

Vol. 3 June Sessions 1928

No. 1 Sept. Sess., 1928.
In the Court of Quarter Sessions of Cambria Co., Pa.

PETITION OF CITIZENS AND RESIDENTS OF READE TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA, TO VACATE ROAD.

Filed 13 August 1928

AND NOW, August 13, 1928, the within petition read and considered, and A. M. Hornaker

Adam Shuman & J. D. Rector are appointed Viewers to view the within premises, and to make report according to law.

Samuel R. Evans JUDGE

RESIDENT JUDGE
SPECIALLY PRESIDING

Filed 13 August 1928

LAW OFFICES
EVANS & EVANS
EBENSBURG, PA.

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

TO THE HONORABLE THE JUDGES OF SAID COURT:

The petition of the undersigned, residents and citizens of the Township of Reade, County of Cambria and State of Pennsylvania, respectfully represents:

That the road in Reade Township which intersects with the road leading from Glasgow to Almanville, running in a Northerly direction to the Clearfield County line, has no persons living along the same, and the road is no longer used by the public, and the same has become useless, inconvenient and burdensome.

Your petitioners, therefore, pray that the said road from the point where the same intersects with the road leading from Glasgow to Almanville, at a point one and four-tenth miles Northwest of Glasgow, at Miller's Mine, and running in a Northerly direction two-tenths of a mile to the Clearfield County line, all within the Township of Reade, be vacated:

Your petitioners further pray that this Honorable Court appoint Viewers for vacating said road, for the reasons above specified:

And they will ever pray, &c.

Ray Presell
G. H. Hays
E. L. Rubin
Geo. W. Myers
J. P. Stone
J. Clarence Conrad
Wm. J. Lamb
J. J. Deloyier
Charles S. Zupke
R. M. Matthews
J. D. Glasgow

Wm. Adams
J. Grace
J. W. Cove
E. Schmitz
Joel A. Trappell
Martin Hill
J. M. Stone
B. F. Burr
Levi Smith

STATE OF PENNSYLVANIA :
COUNTY OF CAMBRIA : SS:

Before me, the subscriber, a Justice of the Peace in and for said County and State, personally came _____

J. J. Delozier, one of the foregoing petitioners, who being duly sworn according to law doth depose and say that the facts, matters and things set forth in the above and foregoing petition are true and correct, to the best of his knowledge, information and belief.

Sworn and subscribed before me
this 11th day of August, A.D.,
1928.

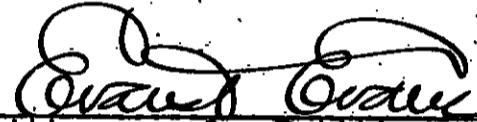
W. J. Lovell
Justice of the Peace.

My commission expires 1st Nov. Jan, 1931

TO THE COMMISSIONERS OF CAMBRIA COUNTY
AND THE SUPERVISORS OF ROADS OF THE TOWNSHIP
OF READE, IN SAID COUNTY OF CAMBRIA.

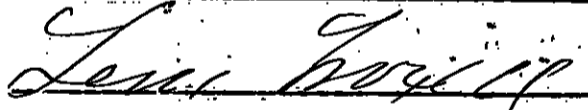
GENTLEMEN:

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Cambria County, Pennsylvania, on Monday, August 13, 1928, asking for the appointment of Viewers to vacate part of the road in Reade Township which intersects with the road leading from Glasgow to Almanville, running in a Northerly direction to the Clearfield County line, which portion of said road they desire to vacate from the point where the same intersects with the road leading from Glasgow to Almanville, at a point one and four-tenth miles Northwest of Glasgow, at Miller's Mine, and running in a Northerly direction two-tenths of a mile to the Clearfield County line.



Attorneys for Petitioners:

August 7, A.D., 1928, we, the undersigned Supervisors of Reade Township, Cambria County, Pennsylvania, do hereby accept service of the above and foregoing notice.



Supervisors:

August 7, A. D., 1928, service of the above and foregoing notice accepted.

COMMISSIONERS OF CAMBRIA COUNTY,



Per George C. Terbay

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

To the Honorable, the Judges of the Court of Quarter Sessions of
Cambria County, Pennsylvania.

We, the undersigned members of the Board of Viewers of Cambria County, appointed by your honorable Court upon the attached order and therein directed to view and determine as to the propriety of vacating a certain piece of public road in Reade Township as indicated on the attached order, 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 and the Supervisors of the Township of Reade and having them accept service of notices hereto attached, and to the traveling public by posting ten hand bills at and near the termini and along the route of the piece of road proposed to be vacated, and having each been duly sworn according to law to perform the duties of our appointment faithfully, impartially and to the best of our judgment and ability: all of us met at the time and place appointed in accord with the notices posted and served as aforesaid, and having gone over the premises carefully and observed the situation which exists and listened to statements of a number present at the view; we are all of the opinion that the piece of public road shown on the draft, hereto attached and made a part of this report, between the letters "B" and "C" should be vacated.

The piece of road proposed and herein recommended to be vacated, beginning at point "B" indicated on attached draft extends thence North 75° East 211 feet, East 330 feet, ~~and~~ North 73° East 106 feet and North 44° East 108 feet, to the Cambria - Clearfield County line, passing over two small streams and ending at point "C" on said draft on a piece of road which, if it was ever a public road has long since fallen into disuse by the public, is out of repair and entirely too narrow for present day traffic and would undoubtedly necessitate the expenditure of a very considerable sum of money to put it in any kind of repair, for which; the indications are; there is no demand by the public or no real necessity.

Point "B", or the point of beginning of the piece of road proposed to be vacated is located by beginning at the juncture of the road leading to what is known locally as Miller's Mine with State Highway Route No. 253 leading between Glasgow and Almanville at a point about one-fifth of a mile Eastward from Glasgow Station and running thence the following

courses and distances, also indicated on the attached draft, viz:

Beginning at point "A" on said draft on route No. 253, thence North 53° 10' East 491 feet, thence North 22° East 400 feet, thence North 27° East 292 feet, thence North 13° 40' East 384 feet, thence North ~~North~~ 19° 30' East 536 feet, thence North 29° East 476 feet, thence North 32° East 471 feet, thence North 18° 15' East 440 feet, thence North 19° West 579 feet, thence North 8° 45' West 600 feet, thence North 7° West 401 feet and North 4° 20' West 113 feet to post at point "B".

The situation with reference to the piece of road proposed to be vacated being as aforesaid the viewers are of opinion that new bridges over the two streams should not be constructed nor the piece of road put in repair at the expense of the township nor should the township be responsible to any chance individual who might attempt to use same and in some manner sustain injuries or damages.

Witness our hands this 29th. day of August A. D., 1928.

A. M. Showmaker

J. D. Ritter

Adam Sherman

Viewers.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Reade Township, said county and state: Beginning at the intersection of the Glasgow - Almanville road; at Miller's Mine, about one and four tenths miles North East of Glasgow; with the road sought to be vacated, and ending at the point where the road in question is intersected by the Clearfield County line: Will meet at the point of beginning, above noted, in the Township of Reade, aforesaid, on the 25th. day of August, A. D., 1928, at 10:00 o'clock a. m., to perform the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman,

Viewers.

Now, August 17th., 1928, service of the above notice is hereby accepted for the Commissioners of Cambria County, Pennsylvania.

George E. Kerby
clerk

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Reade Township, said county and state: Beginning at the intersection of the Glasgow - Almanville road: at Miller's Mine, about one and four tenth miles North East of Glasgow: with the road sought to be vacated, and ending at the point where the road to be viewed is intersected by the Clearfield County line; will meet at the point of beginning, in the township of Reade, aforesaid, on the 25th. day of August, A. D., 1928, at 10:00 o'clock a. m. for the purpose of performing the duties of their appointment.

A. M. Shoemaker,

J. D. Ritter and

Adam Shuman, Viewers.

Now, August, 21 1928, service of the within notice is hereby accepted by the undersigned Supervisors of the Township of Reade, Cambria County, Pennsylvania.

W. L. McCouley

Tom Huppell

Supervisors.

NOTICE OF VIEW.

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County, Pennsylvania, to view and determine as to the propriety of vacating a certain piece of public road in Reade Township, said county and state: Beginning at the intersection of the road to be vacated with the road leading from Glasgow to Almarville and ending at the intersection of the same road with the Clearfield County line: said point of beginning being at Miller's Mine, about one and four tenths of a mile North East of Glasgow: will meet at the point of beginning, in Reade Township, on the 25th. day of August, A. D., 1928, at 10:00 o'clock a. m. for the purpose of performing the duties of their appointment.

A..M. Shoemaker,

J. D. Ritter and

Adam Shuman, Viewers.

Costs of View:

A. M. Shoemaker
 Preparing, posting and
 serving notices of view
 two days 24.00
 Day of view 12.00
 17 1/2 miles (two trips) 17.20
 Survey to locate termini
 & survey of road proposed
 to be vacated, plotting,
 draft, transportation and
 help 87.60
 Preparing, having signed,
 assembling & filing report
 over one half days 18.00
\$158.80

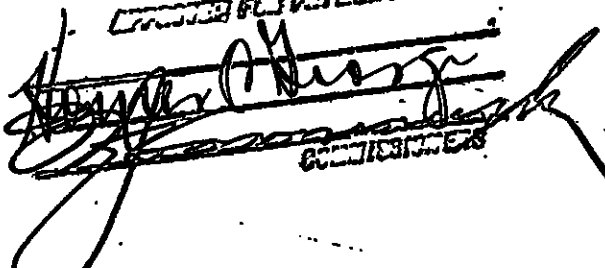
CERTIFIED
 7/12/28
 Joseph E. Cannon
 COUNTY CONTROLLER

J. D. Bitter
 1 1/2 Days \$18.00
 114 mi (two trips) 11.40
\$29.40

CERTIFIED
 7/12/28
 Joseph E. Cannon
 COUNTY CONTROLLER

Adam Shuman
 1 1/2 Days \$18.00
 108 miles (two trips) 10.80
\$28.80

CERTIFIED
 7/12/28
 Joseph E. Cannon
 COUNTY CONTROLLER

APPROVED FOR PAYMENT

 COUNTY CONTROLLER

Order to view and vacate road
in Reade Township

and

Report of Viewers

July 29 August 1928
CERTIFIED

Joseph Cannon
COUNTY CONTROLLER

A. M. Shoemaker, Esq.

Adam Shuman

J. D. Ritter

Viewers.

Clerk 90 cts.

10 Sept. 1928 Approved

By the Land

10 Dec. 1928 confirmed absolutely ^M

Frank C. Robb
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 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."

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 13th day of August A. D. 1928, before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Reade, in the said County, setting forth that ~~the road in Reade Township~~

~~vacant for some time~~ ~~road on highway, the land from~~
the road in Reade Township which intersects with the road leading from Glasgow to Almanville, running in a Northerly direction to the Clearfield County line, has no persons living along the same, and the road is no longer used by the public, and the same has become useless, inconvenient and burdensome.

Your petitioners, therefore, pray that the said road from the point where the same intersects with the road leading from Glasgow to Almanville, at a point one and four-tenths miles Northeast of Glasgow, at Miller's Mine, and running in a Northerly direction two-tenths of a mile to the Clearfield County line, all within the Township of Reade, be vacated.

and therefore praying the Court to appoint proper persons to ^{vacate} 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, Esq., surveyor, and

Adam Shuman and J. D. Ritter
viewers, to view the ground proposed for said ^{vacation} ~~road~~ and if they view the same, and shall agree that there is occasion for such ^{vacation} ~~road~~, they shall proceed to ^{vacate} ~~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:

J. Frank L. Roff, Clerk.