

REPORT OF VIEWERS .

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

To the Honorable, the Judges of said Court:

We, the undersigned members of the Permanent Board of Viewers of Cambria County, Pa., appointed by your honorable Court to view and determine as to the propriety of vacating a certain piece of public road in East Carroll Township, said county and state, between the termini specified in the order of Court hereto attached, 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 the Township of East Carroll; and having had 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 to be viewed and each having been 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 at the time and place appointed, in accord with the notices served and posted, as aforesaid, and all of us having gone over and carefully viewed the piece of road in question and considered the whole situation, and are unanimously of the opinion that the piece of road in question should be vacated; the same having become useless, inconvenient and burdensome to the taxpayers of the township aforesaid.

Said piece of public road, which lies within the Township of East Carroll, said county and state, and which has become useless, inconvenient and burdensome is described as follows: Beginning at a point on the improved state highway known as Route No. 62 and formerly known as the Plank Road from Ebensburg to Carrolltown, said point of beginning being three thousand one hundred sixty eight feet measuring along said Route 62. in a Northerly direction from a point where the public road leading from Bradley Junction to Strittmatter's Corner connects with said Route 62, said point of connection being known as Strittmatter's Corner, and extending thence in an eas-

terly direction to a point on the dividing line between the Townships of East Carroll and West Carroll at a point where the Susquahanna Branch of the P. R. R. crosses, at grade, the road a part of which is hereby sought to be vacated, said point of ending being two thousand six hundred forty feet distant from the point of connection of the road, a part of which is hereby sought to be vacated, with the brick highway leading from Bakerton to Carrolltown.

The piece of road sought to be vacated, a plot or draft of which is hereto attached and made a part of this report, takes the following courses and distances, viz: north 82° 55' west 977 feet, north 32° 30' west 279.6 feet, north 40° 50' west 242 feet, north 67° west 117 feet, north 74° 30' west 462 feet, north 78° west 433 feet, north 85° west 221 feet, north 52° 15' west 63 feet, north 37° 30' west 293 ft., north 69° west 147.5 ft. and north 74° 35' west 57 feet, between the

A. M. Shoemaker

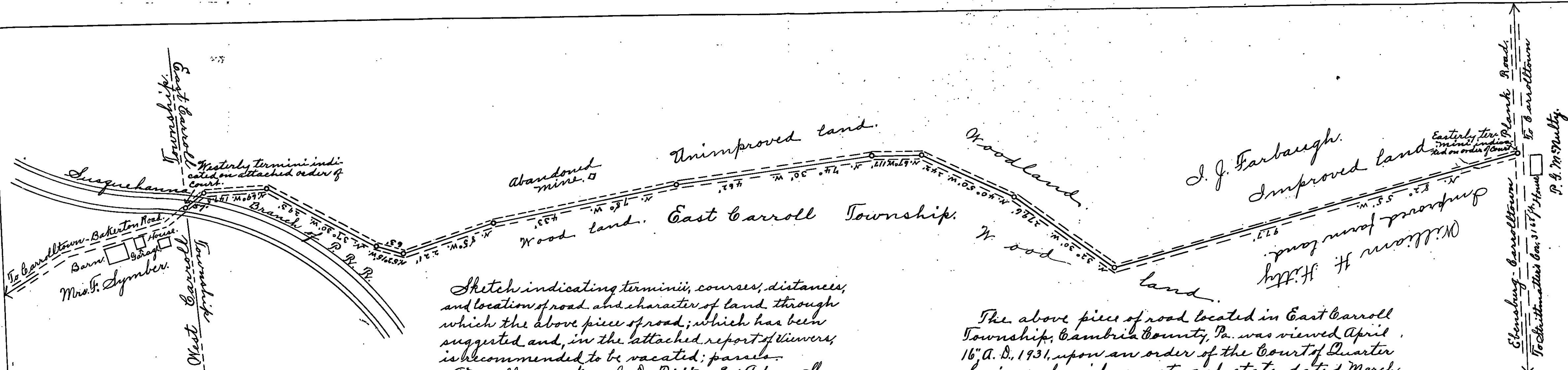
termini.

Adam Shuman

Witness our hands this
22nd day of April, A.D., 1931.

J. B. Rister

Viewers.



Sketch indicating termini, courses, distances, and location of road and character of land through which the above piece of road; which has been suggested and, in the attached report of Viewers, is recommended to be vacated; passes.

A. M. Shoemaker, J. D. Ritter and Adam Shuman,
Viewers.

The above piece of road located in East Carroll Township, Cambria County, Pa. was viewed April 16th A. D., 1931, upon an order of the Court of Quarter Sessions of said county and state dated March 2nd, 1931. Entered to No. 1. March Sessions, 1931.

P. G. M. Mully.

NOTICE OF VIEW.

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County, Pa., and in said order of appointment directed to view and determine as to the propriety of vacating a certain piece of public road in the Township of East Carroll, said county and state: Beginning on State Highway Route No. 62., formerly known as the Ebensburg - Carrolltown Plank Road, at a point 3168 feet northward, along said Route No. 62, from the juncture of the Bradley Junction--Carrolltown road with said Route No. 62 at Strittmatter's Corner, and ending on the road leading, from the above described point of beginning on the Ebensburg - Carrolltown Plank Road, to the Village of Bakerton, at a point where the last mentioned road is intersected by the Township line dividing the townships of East Carroll and West Carroll, at a point at or near where the Susquehanna Branch of the P. R. R. crosses said road at grade; said point of ending of the piece of road herein described and asked to be vacated being 2640 feet distant from the point of connection of the road, a part of which is herein described and sought to be vacated, with the brick highway leading from Bakerton to Carrolltown: Said viewers will meet at the point of beginning, above designated, on the Ebensburg- Carrolltown Plank Road, Route No. 62., in the Township of East Carroll, said county and state, on the 16th. day of April, 1931, at 9:30 a. m., for the purpose of performing the duties of their said appointment.

A. M. Shoemaker,

J. D. Ritter and

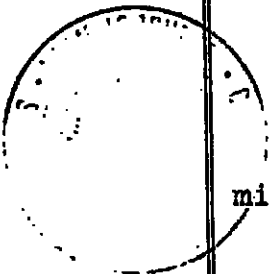
Adam Shuman,

Viewers.

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

George E. Kerby
Cow. Secy

APR 16 1931



CP-1

NOTICE OF VIEW.

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A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Service of above notice accepted -

J. D. Springer
Sup. E. Carroll J. J.

NOTICE OF VIEW.

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A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

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E Carroll T. Nov 11 1930

Costs of View

A. M. Shoemaker

Preparing & posting notices of view and service upon Supervisors	\$15.00
Stenographer & stationery - -	2.65
Auto hire	2.00
Half day on view	6.00
20 miles @ 10¢ per mile	2.00
Survey, plotting, drafting, help and transportation	31.80
Preparing having signed as sembling & filing report of viewers	18.00
Stenographer & stationery	2.25
	<u>\$79.70</u>

J. D. Bitter

Half day on view	6.00
auto hire	2.25
	<u>\$8.25</u>

Adam Shuman

Half day on view	6.00
Auto hire	2.25
	<u>\$8.25</u>

M. D. Cowher
Arthur Griffith

State of Pennsylvania

SS.

County of Cambria

Before me, James McClune, Deputy Con -

troller, personally came A. M. Shoemaker, one of the viewers ~~named~~ named on the within order of view, 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 stationery, &c., are correct and the expense of auto hire, stenographer, stationery, help &c. are paid and satisfied as he verily believes.

A. M. Shoemaker.

Sworn and subscribed to before

me this 24 day of April, 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 2nd day of March A. D. 1931, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of East Carroll, in the said County, setting forth that ~~they have under the~~
~~vacation for a road of~~ ~~road of the highway to lead from~~

many years ago a public road was laid out in what was then the Township of Carroll, beginning at a point on the road then known as the Plank Road from Ebensburg to Carrolltown distant three thousand one hundred sixty-eight feet northward of a point on said Plank Road known as Strittmatter's Corner, and ending at a point near the present Village of Bakerton on the road leading from Carrolltown to a public road from the Village of Nicktown to the above mentioned Plank Road at a point near the present railroad tunnel under said Plank Road.

That the portion of said public road which lies within said Township of East Carroll, and which has become useless, inconvenient and burdensome is described as follows: Beginning at a point on the improved state highway known as Route 62 and formerly known as the Plank Road from Ebensburg to Carrolltown, said point of beginning being three thousand one hundred sixty-eight feet measured along said Route in a northerly direction from a point where the public road leading from Bradley Junction to Strittmatter's corner connects with said Route 62, said point of connection being known as Strittmatter's Corner, and ending at a point on the dividing line between the Townships of East Carroll and West Carroll at a point where the Susquehanna Branch of the Pennsylvania Railroad crosses, at grade, the road, a part of which is sought to be hereby vacated, said point of ending being two thousand six hundred forty feet distant from the point of connection of the road, a part of which is sought to be hereby vacated, with the brick highway leading from Bakerton to Carrolltown.

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

Adam Shuman and J. D. Ritter

viewers, to view the ground proposed for said ~~road~~ ^{vacation}, and if they agree that there is occasion for such ~~road~~ ^{vacation}, they shall proceed to ~~vacate~~ ^{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. Robt

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. 1, March SESSIONS, 19231.

Order to view and vacate road

in East Carroll Township.

and
Report of Viewers

Filed 24 April 1931

A. M. Shoemaker

J. D. Ritter

Adam Shuman

Viewers.

Clerk _____ 90 cts.

8

June 1931 Approved

By the Court

Ernest P.

7 Sept. 1931 Conformed absolutely

James B. Ruff

John

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

NO. _____ MARCH SESSIONS, 1931.

RE : VACATION OF ROAD IN EAST CARROLL TOWNSHIP.

TO THE HONORABLE, THE JUDGES OF THE ABOVE NAMED COURT:

The petition of the undersigned inhabitants of the Township of East Carroll, in the County of Cambria and State of Pennsylvania, respectfully represents:

That many years ago a public road was laid out in what was then the Township of Carroll, beginning at a point on the road then known as the Plank Road from Ebensburg to Carrolltown distant three thousand one hundred sixty-eight feet northward of a point on said Plank Road known as Strittmatter's Corner, and ending at a point near the present Village of Bakerton on the road leading from Carrolltown to a public road from the Village of Nicktown to the above mentioned Plank Road at a point near the present railroad tunnel under said Plank Road.

That several years since, the Township of Carroll was divided and now comprises two townships known respectively as East Carroll and West Carroll Townships.

That a portion of said public road which is situate within the Township of East Carroll has become useless, inconvenient and burdensome to the inhabitants of said Township by reason of the difficulty in keeping the same in repair for travel, and particularly by reason of the fact that the public has ceased to use the same.

That the portion of said public road which lies within said Township of East Carroll, and which has become useless, inconvenient and burdensome is described as follows:

Beginning at a point on the improved state highway known as Route 62 and formerly known as the Plank Road from Ebensburg to Carrolltown, said point of beginning being three thousand one hundred sixty-eight feet measured along said Route 62 in a northerly direction from a point where the public road leading from Bradley Junction to Strittmatter's corner connects with said Route

62, said point of connection being known as Strittmatter's Corner, and ending at a point on the dividing line between the Townships of East Carroll and West Carroll at a point where the Susquehanna Branch of the Pennsylvania Railroad crosses, at grade, the road, a part of which is sought to be hereby vacated, said point of ending being two thousand six hundred and forty feet distant from the point of connection of the road, a part of which is sought to be hereby vacated, with the brick highway leading from Bakerton to Carrolltown.

Your petitioners further represent that the record of the original case in this court whereby the public road above mentioned was laid out and directed to be opened for public use cannot be found, although diligent search was made for the same, and, therefore, your petitioners are unable to set forth in this petition a reference to the number and term of said original case, or to the number and page of the docket containing the record thereof, as required by Rule 308 of the Rules of this Court.

Your petitioners further represent that a petition of inhabitants of the Township of West Carroll will be presented to this Court simultaneously with the presentation of this petition asking for the vacation of that part of the public road above described which lies within the present limits of the Township of West Carroll, and this petition, and said petition of the inhabitants of the Township of West Carroll comprise the application for the vacation of the entire public road laid out as aforesaid.

Your petitioners therefore pray the Court to appoint three persons as viewers to inquire into the matters averred in this petition and to report to the Court on the expediency of vacating that portion of the above mentioned public road which lies within the Township of East Carroll and which is hereinabove described.

<u>C. W. Mised</u>	<u>East Carroll Twp.</u>	<u>2-21-31</u>
<u>P. H. Kirkpatrick</u>	<u>East Carroll Twp.</u>	<u>2-21-31</u>
<u>T. O. Guth</u>	<u>East Carroll Twp.</u>	<u>2-21-31</u>
<u>C. J. Kirkpatrick</u>	<u>East Carroll Twp.</u>	<u>2-21-31</u>

<u>A. L. Miller</u>	<u>East Carroll Feb 21-31</u>
<u>J. L. McNulty</u>	<u>East Carroll Twp 2/21/31</u>
<u>W. J. Barnes</u>	<u>East Carroll Twp 2/21/31</u>
<u>Michael Mahler</u>	<u>East Carroll Twp 2/21/31</u>
<u>Joe Burley</u>	<u>East Carroll Twp 2/21/31</u>
<u>P. J. McNulty</u>	<u>East Carroll Twp 2/21/31</u>
<u>A. H. Fugher</u>	<u>East Carroll Twp 2/21/31</u>
<u>Warren J. Bender</u>	<u>East Carroll Twp 2/21/31</u>
<u>W. D. Miller</u>	<u>East Carroll Twp 2/21/31</u>
<u>Alex Strickman</u>	<u>East Carroll Twp 2/21/31</u>
<u>Rudolph Miller</u>	<u>East Carroll Twp 2/21/31</u>
<u>John E. Eckenrode</u>	<u>East Carroll Twp 2/21/31</u>
<u>Herman Kner</u>	<u>East Carroll Twp 2/21-31</u>
<u>J. J. Weahen</u>	<u>East Carroll Twp 2/21-31</u>
<u>W. R. Farabaugh</u>	<u>East Carroll Twp 2/21-31</u>
<u>H. P. Dierhart</u>	<u>East Carroll Twp 2/21-31</u>
<u>Herman F. Meisel</u>	<u>East Carroll Twp 2/21-31</u>
<u>W. H. Hittie</u>	<u>East Carroll Twp 2/21-31</u>
<u>R. L. Pagan</u>	<u>East Carroll Twp 2/21-31</u>
<u>J. J. Farabaugh</u>	<u>East Carroll Twp 2/21-31</u>
<u>C. H. Farabaugh</u>	<u>East Carroll Twp 2/21-31</u>

State of Pennsylvania

SS:

County of Cambria

J. J. Kirkpatrick

being duly sworn

according to law says that he is one of the petitioners within named, and that the matters set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me

this 28th day of February, 1931.

M. P. Westrick
Mary Public

J. J. Kirkpatrick

My Commission Expires Mar. 2, 1933.

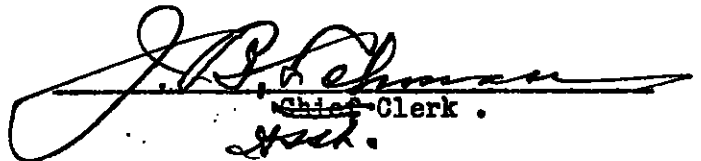
NOTICE.

To the Commissioners of Cambria County:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, the 2nd day of ^{March}~~February~~, 1931, asking for the appointment of viewers to vacate the road in said petition described.


Attorneys for Petitioners.

And now, March 2, 1931, service of the above notice, together with a copy of the petition, accepted.


Chief Clerk.
Jsch.

NOTICE.

To the Supervisors of East Carroll Township:

You are hereby notified that a petition, a copy of which is hereto attached, will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, the 7nd day of March 1931, asking for the appointment of viewers to vacate the road in said petition described.

Shetz & Nelson
Attorneys for Petitioners.

Now, March 7 1931, service of the above notice, together with a copy of the petition, accepted.

L. A. Meckley
F. W. Cunningham
John S. Springer
Supervisors of East Carroll Twp.

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

Re: vacation of road in East Carroll
Township.

PETITION FOR APPOINTMENT OF VIEWERS.

*Answer made by 1931,
with petition and
creating an All,
Shawmut, J. Adam
Shuman and J. D. Rude
after meeting viewing*

*By J. D. Rude
Examined*

Filed 2 March 1931

SHETTIG & NELSON
ATTORNEYS AT LAW
EBENSBURG, PA.