

Michael Popish

Jacob Kritzborgen

Phillip Snyder

Mrs. Phillip Snyder

Valentine Cramer

N 3° E. 1909.
Peter Oden Doyle

N 13° E. 813

Plan of the Proposed Private Road in
PORTAGE TOWNSHIP, CAMBRIA COUNTY, PENNA.

Scale: 1 inch = 200 feet. Surveyed Nov. 22, 1900 by
J. Leard Elder,
County Surveyor

Viewers appointed upon an order of the Court of
Quarter Sessions dated Sept. 3, 1900:
J. Leard Elder, J. McDonald and Jno. J. Green

Meridian

Frankstown Road

R. D. 1, Jan 1900
Not Microfilmed

In the Court of Quarter Sessions of Cambria County.

In the matter of the petition of Michael Popish and John Kostvin,
for a private road in Portage Township Cambria County.

No. I June Sessions 1900.

Received 1901, from the above named parties
the sum of ten dollars, in payment in full of the damages allowed
me in said road proceedings.

J. K. Jacob Kaminitzy Burger

Received 1901, from the above named parties,
the sum of twelve dollars, in payment in full of the damages allowed
me in said proceedings.

V. G. Valentini Coroner

Received *March 16th* 1901, from the above named parties the
sum of ten dollars and forty cents in payment in full of my fees
as a surveyor in the above road

J. Leard Elder

Received 1901 from the above named parties the
sum of two dollars and fifty cents in payment in full of my fees
as one of the viewers in the above road.

John J. G. G.

Received 1901, from the above named parties the sum
of two dollars and fifty cents in payment of my fees as one of the
viewers in above road.

J. J. McDonnell

No 1 June 1900 Rd
Fire Road in
Portage Twp

Receipts of Viewers
and of persons to
whom damages
were awarded

Filed 16 Mch 1901

12
01

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

The petition of Michael Popish of Postage
Township Cambria County, Respectfully Represents:

That John Kristern and your petitioner, pre-
sented to this Honorable Court a petition on the 4th
June 1900 asking for the appointment of viewers
for a private road in said Township of Postage,
which said petition is filed to No. 1 June Sessions
1900.

That upon said petition the Court on the 4th
June 1900 appointed Mm. Mc Connell Esq., J. J. Mc
Connell and John J. Green as viewers.

That since the said appointment, your
petitioner is informed, Mm. Mc Connell Esq. one of said
viewers has met with an accident and on account of
the same is unable to travel and to perform his
duty as one of said viewers.

The petitioner therefore prays the Court
to continue the said order to view to the next term
of this Court and to appoint some suitable person
in place of the said Mm. Mc Connell Esq.

And he will &c.

Michaelth Popish

John J. Green, Witness

Kambric County I. J.

Before me a Justice of the Peace
in and for said County of Kambric, personally came
Michael Popich petitioner above named, who being
duly sworn according to law saith that the statements
set forth in foregoing petition are true as he verily
believes.

Sworn and subscribed before
me this 23rd Aug. 1900

John J. Green,
Justice of the Peace.

Michael^{Popich}
Petitioner

No. 1 June Sessions 1900
Road Wicket.

Petition of Michael Pop-
ish for appointment of
a viewer in place of Mm.
McConnell and for a con-
tinuance of the order.

Filed 3 Sept 1900

(see decree on
under)

REED & READE,
ATTORNEYS AT LAW,
EBENSBURG, CAMBRIA CO., PA.

To the Honorable A. W. Baker President Judge of
the Court of Quarter Sessions of Cambria County.

The petition of Michael Popish and John Kostonin
of Portage Township, in said County, Respectfully Represent:

That your petitioners labor under great inconvenience
for want of a private road, to lead from the corner of their
respective properties in Portage Township and to end at a
point on the Franketown road, a public highway leading
from Millmore to Portage and other places, in said County.

They therefore pray the Court to appoint proper
persons to view and lay out the same according to law and
make a report of their proceedings to the next Term of
this Court.

And they will ever pray &c.

Witness
Mathiot Reade }

John Kostonin
his
Michael & Popish
mark

Cambria County J. d.

Before me the County, in and for said
County, personally came John Kostonin one of the petitioners
above named, who being duly sworn according to law, saith that
the statements set forth in foregoing petition are true, as he
verily believes.

Sworn and subscribed before me
this 26 May 1900
S. W. Davis Pro

John Kostonin

101 June Term 1900

Petition of John Kistron
and Michael Popish of Port
Age Township, for a
private road.

Filed 4 June 1900

4th June 1900

William McCune Esq. -

J. J. McDonald^{2d} & Jno. J. Green

are appointed viewers, in
said road and to make their
report to the next term of
this Court.

By the Court

REED & READE,
ATTORNEYS AT LAW,
EBENSBURG, CAMBRIA CO., PA.

To the Honorable A. V. Barker President Judge of
the Court of Quarter Sessions of Cambria County Pennsylvania
We the undersigned viewers appointed by the annexed
order respectfully report that after giving notice by
posting up handbills or notices convenient to the proposed
road as required by law and by also giving notice
to the persons through whose land the proposed private
road passes of the time & place of meeting of the viewers
and having all been present at the view of the
ground proposed for such private road and having
all been first severally sworn or affirmed. We in
pursuance of the said order have viewed and laid out
and do return for private use the following road
of the width of twenty feet to wit: Beginning at corner
of John Kostwin or Michael Popich property in Portage
Township thence North three degrees East through Jacob Krutzberg
Phillip Snyder & Mrs Phillip Snyder lands first ten hundred
and nine feet thence North thirteen degrees East through
Valentine Craun's land Eight hundred and thirtyn
feet to the Frank's town road a public highway
leading from Wilmon to Portage and other places in said
County which said private road as aforesaid laid out
we are of the opinion is necessary for a private road
We award or assess damages for Jacob Krutzberg
to the amount of Ten dollars and award Valentine
Craun Twelve dollars damages by reason
of said private road passing through their land
No damages claimed by Phillip Snyder and Mrs Phillip
Snyder a plot or draft of said
private road is herewith attached
Witness our hand this 1st day

of December 1900.

J. Leard Elder
J. J. McDonnell
Prof Green

J. L. Elder 2 days 8.00
" " 2 1/2 miles 24.0

J. J. McDonnell 1 day 2.00
" " 3 miles 50

Prof Green 1 day 2.00
" " 3 miles 50

15.40

Nov. 7th 1900

To Valentine ~~Comrie~~

Peter Odandoll

You are hereby notified that the viewers appointed by the board of Quarter Sessions of Cambria County, to view the ground, for a private road, leading from the properties of Michael Popish and John Kostwin in Portage Township, Cambria County and to end at a point on the Township road leading from Millmore to Portage, in said County, will meet at the house of Michael Popish, on the 22nd day of November A. D. 1900, to perform their duties as viewers.

J. L. Elder
J. J. J. McDonnell. } Viewers
John J. Green

I have served the within on writ on
Pal. Cramer and Peter Odendall giving
ten days notice. So answers
S. W. Long Court

COMMONWEALTH OF PENNSYLVANIA. }
COUNTY OF GAMBRIA, } SS:

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg in the said County, on the fourth day of June A. D. 1900, before the Honorable Judge of the said Court: Michael Povich and John Kostwin Upon the petition of divers inhabitants of the Township of Portage, in the said County, setting forth that they labor under inconvenience for want of a private road or highway, to lead from the corner of their respective properties in Portage Township and to end at a point on the Frankstown road, a public highway leading from Wilmore to Portage and other places, in said county.

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

William M. Connell Esq. SURVEYOR, and J. J. McDonald and Jno. J. Green

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 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:

A. 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 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 so, 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 June 1900
Session, 1900

ORDER TO VIEW the
ground for a private
road in Portage
Township

Filed 3 Dec 1900

William M. Cornell Esq
Per' J. M. Donald
Viewers Jno. J. Green

CLERK DAVIS for P. M. 90 CTS.
R. R. R.

And now to wit 3 d/ct 1900 on petition of Michael O'Keefe presented to the Court this day, the within return is returned to the next term of Court and J. Simon Elder attorney is appointed in place of said Mm. M. Cornell, to act as a road with the land of M. O'Keefe and Jno. J. Green, owners.
Jan. 14th 1901 approved and marked for
20 Feb. 1901 confirmed as above
16 March 1901 confirmed as above