

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, 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 East Carroll Township, said county and state, beginning on the line dividing the borough of Carrolltown from the Township of East Carroll and ending near the pumping station of the Carrolltown Water Co. as indicated on the attached order of Court; 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 East Carroll, 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 being first duly sworn according to law to perform the duties of our appointment faithfully, impartially and according to the best of our judgment: ~~and~~ all of us met at the time and place appointed and in accord with the notices so served and posted as aforesaid, and having gone over and carefully viewed the premises observed the situation and enquired into the use to which the piece of road in question is now being put, and are unanimously of the opinion that the piece of road above referred to is no longer necessary for the use of the traveling public but on the contrary, that it has become useless, inconvenient and burdensome to the tax payers of the said township and ought to be vacated.

The piece of road above referred to; a plot or draft of which is hereto attached ~~and~~ made a part of this report; beginning at the line dividing the Borough of Carrolltown, at a point one thousand five hundred eighty four feet southward from its connection within the Borough of Carrolltown with the road leading from

and  
Carrolltown to Patton/extends thence for the following courses and distances, viz: South 13° 30' East 372.5 feet, South 37° 35' East 451.3 feet, South 37° 05' East 519 feet, South 44° 15' West 169 feet, South 00° 20' West 111 feet and South 49° 55' East 157 feet to the southerly termini of the piece of road proposed to be vacated on the public road leading to Chest Springs from the improved highway known as Route NO. 62, formerly the Ebensburg - Carrolltown Plank Road, said point of ending being six hundred ninety six feet, measuring along said road in an easterly direction from the point of connection of Route 62. and the road leading to Chest Springs.

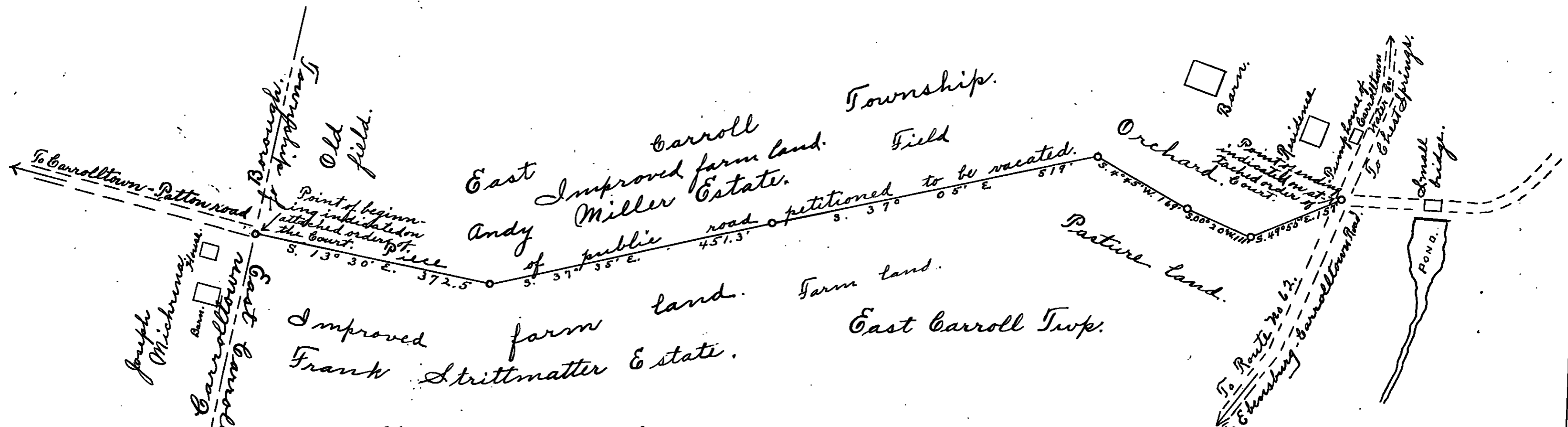
As is evident on the ground there is practically no one who travels this piece of road during the winter season and the hill which the road in question traverses can be avoided by a much much easier public road which leads westward from the above referred to piece of road, passing directly along by the Pumping Station, above mentioned and thence in a westerly direction and thence to the new improved highway known as Riute 62, leading from Ebensburg to Carrolltown.

Witness our hands this 27th. day of April, A. D., 1931.

A. M. Shoemaker

J. D. Pitts

Viewers.



Sketch showing the location of a piece of public road in East Carroll Township, Cambria County, Pa., petitioned and in the attached report of viewers recommended to be vacated from a point at the intersection of the Carrolltown Borough line with the road leading from the Carrolltown-Patton road to a point near the pump house of the Carrolltown Water Company.

Viewed upon an order of the Court of Quarter Sessions of Cambria County, Pa., dated March 2<sup>d</sup> A. D., 1931 and entered to No. 2. March Sessions 1931.  
 A. M. Shoemaker, J. D. Ritter and Adam Shuman, Viewers.

NOTICE OF VIEW.

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 the Township of East Carrill, said county and state: Beginning at the line dividing Carrolltown Borough and the Township of East Carroll, at a point one thousand five hundred eighty four feet from the point of connection, with the Borough of Carrolltown, on the road a part of which is sought to be vacated with the brick highway leading from Carrolltown to Patton, and ending at a point on the public road leading to Chest Springs from the improved highway known as Route 62, formerly the Ebensburg - Carrolltown Plank Road, said point of ending being six hundred ninety six feet, measuring along said road in an Easterly direction from the point of connection with Route 62. and the said road leading to Chest Springs; which said point of ending is near the pumping station of the Carrolltown Water Works; said viewers will meet at the point of beginning above designated in the Township of East Carroll, Cambria Co., Pa., on Thursday, April 16th., 1931, at 2:00 O'clock p. m., for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

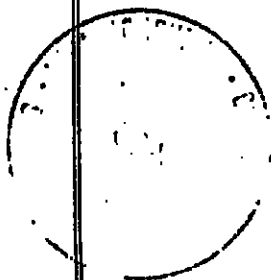
J. D. Ritter and

Adam Shuman,

Viewers.

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

APR 16 1931



*George E. Kerby*  
Com. Cambria

NOTICE OF VIEW.

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 the Township of East Carroll, said county and state:

Beginning at line dividing Carrolltown Borough and the Township of East Carroll at a point one thousand five hundred eighty four feet from the point of connection, within said Borough of Carrolltown, of the road a part of which is sought to be vacated with the brick highway leading from Carrolltown to Patton, and ending at a point on the public road leading to Chest Springs from the improved highway known as Route 62, formerly the Ebensburg - Carrolltown road, said point of ending being six hundred ninety six feet, measuring along said road in an Easterly direction from the point of connection of Route 62 and the said road leading to Chest Springs; which said point of ending is near the pumping station of the Carrolltown Water Works: said viewers will meet at the point of beginning above designated in the Township of East Carroll on Monday, April 13<sup>th</sup>, 1931, at 2:30 O'clock pm., for the purpose of performing the duties of their appointment.

A. I. Choemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Costs of View.

Preparing, posting & serving notices of view	15 <sup>00</sup>
Stenographer & stationery	2 <sup>65</sup>
Auto hire	2 <sup>00</sup>
Making View 1/2 day	6 <sup>00</sup>
20 miles	2 <sup>00</sup>
Survey plotting drafting chainmen & transportation	29 <sup>35</sup>
Preparing, having signed assembling & filing report	18 <sup>00</sup>
Stenographer & stationery	2 <sup>35</sup>
	<u>\$77<sup>35</sup></u>

J. D. Ritter

1/2 Day on View	\$6 <sup>00</sup>
Auto hire	2 <sup>50</sup>
	<u>\$8<sup>50</sup></u>

Adam Shuman

1/2 Day on View	6 <sup>00</sup>
Auto hire	3 <sup>00</sup>
	<u>\$9<sup>00</sup></u>

77<sup>35</sup>  
8<sup>50</sup>  
9<sup>00</sup>  
94<sup>85</sup>

W. B. White  
Arthur Griffith

State of Pennsylvania

SS.

Counyu of Cambria

Befor me, James McClune, Deputy Controller personally came A. M. Shoemaker, one of the Viewers named on 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, stenoghapher & stationery, &c. are correct and the expenses of auto hire stenographer help &c are paid and satisfied as he varily believes.

A. M. Shoemaker

Sworn and subscribed to before me this 29 day of March, A. D., 1931.

James McClune  
Dep. 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. 1921, 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 their~~ ~~ownership for many years~~ ~~ago~~ ~~a~~ ~~public~~ ~~road~~ ~~was~~ ~~laid~~ ~~out~~ ~~in~~ ~~what~~ ~~was~~ ~~then~~ ~~the~~ ~~Township~~ ~~of~~ ~~Carroll~~, ~~beginning~~ ~~at~~ ~~a~~ ~~point~~ ~~on~~ ~~the~~ ~~public~~ ~~road~~ ~~which~~ ~~leads~~ ~~from~~ ~~Carrolltown~~ ~~to~~ ~~Mark's~~ ~~Mill~~ ~~where~~ ~~the~~ ~~Borough~~ ~~of~~ ~~Patton~~ ~~now~~ ~~stands~~, ~~said~~ ~~point~~ ~~being~~ ~~within~~ ~~the~~ ~~present~~ ~~limits~~ ~~of~~ ~~the~~ ~~Borough~~ ~~of~~ ~~Carrolltown~~, ~~and~~ ~~ending~~ ~~at~~ ~~a~~ ~~point~~ ~~on~~ ~~the~~ ~~road~~ ~~leading~~ ~~from~~ ~~the~~ ~~road~~ ~~known~~ ~~as~~ ~~the~~ ~~Ebensburg~~ ~~and~~ ~~Carrolltown~~ ~~Plank~~ ~~Road~~ ~~to~~ ~~Chest~~ ~~Springs~~, ~~said~~ ~~point~~ ~~of~~ ~~ending~~ ~~being~~ ~~distant~~ ~~eastwardly~~ ~~from~~ ~~said~~ ~~Plank~~ ~~Road~~ ~~three~~ ~~thousand~~ ~~six~~ ~~hundred~~ ~~ninety~~ ~~six~~ ~~feet~~, ~~and~~ ~~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~~ ~~the~~ ~~dividing~~ ~~line~~ ~~between~~ ~~the~~ ~~Township~~ ~~of~~ ~~East~~ ~~Carroll~~ ~~and~~ ~~the~~ ~~Borough~~ ~~of~~ ~~Carrolltown~~ ~~at~~ ~~a~~ ~~point~~ ~~distant~~ ~~one~~ ~~thousand~~ ~~five~~ ~~hundred~~ ~~and~~ ~~eighty~~ ~~four~~ ~~feet~~ ~~from~~ ~~the~~ ~~point~~ ~~of~~ ~~connection~~, ~~within~~ ~~said~~ ~~Borough~~ ~~of~~ ~~Carrolltown~~, ~~of~~ ~~the~~ ~~road~~, ~~a~~ ~~part~~ ~~of~~ ~~which~~ ~~is~~ ~~sought~~ ~~to~~ ~~be~~ ~~hereby~~ ~~vacated~~, ~~with~~ ~~the~~ ~~brick~~ ~~highway~~ ~~leading~~ ~~from~~ ~~Carrolltown~~ ~~to~~ ~~Patton~~, ~~and~~ ~~ending~~ ~~at~~ ~~a~~ ~~point~~ ~~on~~ ~~the~~ ~~public~~ ~~road~~ ~~leading~~ ~~to~~ ~~Chest~~ ~~Springs~~ ~~from~~ ~~the~~ ~~improved~~ ~~highway~~ ~~known~~ ~~as~~ ~~Route~~ ~~62~~ ~~formerly~~ ~~as~~ ~~the~~ ~~Plank~~ ~~Road~~ ~~from~~ ~~Ebensburg~~ ~~to~~ ~~Carrolltown~~, ~~said~~ ~~point~~ ~~being~~ ~~distant~~ ~~six~~ ~~hundred~~ ~~ninety~~ ~~six~~ ~~feet~~ ~~from~~ ~~the~~ ~~point~~ ~~of~~ ~~connection~~ ~~of~~ ~~Route~~ ~~62~~ ~~and~~ ~~said~~ ~~road~~ ~~to~~ ~~Chest~~ ~~Springs~~ ~~measured~~ ~~along~~ ~~said~~ ~~Chest~~ ~~Springs~~ ~~road~~ ~~in~~ ~~an~~ ~~easterly~~ ~~direction~~ ~~from~~ ~~said~~ ~~point~~ ~~of~~ ~~connection~~, ~~which~~ ~~said~~ ~~point~~ ~~ending~~ ~~is~~ ~~near~~ ~~the~~ ~~pumping~~ ~~station~~ ~~of~~ ~~the~~ ~~Carrolltown~~ ~~Borough~~ ~~Water~~ ~~Works~~.

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

A. M. Shiemaker surveyor, and

J. D. Ritter and Adam Shuman

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 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 B. Rolt, Clerk.



Order to view and vacate road

in East Carroll Township

*and*  
Report of Viewers.

*Filed 29 April 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."

*8 June 1931 Approved  
By the Court*

*Ernest O'P*

*7 Sept. 1931 performed absolutely*

*James E. Ritter  
Clerk*

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 public road which leads from Carrolltown to Mark's Mill where the Borough of Patton now stands, said point being within the present limits of the Borough of Carrolltown, and ending at a point on the road leading from the road known as the Ebensburg and Carrolltown Plank Road to Chest Springs, said point of ending being distant eastwardly from said Plank Road three thousand six hundred ninety-six feet.

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 the dividing line between the Township of East Carroll and the Borough of Carrolltown at a point distant one thousand five hundred and eighty-four feet from the point of connection, within said Borough of Carrolltown, of the road, a part of which is sought to be hereby vacated, with the brick highway leading from Carrolltown to Patton, and ending at a point on the public road leading to Chest Springs from the improved highway known as

Route 62 formerly known as the Plank Road from Ebensburg to Carrolltown, said point being distant three thousand six hundred ninety-six feet from the point of connection of Route 62 and said road to Chest Springs measured along said Chest Springs road in an easterly direction from said point of connection, which said point of ending is near the pumping station of the Carrolltown Borough Water Works.

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 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>E H Warshain</u>	<u>Patton Pa. R. 19 Feb 18</u>
<u>P b Sharbaugh</u>	<u>Carrolltown Pa</u>
<u>Mrs. C. A. Sharbaugh</u>	<u>Carrolltown Pa</u>
<u>Dennis Link</u>	<u>Carrolltown Pa</u>
<u>Walter A. Conrad</u>	<u>Carrolltown Pa</u>
<u>S. J. Miller</u>	<u>Carrolltown Pa Feb 18</u>
<u>A. A. Feighner</u>	<u>Carrolltown Pa</u>
<u>Celestine P. Rieg</u>	<u>Carrolltown, Pa</u>

Mr. Mike Simon Patton Pa R.D. 1. Box 25  
W A Burkhardt Patton Pa. P. D. Box 23  
V J Eckenrode Patton Pa R.D. #1  
H. M. Gooderham Patton Pa R.D. #1  
Luke Dunlap Patton Pa R.D.  
G. W. Muesel Carrolltown Pa. R.D. 1  
Joseph Feighner Carrolltown Pa D  
A. J. Hoover Patton Pa. R. D. #1  
W. H. Baker Carrolltown Pa  
Geo Baker Carrolltown Pa  
Joseph Leck Carrolltown Pa R.D.  
John Leck Carrolltown Pa R.D.  
C. A. Beamer Chambers R.D. #1  
W. J. Smyler Carrolltown  
John J. Weisner Carrolltown  
P. J. Smith 17  
P. C. Strittmatter Patton Pa R.D. #1  
C. L. Kohlman Patton Pa  
L. T. Strittmatter Patton Pa  
Harry J. Hoover

State of Pennsylvania

County of Cambria

SS:

E. H. Kartheim

being duly sworn accord-

ing 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 26<sup>th</sup> day of February, 1931.

James Mellon Jr.

E. H. Kartheim

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 7th day of March 1931, asking for the appointment of viewers to vacate the road in said petition described.

Sheetz & Nelson  
Attorneys for Petitioners.

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

J. P. Dehouse  
Clerk.  
#204.

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 7th day of March 1931, asking for the appointment of viewers to vacate the road in said petition described.

Sheetz & Nelson  
Attorneys for Petitioners.

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

L. A. Geckley  
T. W. Cunningham  
John A. Springer  
Supervisors of East Carroll Township.

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

Re: Vacation of Road in East Carroll  
Township.

PETITION FOR APPOINTMENT OF VIEWERS.

And now, March 2, 1931,  
with petition read and con-  
sidered and Allshouse  
vs. J. D. Ritter and  
Abraham Shuman affi-  
davit  
By the Court,  
Evans

Filed 2 March 1931

SHETTIG & NELSON  
ATTORNEYS AT LAW  
EBENSBURG, PA.