

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

In Re Order to View &

Vacate Road leading from
Head of Plane No. 2, to a
point in said Road 1340
ft. northwesterly from
old Sorman Station

in
Portage Township.

Of Dec. Sessions, 1911.

No. 4.

Petition filed July 8, 1912,

Exceptions to Report of Viewers,

To the Honorable Merlin Bingham Stephens,
President Judge of said Court, -

The petitioners in the above-stated case, by
Thomas J. Stell, their attorney, file the following
as exceptions to the report of Viewers, respectfully
praying that they may be considered as reasons
why said report should be referred back to
the Viewers for correction in conformity with
the petition and order to view; to wit: -

(1) The report relates to the entire length of the road
leading from the Head of Plane No. 2 to the intersection
with the road leading to Jonestown, at old Sorman Station,
whereas the petition and order specified only a sec-
tion of said road from the Head of Plane No. 2, to a
point on said road 1340 feet northwesterly from said
old Sorman Station; which is not in accordance
with the petition and order to view.

(2) The School house and residences mentioned
in the report are not along the short section of
road which it is proposed to vacate, as mentioned
in petition and order to view. -

Thomas J. Stell, Atty. for
Petitioners for ~~the~~ Viewers,

Cambridge County, S.D.

Thomas J. Still, attorney for the
petitioners in the foregoing ~~petition~~ pro-
ceedings, being duly sworn according to law,
says that he is familiar with the statements
of facts contained in the foregoing petition
exceptions, and that the said statements are
true and correct.

Thomas J. Still,
Sworn and subscribed before me this
3rd day of June 1912,

J. S. Kirkland, Notary Public

No. 4 Dec. Term, 1911, R.D.

Quarter Sessions

and Court

Exceptions

Filed 3 June, 1912.

Thomas J. Still

In the Court of Quarter Sessions of Columbia
County, Penn'a.

No. 4 December Sessions, 1911.

Road Docket.

Now, Aug. 6, 1912, it appearing from the
exceptions filed in the above stated case,
taken in connection with the petition and
the order to view, that clerical errors
and omissions have been made in the
report of viewers, on motion of Thomas J.
Still, attorney for petitioners and also for
exceptants, the said report is referred
back to the viewers for correction in
accordance with the facts and the
order of view, By the Court

No. 4 Dec. Sessions, 1911,
Road Booklet, -

In Re Road in Portage
Township, -

Order Referring Report of
Viewers back to viewers
for correction of
errors, -

Filed 6 August, 1912,

Thomas J. Still.

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

To the Honorable Marlin Bingham Stephens, President Judge
of said Court:-

The petition of the undersigned inhabitants and citizens
of the Township of Portage in said county, respectfully repre-
sents:-

That a road hath long since been laid out and in use ex-
tending from the public road at the head of Plane No. 2, which
said point ~~is~~ indicated by a post 1160 feet easterly along said
public road from its intersection with the public road laid out
~~upon~~ what is known as the New Portage, along Plane No. 2, to a
point indicated by a post in said road ~~1340~~ feet northwesterly
~~from~~ the intersection of said public road leading from old Son-
man Station to Jamestown in the Township of Portage, which said
portion of public road your petitioners believe has become use-
less, inconvenient and burdensome to the inhabitants of said
township, as its place is to be taken and supplied by other
public roads since laid out and to be opened; said road is a por-
tion of a public road originally laid out to lead from ~~the Red School~~
~~House to Plane No. 2, in Washington Sup.~~ in
the said Township of Portage, entered in Road Docket Vol. 8
at page 187.

Your petitioners therefore pray your Honorable Court that
said road may be vacated agreeable to the Act of Assembly in such
case made and provided, and that viewers may be appointed to
make report thereof to your Honorable Court; and they will ever
pray, etc.

Geo. Brown
J. G. Richardson
Henry Reiter
E. H. G. [unclear]
Fred Paul

James Still
Charles Quinn
Frank Brookbank
Lindsay Davis
Jesse Burns
Bess Burns
Tom McCall
Ralph Roberts
Patrick Roberts
Mike Sney

This is to certify that the undersigned, the Supervisors of Portage Township, have had due notice of the intended presentation of the foregoing petition to the Court of Quarter Sessions of Cambria County, William Hessel
Albert Wynkoop
David Brookbank

State of Pennsylvania, }
County of Cambria, } SS.
M. R. Fry, one of
the above petitioners, being duly sworn according to law, says that the statements of fact set forth in the above and foregoing petition are true and correct, and that the signatures thereto are those of citizens and inhabitants of the Township of Portage in said county.

M. R. Fry
Sworn and subscribed to before me this 5th day of February A.D. 1912,

Robert George
My comm. expires

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. 4 December SESSION, 1917

vacate
 Order to "Hew Road from head of Plane No. 2 to a point in said road northwesterly from old Sonamn Station Portage Twp.

Filed 6 March, 1917, in open court.

Viewers.
 A. M. Shoemaker
 P. F. Campbell
 John Singer

Clerk Pa. by A. T. S. 90 cts.
 I TELL

REPUBLIC MOUNTAINEER-RECORD ELECTRIC PRINT.

6-17-17 646

6 March, 1917. Approved.

By W. C. Carr

R E P O R T O F V I E W E R S .

To the Honorable: Marlin Bingham Stephens, President
Judge of the Court of Quarter Sessions of Cambria County; Pa.

We, the undersigned members of the Board of Viewers, appointed by your Honorable Court to view a certain piece of road in Portage Township--with the view of vacating the same if it were found to have become useless and burdensome to the taxpayers of the Township; as shown by 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; to the Supervisors of Portage Township; by having them accept service of notices, which are attached to this report, and to the public by printed handbills posted in public and conspicuous places at and near the site or termini of the piece of road proposed to be vacated; the first day of March at 10 o'clock A. M. being fixed by the notices as the time of meeting of the viewers, which time was fixed by the Attorney for the Petitioners without the knowledge of the Viewers and was later, to wit; on the first day at the time and place noted on the notices for the time and place of the meeting, adjourned to the following day (March 2nd) at the same hour when and where two Supervisors of the Township and a number of citizens appeared and all the Viewers met in accordance with the notice given as above noted and having been first duly qualified according to law to perform the duties of our appointment faithfully, impartially and to the best of our ability; we viewed the premises and are of opinion that the piece of

road in question or any portion thereof should not be vacated at this time.

We have been informed that two other roads have been laid out between Portage and Sonman but up to the present time as we are informed, neither road has been directed to be opened, which if they or either of them were opened might make considerable difference, but until some other way is opened for the convenience of the traveling public in that district we are convinced that the citizens in the vicinity of this road will be considerably inconvenienced if the same is vacated, and the citizens of Portage and Sonman would each be required to travel approximately one and one fourth miles farther around to get from either place to the other; and owing to the location of the Towns, just noted, there must necessarily be considerable travel between the two places by persons going to and from Sonman to the Pennsylvania Railroad Station, the Express Office, Stores and Churches at Portage.

Moreover there is a schoolhouse and several residences along the short strip of road which under present conditions we are of opinion ought not to be shut off from an outlet toward Portage.

The road, the whole or a portion of which is proposed to be vacated as shown on the plot or draft hereto attached and made a part of this report, takes the following courses and distances:

Beginning at the head of Plane No. 2 where said road intersects with the Public road leading from Portage to Jamestown, in Portage Township, thence South twenty-six degrees East two hundred and fifty feet, crossing a bridge over the Main line

of the Pennsylvania Railroad, thence South fifty degrees East five hundred and fifty feet, thence South fifty-three degrees East one hundred and forty-three feet, thence South twenty-nine degrees East crossing a small stream three hundred and fifteen feet, thence South forty degrees East two hundred seventy-four feet passing a public school house, thence South sixty-six degrees East, fifty-eight feet to a point in the public road near the old Sonman Station, said East mentioned road leading from Sonman to Jamestown in said Township of Portage.

Witness our hands this fourth day of March A. D. 1912.

A. M. Shoemaker

P. F. Campbell

John L. Singer

Cost of View
A. M. Shoemaker
 2 Days \$10⁰⁰
 Lifting Order 90
 Milage & meal 1¹⁰
P. F. Campbell
 1 1/2 Day 7⁵⁰
John L. Singer
 1/2 Day 2⁵⁰
 Livery Hire 2⁵⁰
 Meal 50

ROAD NOTICE!

NOTICE IS HEREBY GIVEN THAT THE VIEWERS APPOINTED BY THE COURT OF QUARTER SESSIONS TO VIEW THE GROUND *public road, beginning at the head of Plane No. 2, at a point 160 ft. Easterly from its intersection with the road known as the New Portage, and ending at a point in said road 1340 ft. to the North West from the intersection of said public road leading from the old summit station to James-town, in the township of Portage, Cambria Co., Pa.* to determine as to the propriety of vacating said piece of road

WILL MEET AT THE HOUSE OF *head of Plane No. 2,* IN THE TOWNSHIP OF *Portage* AFORESAID, ON THE *29th* DAY OF *February*, 19*12*, AT *10:00* CLOCK *a.m.*, FOR THE PURPOSE OF VIEWING SAID GROUND.

W. M. Shoemaker
P. F. Campbell
John D. Singer
VIEWERS.

Feb'y 14th 1912

Now, Feby., 14, 1912, Service of the within notice
accepted for the County Commissioners
of Cambria County, Pa.

W. B. Hoyle
County Clerk

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ROAD NOTICE!



NOTICE IS HEREBY GIVEN THAT THE VIEWERS, APPOINTED BY THE COURT OF QUARTER SESSIONS TO VIEW THE GROUND *public road, beginning at the head of plane no. 2, at a point 1160 ft. Easterly from its intersection with the road known as the New Portage, and ending at a point in said road 1340 ft. to the north west from the intersection of said public road leading from the old Jorman Station to Jamestown, in the township of Portage, Cambria Co., Pa. - to determine as to the propriety of re-estabing said piece of road*

WILL MEET AT THE HOUSE OF *head of Plane no. 2,* IN THE TOWNSHIP OF *Portage* AFORESAID, ON THE *1st* DAY OF *March* 19*12*, AT *10:00* O'CLOCK *a.m.*, FOR THE PURPOSE OF VIEWING SAID GROUND.

Feb'y 12/1912

A. W. Shoemaker
J. F. Campbell
John S. Singer
 VIEWERS.

Now, Feby 19th 1912, service of the within
notice accepted by the undersigned
Supervisors of the Township of Portage

Albert W. Gagnier

Wm. Helsel

Supervisors

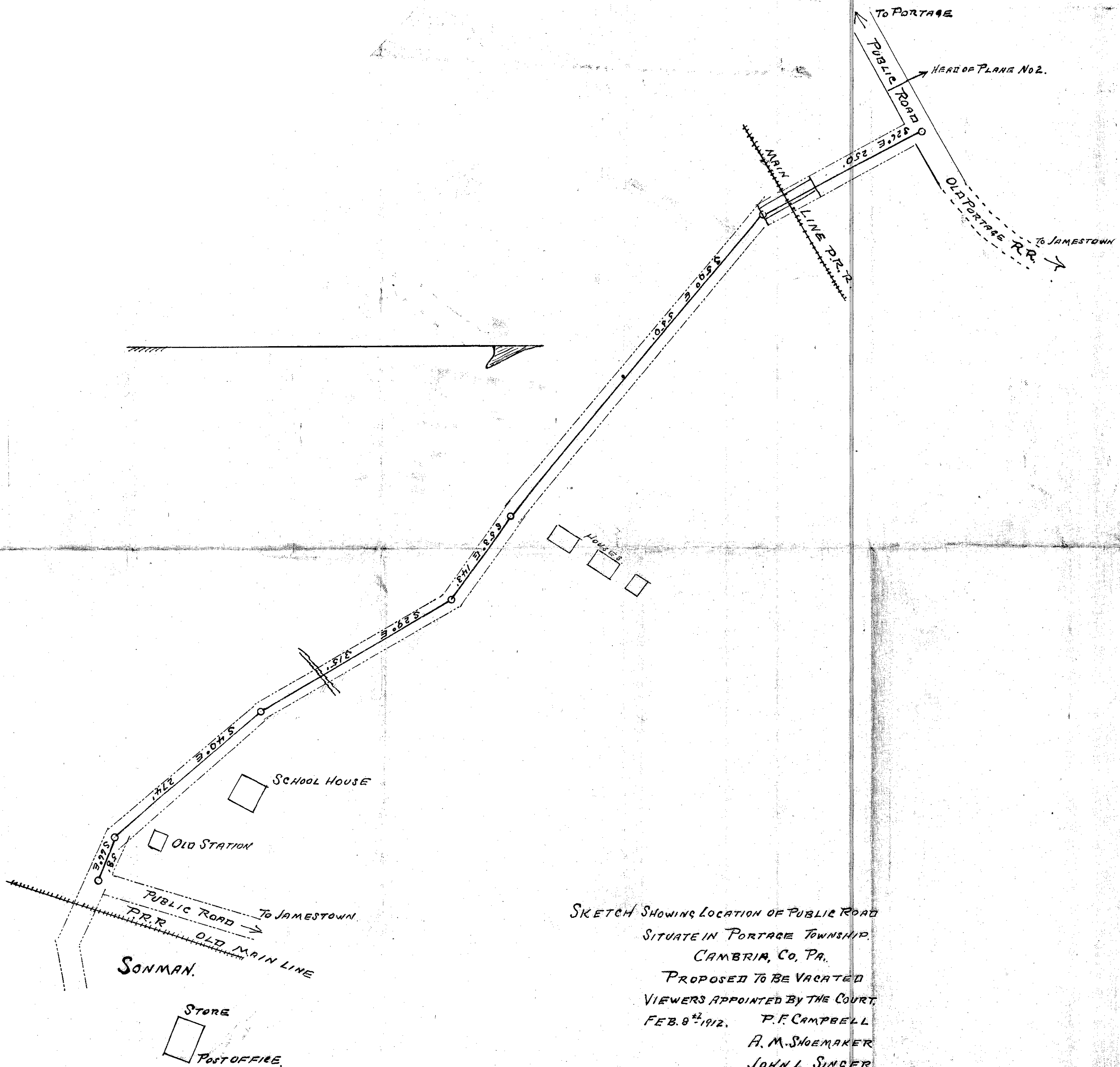
ROAD NOTICE!

NOTICE IS HEREBY GIVEN THAT THE VIEWERS APPOINTED BY THE COURT OF QUARTER SESSIONS TO VIEW THE ~~GROUND~~ *public road beginning at the head of plane No. 2, at a point 1160 ft. easterly from its intersection with the road known as the New Portage, and ending at a point in said road 1340 ft. northwesterly from the intersection of said public road leading from the old town and station to Jamestown, in the township of Portage, Cambria Co., Pa.; to determine as to the propriety of vacating said piece of road.*

WILL MEET AT THE ~~HOUSE~~ *head* OF *Plane No. 2* IN THE TOWNSHIP OF *Portage* AFORESAID, ON THE *14th* DAY OF *March* 19*42*, AT *10:00* O'CLOCK *a.m.* FOR THE PURPOSE OF VIEWING SAID GROUND.

Feb'y 14th

Wm. J. Shoenaker
P. H. Campbell
John T. Singer
VIEWERS.



SKETCH SHOWING LOCATION OF PUBLIC ROAD
 SITUATE IN PORTAGE TOWNSHIP,
 CAMBRIA, CO., PA.
 PROPOSED TO BE VACATED
 VIEWERS APPOINTED BY THE COURT,
 FEB. 9th 1912. P. F. CAMPBELL
 A. M. SHOEMAKER
 JOHN L. SINGER
 MARCH 2-1912 SCALE 1" = 100 FT.