

Commonwealth of Pennsylvania,

SS:

County of Cambria,

At a Court of Quarter Sessions of the Peace held at Ebensburg in and for the County of Cambria, on Monday, March 9th A. D. 1908, the petition of divers inhabitants of the Township of Portage was presented to the Honorable Court, setting forth:

That they labor under great inconvenience for want of a public road or highway beginning at a point where Railroad Avenue of the Borough of Portage intersects the Eastern line of said Borough, adjoining Portage Township, and ending at a point where the riad from Portage intersects the road from Jamestown near what was formerly the Sonman Station on the Old Pennsylvania Railroad main line, in the 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 of they see occasion lay out the same, and make report of their proceedings to the next Term of this Court. That notice of this application has been given to the Supervisors of the said Township of Portage as required by law and as shown by the certificate of service of notice hereto attached.

And they will ever pray, etc.,

And now, March 9th 1908, the within petition read and considered, whereupon the Court do appoint Frank D. Baker, and A. J. Skelly Esq., and Charles N. Crouse a Surveyor, three persons qualified as Viewers as prayed for in the within petition, who after being respectively sworn or affirmed to perform their duties impartially and according to the best of their judgment shall view the ground proposed for said road, and if they, or a majority of them, agree that there is occasion for such a road, they shall proceed to lay out the same, having respect to the shortest distance, and the

best ground for the road, and in such manner as shall do the least injury to the private property, also as far as practicable agreeably to the desire of the petitioners; and if practicable the Viewers shall lay out the said road at an elevation not exceeding five degrees except with the crossing of ravines and streams, whereby moderate filling and bridging the declination thereof may be preserved within that limit; and before said view public notice of the time and place of meeting of the Viewers shall be given by advertisements put up in three or more of the most public places in the vicinity at least ten days before said meeting and written notice of said time and place of meeting shall be given to the Supervisors of each of the Townships through which the proposed road may pass at least five days and to the County Commissioners or their Clerk at least six days before said meeting and a copy of such written notice properly attested shall be filed with the Report of the Viewers. The said Viewers shall make report at the next term of Court stating particularly who of them were present at the View, whether they were severally sworn or affirmed, and whether the desired road be necessary for a public or private road, and shall also annex to their report and return to the Court a plot or draft of said road stating the courses and distances and noting briefly the improvements through which it may pass. If the Viewers shall decide in favor of locating a public road they shall also endeavor to procure from the owners of lands over which it shall pass releases in writing of all claims for damages that may arise from opening the same, and if they fail to procure such releases, they shall assess the damages if any to be done thereby taking into consideration the advantages to be derived from the road passing through said lands and return the same together with the release of claim to the Court.

By the Court.

S. S. Kunkel CLERK.

In re Public Road
in
Portage Township.

Order to View.

Frank D. Baker

A. J. Skelly, Esq. # 10.00

Charles N. Crouse 5.00

Viewers

Clk. Kinhead \$ 2.00

E. & E.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY.

IN THE MATTER OF THE PETITION FOR)
PUBLIC ROAD IN PORTAGE TOWNSHIP.) No. 4 March Sessions, 1908, R.D.

TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF SAID COURT:-

We, the undersigned, appointed by the annexed Order, do report:

That in pursuance thereof after having been severally duly sworn or affirmed, all the Viewers appointed by said Order viewed the ground proposed for the within mentioned road and do agree that there is no occasion for the road as desired by the Petitioners, and that the same is not necessary for a public road.

We further report that before the said View, public notice of the time and place of meeting of the Viewers was given, by advertisements put up, three at the point or place of beginning of said road and three at the place of ending of said road, and in other public places, ten days before said meeting; and that written notice of the time and place of said meeting was given to the Supervisors of said Township of Portage through which said road passes at least five days before the time for meeting, and to the County Commissioners at least six days before the time of said meeting.

WITNESS our hands and seals this 1st day of Sept.,
A.D., 1908.

Frank W. Baker (SEAL)

A. J. Kelly (SEAL)

Chas. J. Brown (SEAL)

Bill of Costs

In Road view Borings Twp March Ass. No 4 - 1908

Frank O. Proter	2 days view (Amigo)	10.00	
"	17 miles	<u>.85</u>	10.85
A. J. Kelly	view 2 days	6.00	
"	3 miles	<u>.15</u>	6.15
Chas N. Crase	view 1 day	3.00	
"	3 miles	<u>.15</u>	3.15

NOTICE OF ROAD VIEW

NOTICE is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County to view the ground for a public road, beginning at a point where Railroad Avenue of the Borough of Portage intersects the Eastern line of said Borough, adjoining Portage Township, and ending at a point where the road from Portage intersects the road from Jamestown near what was formerly the Sonman Station on the old Pennsylvania Railroad main line, in the Township of Portage, will meet at the place of beginning of said road, in the Borough of Portage on the 25th day of August 1908, at 1 o'clock P.M. for the purpose of viewing said ground.

F. D. Baker

A. J. Skelly

Chas. H. Brouse

Aug 30th 1908

Copy

Cambria Co. ss

Commonwealth of Pennsylvania

On this ^{twentieth} day of May 1908 personally
came ^{Charles H. Crowl} A. J. Skelley and Frank W. Prater
who personally appeared before me a Justice
of the Peace in and for said County and
who being duly sworn according to law say
that they will as viewers perform their duties
impartially and according to the best of
their judgment in viewing and locating
a public road to begin at at a point
where Railroad ave of the Penn of Portage
intersects the Eastern line of said Penn,
adjoining Portage Twp, and ending at
a point where the Road from Portage
intersects the road from Jamestown
near what was formerly the Downer Station
on the old Pennsylvania R.R. main line,
in the Twp of Portage

A. J. Skelley
Frank W. Prater
Charles H. Crowl

Sworn & subscribed to before me
this twentieth day of May 1908.

Wm. Plim
Justice of the Peace

Witness my hand & seal
this 25th day of May 1908

My Commission Expires
first Monday of May 1912

to contain a plan of the proposed road and to view the same
of the Borough of Portage, Cambria County, Pennsylvania
at the place of beginning of said road, in the Borough of Portage,
on the 20 day of May, 1908, at 9 o'clock, A.M., for the purpose of viewing said ground.

NOTICE OF ROAD VIEW.

NOTICE is hereby given that the Viewers appointed by the Court of Quarter Sessions of Cambria County to view the ground for a public road, beginning at a point where Railroad Avenue of the Borough of Portage intersects the Eastern line of said Borough, adjoining Portage Township, and ending at a point where the road from Portage intersects the road from Jamestown near what was formerly the Sonman Station on the old Pennsylvania Railroad main line, in the Township of Portage, will meet at the place of beginning of said road, in the Borough of Portage, on the 20 day of May, 1908, at 9 o'clock, A.M., for the purpose of viewing said ground.

F. D. Baker

A. J. Kelly

Chas. W. Crouse

April, 9, 1908.

And now May 9 - 1909 I accept under \$0 -
the written view of the proposed road from
Portage to Soudan on behalf of the
Board Road Commissioners of Portage Township
Charles Mangels

F. D. Baker
W. H. K. K. K.
W. H. K. K. K.

No. 4 March Sessions, 1908, R.D.

IN THE MATTER OF THE PETITION
FOR PUBLIC ROAD IN PORTAGE
TOWNSHIP.

REPORT OF VIEWERS.

*Filed 7 September, 1908,
in open Court*

Evans & Evans.
Attorneys - at - Law
EBENSBURG, - PA.

Baltimore Office Supply Co., Balto., Md.

*Sept. 7, 1908, Approved
P.E.
C. W. Haney, Jr., Sec. Dist.
Specially Received*

KNOW ALL MEN BY THESE PRESENTS, That we, A. T. HYDE, Principal, and John Zimmerman, Surety, are held and firmly bound unto the County of Cambria in the State of Pennsylvania, in the sum of ONE HUNDRED DOLLARS, lawful money of the United States to be paid to the said County of Cambria, its successors or assigns, to which payment well and truly to be made we do bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals. Dated the 9th day of March, A.D., 1908.

WHEREAS a Petition has been filed in the Court of Quarter Sessions of the Peace in and for the County of Cambria, Pa., for the appointment of Viewers to lay out a public road in the Township of Portage, in the said County of Cambria, and assess damages according to law for the opening thereof, said proposed public road being described as follows: Beginning at a point where Railroad Avenue of the Borough of Portage intersects the Eastern line of said Borough, adjoining Portage Township, and ending at a point where the road from Portage intersects the road from Jamestown near what was formerly the Sonman Station on the old Pennsylvania Railroad Main line, in the Township of Portage.

NOW the Condition of this Obligation is such, that if the above bounden shall pay the Viewers and all costs of said proceeding then this Obligation to be void, otherwise to be and remain in full force and virtue.

Signed and Sealed in the
presence of

M. Johnson.

A. T. Hyde (SEAL)

John Zimmerman (SEAL)

No. 4 March Sessions, 1908.

IN THE COURT OF QUARTER
SESSIONS OF CAMBRIA COUNTY.

IN RE PETITION FOR VIEWERS
TO LAY OUT PUBLIC ROAD IN
PORTAGE TOWNSHIP, CAMBRIA
COUNTY.

Filed June 1, 1908

And now, *June 1, 1908*,
the within Bond is approved
and leave granted to file the
same Nunc pro Tunc as of the
9th day of March, A.D., 1908.

By the Court

Evans & Evans,
Attorneys - at - Law
EBENSBURG, - PA.

Baltimore Office Supply Co., Balto., Md.

TO THE HONORABLE FRANCIS J. O'CONNOR,

PRESIDENT JUDGE OF THE COURT OF

QUARTER SESSIONS OF CAMBRIA COUNTY:

The Petition of the undersigned inhabitants of the Township of Portage in the said County of Cambria respectfully represents:

That they labor under great inconvenience for want of a public road or highway, beginning at a point where Railroad Avenue of the Borough of Portage intersects the Eastern line of said Borough, adjoining Portage Township, and ending at a point where the road from Portage intersects the road from Jamestown near what was formerly the Sonran Station on the old Pennsylvania Railroad main line, in the 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 see occasion, lay out the same, and make report of their proceeding to the next Term of this Court. That notice of this Application has been given to the Supervisors of the said Township of Portage as required by law and as shown by the certificate of service of notice hereto attached.

And they will ever pray, etc.,

John Timmerman

E.A. Webb.

George W. Beese

John Schult

Hermann Busch

Samuel Hall

W. Richards

~~W. Richards~~

W. M. Cardell

Henry Duffins

Gust Johnson

Charles Hagan

Thomas Duffins

Lewis B. Bowman

J. D. Powell

~~Wm. Zimmerman~~

Theodore Howmiller

Bernard Pausch

August Peachman

Harry Peachman

W. Zimmerman

J. H. Richard

STATE OF PENNSYLVANIA,)
) SS:
COUNTY OF CAMBRIA,)

Jean Zimmerman,

being duly sworn, according to law, doth depose and say, that the facts set forth in the above and foregoing Petition are true and correct.

Sworn and Subscribed before me

Jean Zimmerman

this 4 day of March, A.D.,

1908.

John J. Green
Notary Public

My Commission Expires 1/16/09

To { A. W. Rojohn
Chas Mangus
Jacob Kreutzberger

Supervisors of the Township of Portage, Cambria County, Pennsylvania:

You are hereby notified that an application will be made to the Court of Quarter Sessions of Cambria County, on Monday the 9th day of March, 1908, for the appointment of Viewers to view the ground and if they see occasion, lay out a road from a point where Railroad Avenue of the Borough of Portage intersects the Eastern line of said Borough, adjoining Portage Township, and ending at a point where the road from Portage intersects the road from Jarostown near what was formerly the Sonman Station on the old Pennsylvania Railroad main line, in the Township of Portage. Notice of which said application is hereby given you.

E. J. Hyde & Evans

Attorneys for Petitioners.

State of Pennsylvania }
County of Cambria } ss. Before me the Subscriber personally
appeared A. J. Hyde whom being duly sworn
doth depose and say that he personally served a true copy
of the foregoing notice on A. W. Rojohn, Chas Mangus and
Jacob Kreutzberger Supervisors for Portage Township by reading
same and leaving with each of them a true copy of same.

A. J. Hyde

Sworn and Subscribed

This 4th day of March and 1908

Before John J. Green Notary Public
My Commission expires 11/16/10

DECREE.

AND NOW, March 9th, 1908, the within Petition read and considered, whereupon the Court do appoint Frank A. Baker, and A. J. Kelly, Esq. and Charles W. Crouse, a Surveyor, three persons qualified as Viewers as prayed for in the within Petition, who after being respectively sworn or affirmed to perform their duties impartially and according to the best of their judgment shall view the ground proposed for said road, and if they, or a majority of them, agree that there is occasion for such a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for the road, and in such manner as shall do the least injury to the private property, also as far as practicable agreeably to the desire of the petitioners; and if practicable the Viewers shall lay out the said road at an elevation not exceeding five degrees except with the crossing of ravines and streams, whereby moderate filling and bridging the declination thereof may be preserved within that limit; and before said view public notice of the time and place of meeting of the Viewers shall be given by advertisements put up in three or more of the most public places in the vicinity at least ten days before said meeting and written notice of said time and place of meeting shall be given to the Supervisors of each of the Townships through which the proposed road may pass at least five days and to the County Commissioners or their Clerk at least six days before said meeting and a copy of such written notice properly attested shall be filed with the Report of the Viewers. The said Viewers shall make report at the next term of

Court stating particularly who of them were present at the View, whether they were severally sworn or affirmed, and whether the desired road be necessary for a public or private road, and shall also annex to their Report and return to the Court a plot or draft of said road stating the courses and distances and noting briefly the improvements through which it may pass. If the Viewers shall decide in favor of locating a public road they shall also endeavor to procure from the owners of lands over which it shall pass releases in writing of all claims for damages that may arise from opening the same, and if they fail to procure such releases, they shall assess the damages if any to be done thereby, taking into consideration the advantages to be derived from the road passing through said lands and return the same together with the release of claim to the Court.

By the Court

No. 4 March Session 1908

COURT OF QUARTERS
COUNTY OF CAMBERIA COUNTY, PA.

Petition for appointment of
viewers to view the ground
and lay out public road in
Portage Township, Cambria
County, Pennsylvania.

Filed 9 March 1908

Evans & Evans,
Attorneys - at - Law
EBENSBURG, - PA.

Baltimore Office Supply Co., Balto., Md.