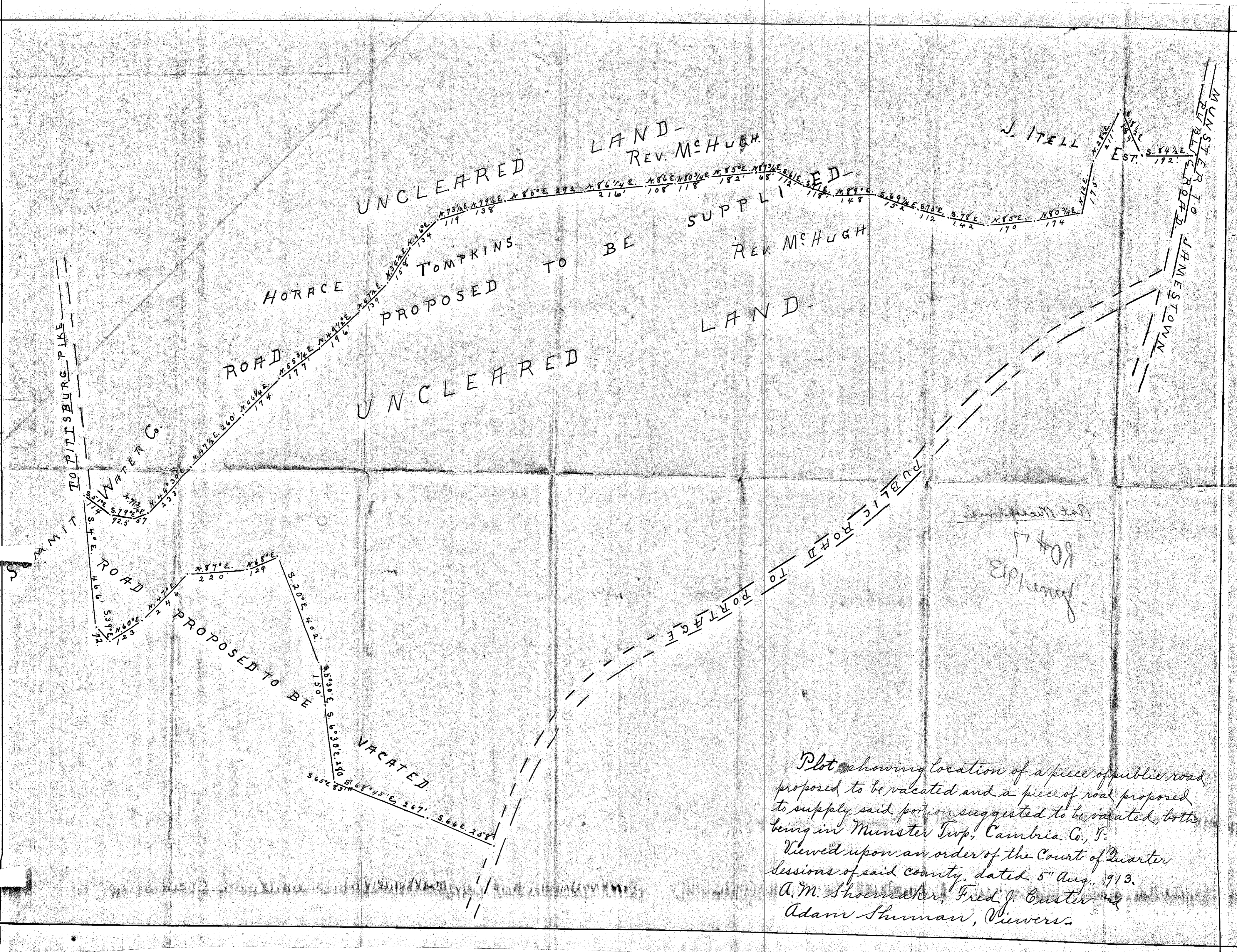


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to Sup. Court
order of the Court of
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er, Fred J. Bunker
over, Bunker



LAND -
REV. McHUGH.

HORACE TOMPKINS ROAD
PROPOSED TO BE
UNCLEARED

SUPPLIED -
REV. McHUGH
LAND -

J. ITELL
EST. S. 84 1/2 E. 192.
MUNSTER TO PUBLIC ROAD TO JAMESTOWN

TO PITTSBURG PIKE
WATER CO.
ROAD
PROPOSED TO BE
VACATED

PROPOSED TO BE
VACATED

PUBLIC ROAD TO PORTAGE TO JAMESTOWN

Plot for
E. J. King

Plot showing location of a piece of public road proposed to be vacated and a piece of road proposed to supply said portion suggested to be vacated, both being in Munster Twp., Cambria Co., Pa.
Viewed upon an order of the Court of Quarter Sessions of said County, dated 5th Aug., 1913.
A. M. Shoemaker, Fred J. Custer
Adam Sherman, Viewers.

Report of Viewers.

To the Honorable Marlin Bingham Stephens, President Judge of the Court of Quarter Sessions of Cambria County, Penn'a.

We, the undersigned members of the Board of Viewers of Cambria County, appointed by your honorable Court upon the attached order, for the purpose therein set forth, respectfully report:

That having given due public notice of the view and of the time and place of meeting of the viewers, to the Commissioners of Cambria County and the Supervisors of Munster Township, by 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 of the roads to be viewed: And in accordance with the notices so given, all of us met 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 prayer of the petitioners should be granted and the road, beginning at a point on the Ebensburg and Portage road- via O'Haras Mill- seventeen hundred feet South from where said road meets the Pittsburg Pike, in Munster Township, and taking the following courses and distances, viz; South four degrees East 466 feet, South thirty nine degrees East 72 feet, North sixty degrees East 123 feet, North forty seven degrees East 246 feet, North eighty seven degrees East 220 feet, North sixty eight degrees East 129 feet, South twenty degrees East 402 feet, South five and one half degrees East 150 feet, South six and one half degrees East 280 feet, South sixty five degrees East 83 feet, South sixty eight and three fourths East 267 feet and South sixty six degrees East 258 feet, to a point on the public road leading from the Pittsburg Pike at Munster to Portage 14102 feet South of its intersection with the said Pike, should be vacated; and instead

a road beginning at the place of beginning of the piece of road suggested to be vacated and taking the following courses and distances, viz: South 51 degrees East 114 feet; South 79 degrees East 92 1/2 feet; North 71 3/4 degrees East 57 feet; North 44 1/2 degrees East 233 feet; North 47 1/2 degrees East 260 feet; North 46 1/4 degrees East 174 feet; North 55 3/4 degrees East 177 feet; North 49 1/2 degrees East 196 feet; North 47 1/2 degrees East 139 feet; North 34 1/2 degrees East 158 feet; North 46 degrees East 134 feet; North 73 1/2 degrees East 119 feet; North 79 degrees East 138 feet; North 85 degrees East 292 feet; North 86 1/2 degrees East 216 feet; North 86 degrees East 108 feet; North 80 3/4 degrees East 118 feet; North 85 degrees East 182 feet; North 87 3/4 degrees East 68 feet; South 61 degrees East 112 feet; South 71 degrees East 118 feet; North 89 degrees East 148 feet; South 69 1/4 degrees East 152 feet; South 75 degrees East 112 feet; South 78 degrees East 142 feet; North 85 degrees East 170 feet; North 80 3/4 degrees East 174 feet; North 12 degrees East 175 feet; North 28 degrees East 91 feet; North 29 degrees East 120 feet; South 18 1/2 degrees East 184 feet; and South 84 1/2 degrees East 192 feet, should be supplied.

A plot or draft showing the location of the piece of road proposed to be vacated and the piece proposed to be supplied is hereto attached, made a part of this report and returned for public use.

Witness our hands this 29th. day of August, 1913.

A. M. Shoemaker

G. J. Cruster

Adam Shuman
Viewers.

Area to Supply Rd - Munster Sp.

Cambria County, Pa.

To Fred J. Custer

1 Day \$5.00

32 Mills Conemaugh to Ebget. 1.60

Sivery hire Ebq to View & ret to Ebq 1.33

Adam Sherman

1 Day 5.00

20 mi to Ebq & ret to Newt & Co. 1.00

Sivery Ebq to place of View & ret 1.33

Am Shoemaker

Lifting Order .90

4 Days 20.00

Sivery Hire 1.34

2 Prints .75

22.99

Notice of View!

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the *to determine the propriety of vacating a piece of public road in Munster Tp. from a point on the Wheelburg & Portage road - via O'Hara's Mill - 1700 ft. So. from where said road meets the Pittsburg Pike, in said Tp. and to end on road from Munster to Jamestown, 14102 ft. So. of its intersection with the Pittsburg Pike, at Munster; and to supply from place of beginning of piece of road proposed to be vacated to a point on said road from Munster to Jamestown, 13560 ft. So. of its intersection with said Pittsburg Pike*

will meet at the *place of beginning, above noted*, in the Township of *Munster* aforesaid, on the *27th* day of *August*, 1913 at *9:15* o'clock *a.m.*, for the purpose of viewing said ground.

A. M. Shoemaker
Adam Shuman
Fred J. Custer
Viewers.

Aug 15th 1913

Now Aug. 14th 1913 Service of within notice
accepted for the Commissioners of
Cambridge County

L. C. Truett

Comm. Clerk

Notice of View!

Notice is hereby given that the Viewers appointed by the Court of Quarter Sessions to view the

determining the propriety of vacating a piece of public road in Munster Tp, from a point on the Eberhamburg & Portage road, via O'Hara's Mill, 1700 ft. So. from where said road meets the Pittsburg Pike, in said Tp, 2 1/2 miles end on road from Munster to Jamestown, 14102 ft. So. of its intersection with the Pittsburg Pike at Munster, 2 1/2 miles from place of beginning of piece of road proposed to be vacated, to a point on said road from Munster to Jamestown, 13560 ft. So. of its intersection with said Pittsburg Pike.

will meet at the *place of beginning above noted*, in the Township of *Munster* aforesaid, on the *27th* day of *August* 191*3*, at *9:15* o'clock *a.m.*, for the purpose of viewing said ground.

A. M. Shoemaker
Adam Thurman
Fred J. Custer
Viewers.

Aug 15th 191*3*

Now, Aug. 1913, service of within
notice is hereby accepted by
the undersigned supervisors
of Munster Township, Cambria
County, Pa. —

J. M. Lattimer sr.
D. A. Glass
Joseph Baizer
Supervisors

Commonwealth of Pennsylvania, }
 County of Cambria. } as

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the.....5th.....day of...August.....A. D. 1903 , before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Munster....., in the said County, setting forth that they labor under inconvenience for want of a.....public.....road or highway, to lead from begin in a public road which has been laid out and is now used, leading from the Town of Munster to Jamestown. Said point being a distance of fourteen thousand one thousand ~~xxx~~ hundred and two feet from the point where the road leading from ~~the~~ Munster to Jamestown intersects with the Ebensburg and Pittsburg Pike on the...erty of John Itell Estate and ending at a point on the public road laid out and now in use leading from Wilmore to Portage thirteen thousand five hundred and sixty feet from the point where said road leading from Wilmore to Portage comes into the Ebensburg and Pittsburg Pike: there being no intersecting road at either end or along said Wilmore and Portage road: the Petitioners therefore pray the Court to appoint three persons qualified according to law, to view the ground proposed for said road, and, if they should see occasion to lay out the same, to inquire of and vacate the public road now opened and in use from a point in the public road now opened and in use seventeen thousand and six feet from the point where the road leading

Mentioned as the terminal of the proposed new road, which last mentioned road will, by reason of the paying out of the proposed road, become useless, and make report of their proceedings to the next Court.

A. M. Shoemaker.....surveyor, and.....
 Adam Shuman and Fred J. Custer.....

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. A. Kirkehead....., Clerk.

Commonwealth of Pennsylvania, }
 County of Cambria. } as

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg, in the said County, on the.....5th.....day of...August.....A. D. 1903 , before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Munster....., in the said County, setting forth that they labor under inconvenience for want of a.....public.....road or highway, to lead from begin in a public road which has been laid out and is now used, leading from the Town of Munster to Jamestown. Said point being a distance of fourteen thousand one ~~thousand~~ ~~xxx~~ hundred and two feet from the point where the road leading from ~~the~~ Munster. Munster to Jamestown intersects with the Ebensburg and Pittsburg Pike on the property of John Itell Estate and ending at a point on the public road laid out and now in use leading from Wilmore to Portage thirteen thousand five hundred and sixty feet from the point where said road leading from Wilmore to Portage comes into the Ebensburg and Pittsburg Pike: there being no intersecting road at either end or along said Wilmore and Portage road: the Petitioners therefore pray the Court to appoint three persons qualified according to law, to view the ground proposed for said road, and, if they should see occasion to lay out the same, to inquire of and vacate the public road now opened and in use from a point in the public road now opened and in use seventeen thousand and six feet from the point where the road leading from Munster to Jamestown and from Portage to Cassandra intersects with the Pittsburg Pike, to the point in the road leading from Wilmore to Portage on the property of the Summit Water Co., and the place above 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 A. M. Shoemaker.....surveyor, and..... Adam Shuman and Fred J. Custer..... 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. A. Kirkhead....., Clerk.

one

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."

N077 June SESSION, 1913

Order to ~~view~~ vacate and supply
road leading from Pittsburg
Pike to Portage in Munster Twp.

*Filed / Sept. term 1913.
in open court.*

Certified SEP 30 1913 GGG

Viewers.

A. M. Shoemaker
Adam Shuman
Fred J. Custer

Clerk 90 cts.

Reed

GREEN MOUNTAIN HERALD ELECTING PRINT.

*1 Sept. 1913. App. proved and bonded fixed at thirty feet.
By the Court.
27 March 1914. Confirmed.
A. S. Kirkhead Clerk*

KNOW ALL MEN BY THESE PRESENTS, that we, Raymond J. Jones
James A. Knopf and R. E. O'Brien 11/11
are held and firmly bound unto the Commonwealth of Pennsylvania for
the use of the County of Cambria in the sum of ONE HUNDRED (\$100.)
DOLLARS, to be paid to the said Commonwealth, its certain Attorneys
or assigns, for the use of said County of Cambria; Witness our
hands and seals this the Eleventh day of June 1913.

WHEREAS, the citizens of the Township of Munster have
presented a Petition to vacate and supply a part of a certain
road known as the Wilmore and Portage Road.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that in
case the Court should refuse to direct the County to pay the costs,
and the Petitioners fail to pay the same, then the said Bondsmen
are to be held liable for the said costs, but in case the said
costs are paid by the County, then this obligation is to be null and
void.

Raymond J. Jones (SEAL) 1

James A. Knopf (SEAL)

R. E. O'Brien (SEAL)

Joseph Willebrand

1107 June 28th 1913

Bond in re
petition to vacate
and supply road
in Muncie Twp.

And now August
30 1913 the
wishes of the
approver
By the Court

S. LEMMON REED
ATTORNEY AT LAW
EBENSBURG, PA.

TO THE HONORABLE MARLIN B. STEPHENS, PRESIDENT JUDGE OF THE COURT
OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA .

The Petition of the undersigned citizens of the Township
of Munster, County of Cambria, respectfully represents:-

That, they labor under inconvenience, for want of a
public road, to begin in a public road which has been laid out
and is now used, leading from the Town of Munster to Jamestown.
Said point being a distance of fourteen thousand one hundred and
two feet from the point where the road leading from Munster to
Jamestown intersects with the Ebensburg and Pittsburg Pike, on the
property of John Itell Estate, and ending at a point on a public
road laid out and now in use leading from Wilmore to Portage thir-
teen thousand five hundred and sixty feet from the point where
said road leading from Wilmore to Portage comes into the Ebensburg
and Pittsburg Pike; there being no intersecting road at either end
or along said Wilmore and Portage road; the Petitioners therefore
pray the Court to appoint three persons, qualified according to law,
to view the ground proposed for said road, and, if they should see
occasion to lay out the same, to inquire of and vacate the public
road now opened and in use from a point in a public road and now
opened and in use seventeen thousand and six feet from the point
where the road leading from Munster to Jamestown and from Portage
to Cassandra intersects with the Pittsburg Pike, to the point in the
road leading from Wilmore to Portage on the property of the Summit
Water Company and the place above mentioned as the terminal of the
proposed new road, 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.

M. A. O'Hara

Daniel O'Hara

J. S. Knopp

A. J. Freidhot

R. C. O'Keefe

Wm. A. O'Connell

James E. O'Connell

Wm. S. Murphy

Joseph Willebrand

J. P. Jacob

James M. Laughlin

Stip. Sekerak

A. West Chryczyk

Mahe Patrick

Daniel G. Heath

Leo. Durbin

J. H. Durbin

F. A. Noel

A. A. Noel

Geo. W. Garrett

Terence W. O'Hara

C. A. Criste

John P. Barty

A. Geismeyer

Charles A. Itle

P. J. Willebrand

J. W. Griffin

Louis Noll

E. J. Willebrand

J. M. J. Lettore

County of Cambria, SS.

Before me, the subscriber, personally appeared _____
E. J. Willebrand, who being duly sworn according to law,
deposed and said, that the matters set forth in this Petition are
true, to the best of his knowledge and belief, and that the parties
whose names are affixed thereto, personally signed the same or
authorized some one to sign for them in ^{my} ~~our~~ presence.

Sworn and subscribed before me :
this 25th day of June, 1913. :

E. J. Willebrand

A. J. Waters
Justice of the Peace,

Commission Expires Jan. 5th, 1914

June ____, 1913.

We, the undersigned Supervisors of the Town of Munster,
do hereby accept service of notice of the presentation of this
Petition, and waive any further notice of the same.

D. A. Glass sr -
John M. Lattimer
Joseph Beiter
Supervisors of Munster Township.

No. *7 June Term* Term, 1913

In the Court of Quarter
Sessions of Cambria County.

Petition of citizens of
the Township of Munster for
the appointment of viewers
to vacate and supply a
portion of the road leading
from the Pittsburg Pike to
Portage.

Filed 5 August, 1913.

And now, *5* day of *Aug*
1913, the within petition
read and the following
named parties *A. M. Shuman*

and Shuman Ford
Carter

appointed viewers to make
report to next term.

By the Court

S. LEMMON REED
ATTORNEY AT LAW
EBENSBURG, PA.