

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 road in Portage Township which leads off of the road known as the Cherry Bottom Road at a point about two hundred feet distant from the Cherry Bottom Bridge and extending in an easterly direction a distance of about sixteen hundred feet to Washington Township 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 my be vacated agreeably to the Act of the General Assembly in such case made and provided.

.....*Charles Walls*.....

.....*John Timmer*.....

.....*M. A. Sanders*.....

State of Pennsylvania :
 : SS :
County of Cambria ::

Charles Mills, H. 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.

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

..... Charles Mills

..... John Timura

..... H. A. Sanders

John J. Green
Justice of the Peace

My Commission Expires
1st Monday June 1934

D I C R E E

And Now the 9th day of January, 1931, the within
petition of the Supervisors of the Township of Fortage, County
of Cambria and State of Pennsylvania, having been presented
and considered the Court do order and appoint Allen Stremmel Esq
J. D. Kitter and Alain Shuman
who are to view the road in the said petition prayed to be vacat-
ed and to consider and judge whether it has become useless, in-
convenient 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 the Court
Cowan

.....

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, Pa.

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 County, Pa., from a point two hundred feet south of the Cherry Bottom Bridge; on the public road leading from Munster to Jamestown; and ending at the intersection of the Portage - Washington Township line; on the road leading from said Cherry Bottom Bridge to Bernars Biglins, in Washington township, 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 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 public and conspicuous places at and near the termini and along the route of the piece of road proposed to be vacated; and each having been first duly qualified 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 at the time and place appointed, in accord with the notices given and posted and having carefully viewed and considered the road in question and the situation as it appears, we are all of the opinion that the piece of road petitioned to be vacated is no longer necessary for the accommodation of the traveling public and therefore should be vacated.

Said piece of road referred to in the order of Court and as observed and investigated by the viewers; a plot or draft of which is hereto attached and made a part of this report; begins on the Munster - Jamestown road, at a point approximately one hundred eighty nine feet southward along said road from the Cherry Bottom

Bridge and extending thence north 8° 30' east two hundred feet, thence north 82° east one hundred eighty three feet, thence north 66° east eighty one feet, thence north 33° 30' east one hundred ninety eight feet, thence north 47° east one hundred sixty eight feet, thence north 83° east one hundred sixty two feet, south 75° east two hundred nine feet, north 77° east ninety one feet, north 28° east two hundred sixty five feet, and north 41° east three hundred ninety nine feet to the intersection of the Washington - Portage Township line, the north easterly termini indicated in the attached order of the Court.

The piece of road in question, though in fairly good condition for traffic, has ceased to be used to any extent by the general public and the northerly end, or the portion of said road lying in Washington township has already been vacated: accordingly there this piece of road is of no particular service to the general public and therefore should be vacated.

The Viewers beg leave to recommend however, that this piece of road, connecting the Washington township end; which has been left as a private road; should also be left as a private road for the accomodation of one or two property owners whose farms: tho not occupied or resided upon, are worked to some extent: as a means of access to and from said farms.

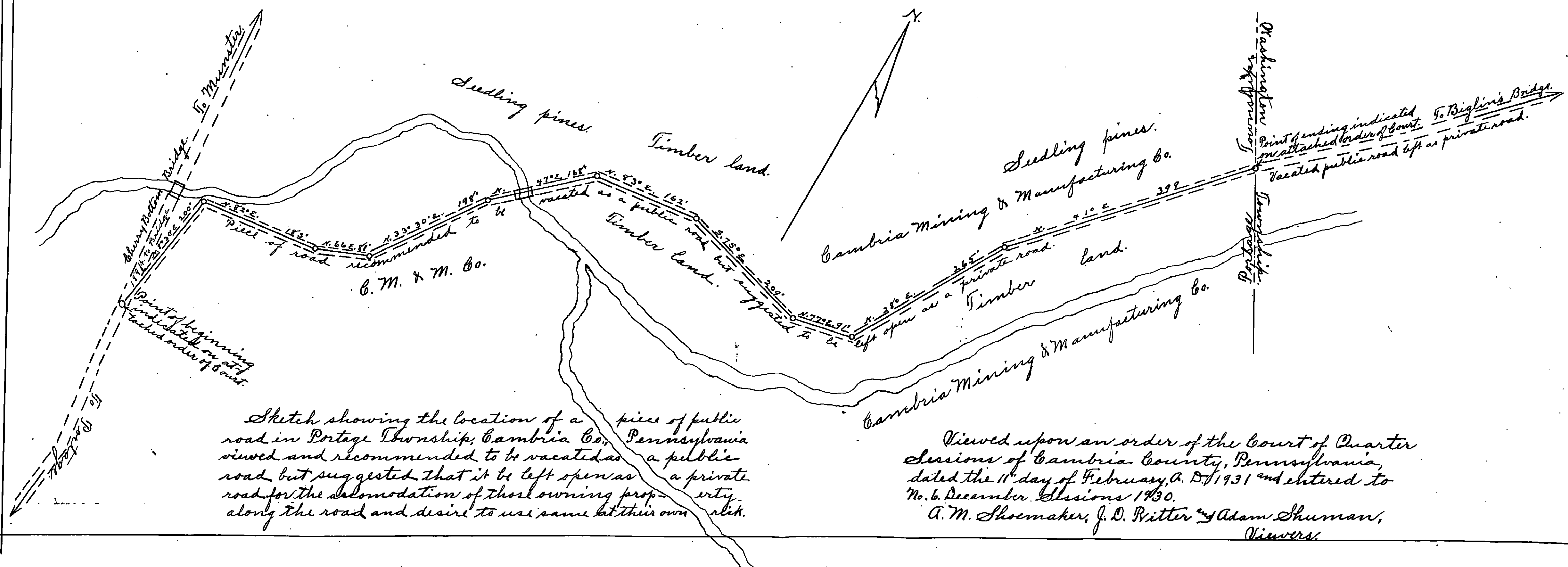
Witness our hands this 1st. day of March, A. D., 1931.

A. M. Shoemaker

J. D. Ritts

Adams Sherman

Viewers.



Sketch showing the location of a piece of public road in Portage Township, Cambria Co., Pennsylvania viewed and recommended to be vacated as a public road but suggested that it be left open as a private road for the accomodation of those owning property along the road and desire to use same at their own risk.

Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pennsylvania, dated the 11th day of February, A. D. 1931 and entered to No. 6, December Sessions 1930.
 A. M. Shoemaker, J. D. Ritter and Adam Shuman,
 Viewers.

No. 6 December Sessions 1930

IN THE COURT OF QUARTER SESSIONS,
CAMBRIA 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

N O T I C 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, Pennsylvania, 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 Munster - Jamestown road, at a point about two hundred feet southward, along said Munster - Jamestown road, from the Cherry Bottom Bridge and extending thence eastward to the intersection of the Washington - Portage Township line: Will meet at the point of beginning above indicated in the township of Washington, Cambria Co., Pa., Saturday, February 23th., 1931, at 10:00 o'clock a. m., for the purpose of performing the duties of their 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.

J. B. Shuman
Asst. Clerk

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, 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 Munster - Jamestown road, at a point about two hundred feet southward, along said Munster - Jamestown road, from the Cherry Bottom Bridge and extending thence eastward to the intersection of the Washington - Portage Township line: Will meet at the point of beginning above indicated in the township of Washington, Cambria Co., Pa., Saturday, February 28th., 1931, at 10:00 o'clock a. m., for the purpose of performing the duties of their 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. Sanders

Supervisors.

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Lancaster County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Fortage Township, said county and state;

beginning on the Hunter - Shrewsbury road at a point about 200 ft. from the Cherry Station bridge and extending thence eastward to the intersection of the Washington - Fortage Township line; will meet at the point of beginning, above indicated, on Saturday January 24th., 1931, at 12:00 o'clock a. m., for the purpose of performing the duties of their appointment.

A. H. [unclear],

J. H. [unclear] and

and [unclear]

[unclear]

Postage Exp. no 6.

Cost of View.

A. M. Showmaker

Preparing serving and posting notices of view and having supervisors accept service of notice	18 ⁰⁰
Auto hire, stenographer & stationery	5 ⁷⁵
View and auto hire	15 ²⁵
consultation with viewers	2⁰⁰
Survey, plotting drafting transportation	29 ⁶⁵
Preparing report of viewers, having same signed assembling & filing	18 ⁰⁰
Stenographer & stationery	2 ¹⁵
	89⁵⁰
	88 ⁸⁰

J. D. Ritter

one day on view	12 ⁰⁰
5.2 mi @ 10 cts	5 ²⁰
consultation with viewers	3⁰⁰
34 miles	3 ⁴⁰
	23⁶⁰
	20.60

Adam Shuman

Day on view	12 ⁰⁰
58 miles	5 ⁸⁰
consultation and 22 mi 2.20	3²⁰
	21⁰⁰
	20 ⁰⁰

W. S. ...
Arthur Griffith

State of Pennsylvania
County of Cambria

SS.

Befor 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 & stationery, &c. are correct and the expenses of auto hire stenographer help &c are paid and satisfied as he verily believes.

A. M. Shoemaker

Sworn and subscribed to before me this 6th day of March,
A. D., 1931.

James 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. 1920, before the Honorable Judge of the said Court: Upon the petition of ~~diverse~~ ^{Supervisors} ~~parties~~ of the Township of Portage, in the said County, setting forth that they labor under incon-

~~venience for~~ ~~road of highway~~ ~~to local~~ ~~farm~~
are the township supervisors of the Township of Portage, County of Cambria and State of Pennsylvania. That that certain road in Portage Township which leads off of the road known as the Cherry Bottom Road at a point about two hundred feet distant from the Cherry Bottom Road Bridge and extending in an easterly direction a distance of about sixteen hundred feet to Washington Township 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~~ ^{vacate} ~~and lay out~~ 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~~ ^{vacation} ~~the ground proposed for said road,~~ and if they ~~view~~ ^{vacate} the same, and shall agree that there is occasion for such road, they shall proceed to ~~lay out~~ ^{vacate} 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 L. Roll, Clerk.

No. 6, December SESSIONS, 1930

Order to view and vacate road

in Portage Township

and

Report of Viewers.

Filed 6 March 1931

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers

Clerk _____ 90 cts.

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."

9 March 1931

Approved
By the Court

8 June 1931 & confirmed absolutely

Frank B. Park
Shank

