

1 To the Honorable R. L. Justice, President Judge of the
2 Court of Quarter Sessions of the Peace in and for
3 the County of Columbia.

4 The Petition of the Burgers and Town Council of the
5 Borough of Hillville respectfully represents,

6 That a part of the road known as the Justice and Deane
7 burg Road long since laid out, beginning at
8 the crossing of the Old Canal and ending at
9 the Street near the Barn of the Columbia Iron
10 Company or the Hill above the Justice Freight
11 Depot of the Pennsylvania Rail Road Company
12 in the First Ward of the Borough of Hillville
13 has become dangerous, useless and inconvenient
14 by reason of the Pennsylvania Rail Road
15 Company changing their tracks at said point
16 to a new road bed, and cutting away a part
17 of the said road.

18 Your Petitioners therefore pray that the part of said
19 road as above set forth may be vacated and
20 supplied, agreeably to act of the General Assembly
21 in such case made and provided; And
22 they will ever pray, &c,

23
24 Thos. P. Keady, Burgess
25 and President of Council,
26 W. S. O'Brien
27 Doer Clerk

28 W. Given
29 Michael Lynch
30 John W. Miller
31 John T. Graham

32 Aug. 6 1887
33 Council Chamber

No. 6. Dec. Term 1858. R.C.B.

Return to west end
Apply a part of a public
Road known as the ~~Sturston~~
a Elmsby Road - where the
wires pass through the bridge
of Melville

And now Dec 12 1858 the court
return being read the court
appoint Marshall & Moor
Att. Gen. & C. F. Fraser
newes to report at next term

By the Court

Filed Dec 12. 1858

Amos C. Case

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To the Honorable Robert L. Johnston, President. Judge of the Court of Quarter Sessions of the Peace of Cambria County:

The undersigned appointed per annexed order of Court to view the road therein mentioned respectfully report:

That having given notice as required by law of the time and place of meeting, and after being duly and severally sworn or affirmed in pursuance of said order, we have viewed the said road and find that the old road is utterly impassable, useless and inconvenient and dangerous and should be vacated.

That a new and better road of less grade has been opened by the Pennsylvania Rail Road Company who under their charter rights supplied the old road, we therefore have adopted the new road as follows:

Beginning at a point on the Johnstown and Ebensburg Road; said point having bearing and distance N. 62 $\frac{1}{2}$ ° E. 6.26 perches from the point where Johnstown and Ebensburg Road crosses the Old Pennsylvania Canal. Thence N. 30° E. 2.27 Perches, N. 12° 05' W. 7.2 Ps, N. 27 $\frac{1}{2}$ ° W. 22.7 Ps. N. 61 $\frac{1}{2}$ ° E. 2.0 Ps. S. 35 $\frac{1}{2}$ ° E. 28.0 Ps. S. 50 $\frac{1}{2}$ ° E. 9.3 Ps. S. 61 $\frac{1}{2}$ ° E. 7.13 Ps. S. 66 $\frac{1}{2}$ ° E. 4.36 Ps. East 4 Ps to a point in the Johnstown and Ebensburg Road near the property of Matthew Moses.

We hereto attach a release of the Cambria Iron Company through whose land the ^{new} road runs. There are no damages done to any property holder on the route of the new road.

We deem it proper to report in favor of vacating the part of the old road as marked on the accompanying map and supplying the same by the new road as thereon marked as per courses and distances.

A draft showing the part vacated and supplied is hereto attached.

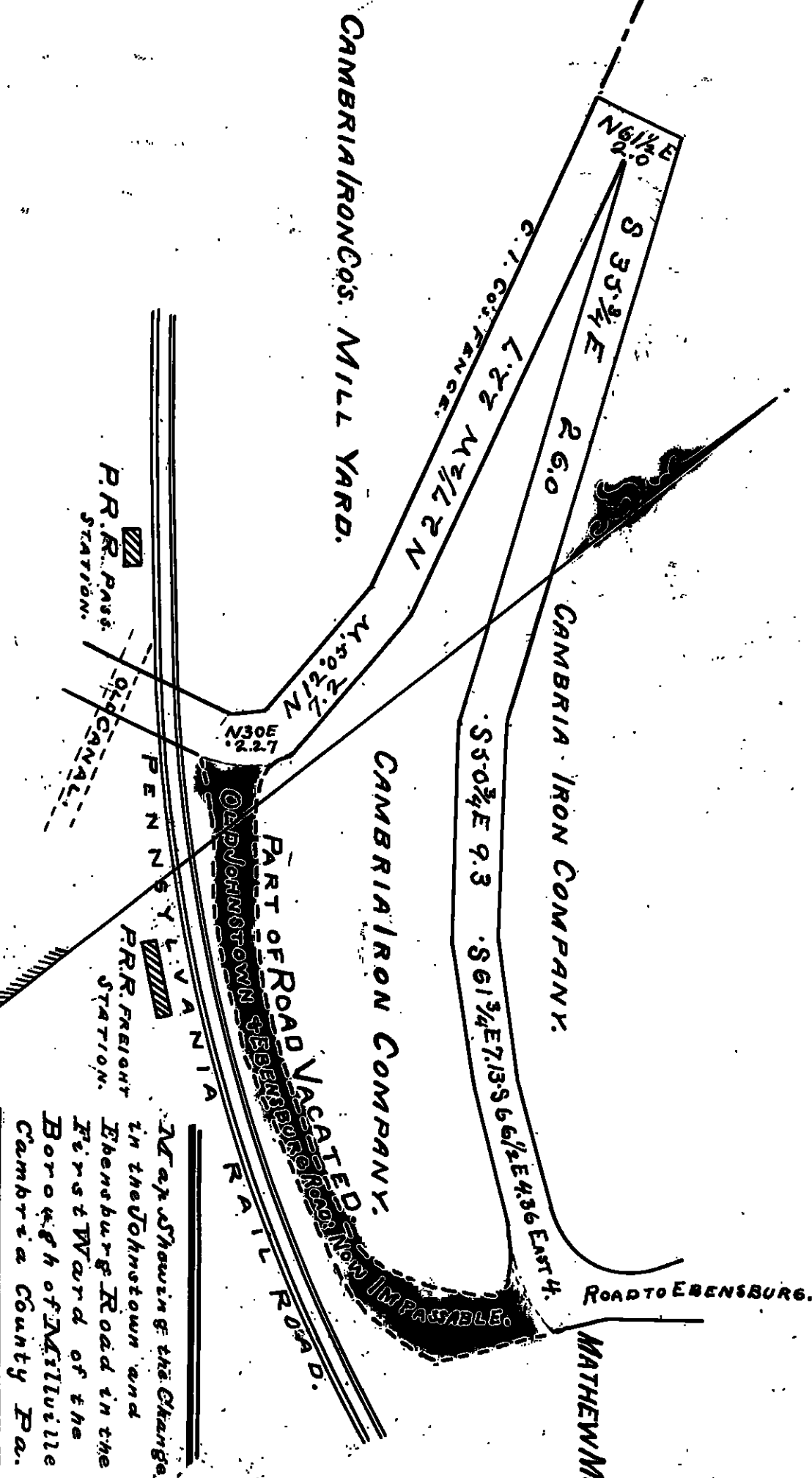
All of which is respectfully submitted.

M. G. Moore

Wesley J. Rose

C. T. Frazer

Time Marshall G. Moore	2	days at \$1.50.	3.00
Time W. J. Rose	1	days at \$1.50.	1.50
Time C. T. Frazer	1	days at \$1.50.	1.50
			<hr/>
			6.00



Map showing the Change
 in the Johnstown and
 Ebensburg Road in the
 First Ward of the
 Borough of Millville
 Cambria County Pa.

The Cambria Iron Company, in consideration of the advantages to them from the vacating and supplying the part of the road mentioned in annexed order and report, and at request of the viewers appointed to view and supply the same, do hereby release all claims to damage that may arise to us from the changing of said road by vacating part of the existing road as shown on the draft hereto annexed, and supplying the same by a new road as shown on the said draft, returned by the viewers, and as said new road is now located and constructed in pursuance of a contract with the Borough of Milleville and the Penna. Rail Road Company in reference to the changing of said road this release being limited to the location and construction aforesaid.

Johnstown, Pa. Feb'y 18th., 1889.

Witness.

R. T. Goff

Cambria Iron Co.
J. S. Walters
Genl. Manager

Commonwealth of Pennsylvania,
County of Cambria } SS.

At a court of Quarter Sessions of the Peace of the County of Cambria
held at Edinburg in the said County, on the 2th day of
December A. D. 1888, before the Honorable the Judges of the same
court: Upon the petition of divers inhabitants of the ~~Township~~ ^{Borough} of Millville
in the said county, setting forth that they labor under inconvenience for want of a
part of the road known as the road or highway, to lead from
Johustown ^{to} Edinburg Road long since laid out,
beginning at the crossing of the Old Canal and end-
ing at the street near the barn of the Cambria Iron Co.
on the hill above Johustown freight depot of the Pennsylv-
ania Rail Road Company in the First Ward of the
Borough of Millville, has become dangerous, use-
less and burdensome by reason of the Pennsylv-
ania Rail Road Company changing their tracks at
said point to a new road bed and cutting away
a part of the said road.

and therefore praying the court to appoint proper persons to ^{visit & supply} view and lay out the
same according to law. The Court upon due consideration had of the premises, do
order and appoint Marsell G. Moon SURVEYOR,
and W. R. Rose & C. R. Frazer

VIEWERS, to ^{visit & supply} view the ground proposed for said
road, and if they ^{visit & supply} 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 desire 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:

W. M. [Signature]
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 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. 6
Dec. Term 1888 Rd.

Order to view a road to be
laid out
through the town of
Hills
and when the same
shall be laid out
the same shall be
laid out in 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.

March 4, 1889.

Let the same be
laid out
at the expense of the
town of Hills
9000
M. H. [Signature]

17 Apr. 1889. Confirmed and ordered to be opened
30ft wide By the Court
1 July 1889 Confirmed Absolutely
By the Court