State of Pennsylvania :
County of Cambria : SS :

Charles Mills, M. A. Sanders and John Timura, being
duly sworn according to law, depose and say that the matters
set forth in the foregoing petition are true and correct to
the best of their knowledge, information and belief.

...Charles Mills

Sworn to and subscribed
before me this 3rd
day of January, A. D.
1931.

...John Timura

...M. A. Sanders

John J. Green...
Notary Public

My Commission Expires
1st Monday of Jan 1934

DE C R E E

And now the ~~9th~~ day of *July*, 1931, the within petition of the Supervisors of the Township of Portage, County of Cambria and State of Pennsylvania, having been presented and considered the Court do order and appoint *Wm. Shuman*, *J. D. Rutter* and *Adam Shuman* who are to view the road in the said petition prayed to be vacated and to consider and judge whether it has become useless, inconvenient and burdensome; and if they agree that the same has become useless inconvenient and burdensome they shall make report accordingly to the next Court of Quarter Sessions to be held for the said County of Cambria.

By *A. Court*
Shuman

.....