

To the Honorable A.V. Barker, President Judge of the Court of  
Quarter Sessions of Cambria County.

The petition of the undersigned respectfully represents,  
That they labor under inconvenience for want of a public road to  
begin, in the public road intersecting the Frankstown road, at a point  
near the Davis school house in the township of Portage, and to end  
in a public road leading from Portage, at or near the southwest corner  
of the cemetery lot in the said township of Portage. The petitioners  
therefore pray the court to appoint three persons qualified according  
to law to view the ground proposed for such road, and if they should see  
occasion to lay out the same, to inquire of and vacate that part of the  
public road now opened commencing at a point near the Davis school  
house and ending at a point near the residence of the late John McGough  
deceased, in the said township of Portage, which last mentioned road will  
by reason of the laying out of the proposed road, become useless, and  
make report of their proceedings to the next court.

And they will ever pray, &c.

*Sign here*  
Frank Davis      John Enderle 1  
Andrew Davis      Val. Enderle 2  
Lindsay Davis      Peter Enderle 3  
George Hopkins      Fritz Enderle 4  
John Seim      Carl Enderle  
J. Cramer      Jakob Kneutberger  
G. W. Burk      John Kneutberger  
James W. Burk      Fred Kneutberger  
Mary Ann Burk      Fred Kneutberger

Val Lemmer for A. P. ...

John Baker, Jr Henry ...

Leslie J. ... William ...

Henry ... Daniel ...

Joseph ... James ...

Wm F. ... J. ...

Thomas Wilkinson George ...

Friedrich ... Charles ...

Le ... E. ...

John ...

David ...

Martin ...

James ...

John ...

John ...

Patrick ...

John ...

George ...

Thomas ...

John ...

John ...

W. E. ...

Daniel J. ...

John ... Martin ...

W. E. ...

Paul ...

No 4 Sept Dec 1896 <sup>422</sup>

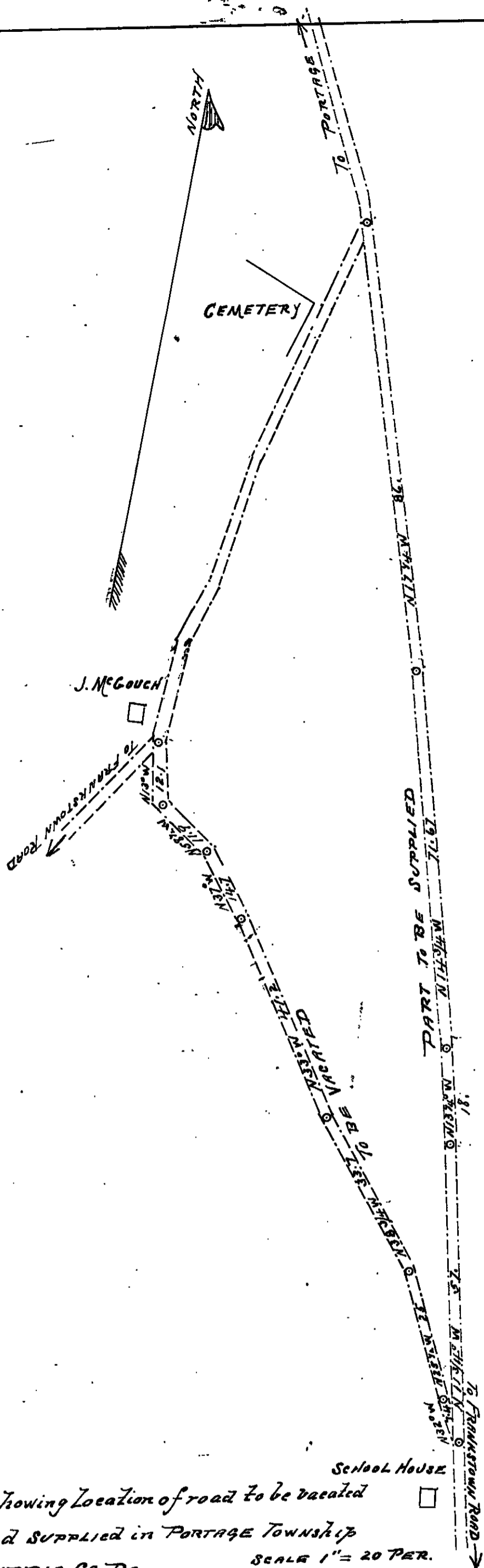
Petition for the appointment of viewers to vacate and supply part of a public road in Portage Township

Filed 5<sup>th</sup> mo 1896

Nov. 5<sup>th</sup> 1896  
petition read and  
P. J. Campbell  
John Muckolland  
Andrew Peetes  
appointed viewers  
By the Court

EVANS & LEECH,  
LAW AND COLLECTION OFFICE,  
EBENSBURG, PA.

HENRY HALL, PRINTER, INDIANA, PA.



SKETCH, showing Location of road to be vacated  
 and supplied in PORTAGE Township  
 CAMBRIA CO, PA,  
 DEC 4<sup>th</sup> 1892.

SCALE 1" = 20 PER.  
 P. CAMPBELL Surveyor

Puritan, Pa.,

Dec. 3rd 1896

To the Honorable Judge of the Court of Quarter  
Session of the Peace of Cambria County.

We the undersigned after being duly sworn as  
Viewers do hereby report that we did view the  
proposed ground for said road and find that there  
is occasion for such a road, and that we did also  
view the ground of the said road to be vacated, and  
herewith attach a plot or draft thereof showing  
the courses and distances of said roads.

P. F. Campbell  
John Mulhollen  
Andrew Beiter

P. F. Campbell	2 days	4 mi.
John Mulhollen	1 "	4 mi.
Andrew Beiter	1 "	4 mi.

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 Fifth day of November A. D. 1896, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the township of Postage in the said County, setting forth that they labor under inconvenience for want of a public road or highway, to ~~lead from~~ begin, in the public road intersecting the Frasskstein road at a point near the Davis school house in the township of Postage and to end in a public road leading from Postage at or near the southwest corner of the cemetery lot in the said township of Postage. The petitioners therefore pray the Court to appoint three persons qualified according to law to view the ground proposed for such road and if they should see occasion to lay out the same to inquire of and vacate that part of the public road now opened commencing at a point near the Davis school house and ending at a point near the residence of the late John McLaugh deceased, in the said township of Postage, which last mentioned road will by reason of the laying out of the proposed road, become useless, and make report of their proceedings to the next Court and therefore praying the Court to appoint proper persons to <sup>view</sup> and lay out the same according to law. The Court upon due consideration had of the premises, do order and appoint P. F. Campbell, SURVEYOR and John Mulholland and Andrew Reiter

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 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, 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:

S. W. Davis

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 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. 4  
Sept. Term 1897

locate and lay out  
Order to view a road to begin  
in public road intersecting  
the former road aka point  
near Davis's house on Postage  
township to cut in public  
road leading from Postage on  
between South west corner of  
corner of lot in township  
of Postage

Filed 7 Dec 96  
Viewers  
P J Campbell  
John Munkland  
Andrew Bester

Wm Davis 90 etc

HERALD PRINT, EBENSBURG, PA.

E. S. Davis

Approved Jan. 20<sup>th</sup> 1897 and breadth of  
part supplied, <sup>based</sup> at Thirty feet  
By the Court.  
Mar 1899 Confirmed  
Wm Davis clerk