

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

No. 5 September Term, 1908, R. D.

In re Petition of the County Commissioners for the appointment of Inspectors to inspect the bridge across Clearfield Creek, in Allegheny Township.

And now, Sept. 22, A. D. 1909, the within petition read and considered and the following persons appointed Inspectors: William Hershberger, John Friant, John H. Constable, John Blair, E. D. Brawley, John S. Davis, to make report to the next Court of Quarter Sessions.

By the Court.

Extract from the Record,

Certified 22 September, A. D. 1909.

S. S. Kinkead

Clerk.

TO THE HONORABLE FRANCIS J. O'CONNOR,

PRESIDENT JUDGE OF THE COURT OF COMMON PLEAS

OF CAMBRIA COUNTY:

We, the undersigned, having been appointed by the Court to inspect the bridge recently erected by Cambria County across Clearfield Creek at Wildwood, on the road leading from Wildwood to Gallitzin, in Allegheny Township, after having been severally sworn, state that we have attended to the duties of the appointment, and beg to report as follows:

That having examined the bridge and abutments, we find it to be erected according to the <sup>contract</sup> plans and specifications, and in a workman-like manner, and recommend that the contractors, Murphy & Appleby be allowed for extra work done to the wing walls on the above bridge,

5 10/27 yards, at \$ 7 25 per yards <sup>3870 in addition to the contract price</sup>

Witness our hands and seals this 27<sup>th</sup> day of September, A.D. 1909.

John H. Constable (SEAL)

John Triant (SEAL)

J. H. Lovell (SEAL)

J. J. Hughes (SEAL)

H. G. Eshberger (SEAL)

John J. Blair (SEAL)

No 5 Sept Term 1908 R. J.

Filed 5 October, 1909.

TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF THE COURT OF  
 QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

The undersigned appointed to view the ground proposed for a  
 bridge over the Clearfield Creek, at the place where the public highway  
 from Wildwood, to Cresson crosses the said Creek near Wildwood, in the  
 Township of Allegheny, respectfully report:

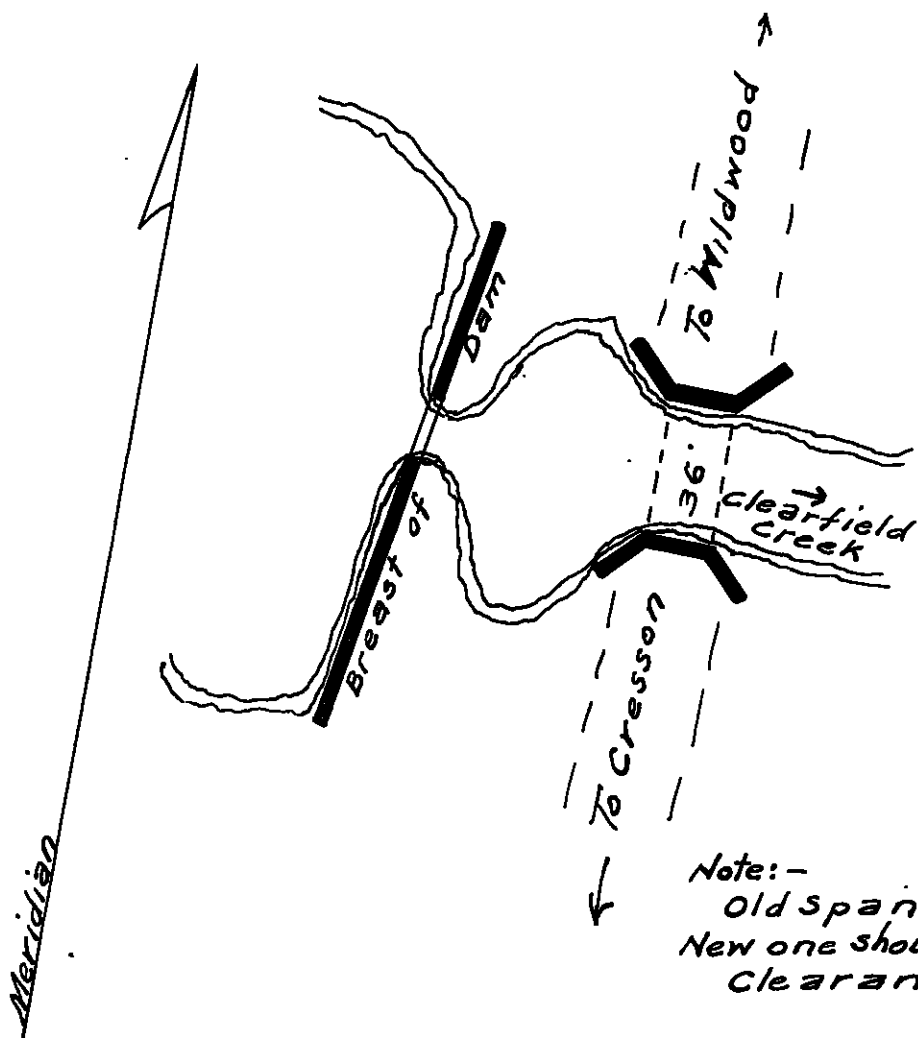
That having all been present at the view of the place proposed  
 for said bridge, and having all been severally sworn to perform our  
 duties impartially and to the best of our judgment, we have viewed  
 the premises aforesaid and are of the opinion that a bridge over said  
 Clearfield Creek, in said Township of Allegheny, at the place where  
 the public highway from Wildwood to Cresson crosses the said Creek  
 near Wildwood, is necessary, and that the erection of such a bridge  
 would be attended with more expense than it is reasonable that said  
 Township of Allegheny should bear, as the same would be too burdensome  
 upon the inhabitants thereof. We therefore recommend that said  
 bridge be entered of record in this Court as a County Bridge.

*J. L. Elder, Jr.*  
*M. D. Eberly*  
*W. J. Tierney*

<i>J. L. Elder, Jr.</i>	<i>2 days</i>	<i>10.00</i>
<i>mileage</i>		<i>1.00</i>
		<i>11.00</i>
<i>M. D. Eberly</i>	<i>1 day</i>	<i>3.00</i>
<i>mileage</i>		<i>1.00</i>
		<i>4.00</i>
<i>William J. Tierney</i>	<i>1 day</i>	<i>3.00</i>
<i>mileage</i>		<i>1.00</i>
		<i>4.00</i>

And now June 11. 1909.  
 We approve within report and  
 recommend that the bridge be  
 entered on record as a County  
 Bridge

*J. L. Elder Foreman*



Viewers appointed upon an order of the  
 Court of Quarter Sessions, dated Nov. 6, 1908,  
 J.L. Elder, Jr., M.D. Eberly and William J. Tierney

Scale: 1" = 50'

Viewed Dec. 5, 1908.

B R I D G E   N O T I C E .

Notice is hereby given that the viewers appointed by the Court of Quarter Sessions to view the site for a proposed bridge over the Clearfield Creek at the place where the public highway from Wildwood to Cresson crosses the said Creek near Wildwood in the Township of Allegheny, will meet at the store of Emory L. Smith at Wildwood in said Township of Allegheny on the Fifth day of December, 1908, at 9:30 o'clock, A. M. for the purpose of viewing said site. .

November 25th, 1908.

John L. Elder, Jr.

M. D. Eberly

William J. Tierney

Viewers.

Commonwealth of Pennsylvania, }  
County of Cambria. }

At a Court of Quarter Sessions of the Peace of the County of Cambria held at Ebensburg,  
in the said County, on the *6th* day of *November* A. D. 190 *8*, before the  
Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township  
of *Allegheny*, in the said County, setting forth that they labor under incon-

venience for want of a *Bridge* ~~road or highway~~ to lead from  
*over the Clearfield Creek, at the place where the public*  
*highway from Wildwood to Leason crosses the said creek*  
*near Wildwood in the Township aforesaid, and that the*  
*expense of erecting said bridge would be too burdensome*  
*upon the inhabitants of said Township.*

and therefore praying the Court to appoint proper persons to view and lay out the same ac-  
cording to law. The Court, upon due consideration had of the premises, do order and appoint

*J. L. Elder, Jr.* surveyor, and *M. D. Eberly*  
*and William J. Tierney*

viewers, to view the ground proposed for said ~~road~~ <sup>bridge</sup>, and if they view the same, and  
shall agree that there is occasion for such ~~road~~ <sup>bridge</sup>, 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. S. Kirkland*, 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."

NO. 5 Sept. SESSION, 1908.

Order to view Bridge in  
Allegheny Township  
and  
Report of Viewers.

7 Dec. 1908. Filed in  
Open Court.

Viewers.  
J. L. Elder, Jr.  
M. D. Eberly  
William J. Curney

Clerk *M. D. Eberly* 90 cts.  
P. M. by *M. D. Eberly*

ENGLEBIRD MORTIMER-HERALD ELECTRIC PRINT.

And now June 16<sup>th</sup> 1909, it appearing to the Court that a bridge is necessary, and that it is too expensive to the Township of Allegheny to expect same, the Court approve and confirm within report,  
*By the Court*



No. 5 September Term. 1908.

# PETITION

Of the County Commissioners for the  
appointment of inspectors to  
inspect the bridge across

Clearfield Creek, in  
Allegheny Township.

And now Sept 22 A. D. 1909,  
the within petition read and consider-  
ed and the following persons ap-  
pointed Inspectors:

William Hershberger  
John Briant  
John H. Constable  
John Blair  
John H. Lovell  
Isaac Hughes

To make report to the next Court of  
Quarter Sessions.

Ryche Court  
Shelton  
Attorney.

Filed 27 September 1909.

TO THE HONORABLE FRANCIS J. O'CONNOR, PRESIDENT JUDGE OF THE COURT  
OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENNSYLVANIA.

The petition of the undersigned inhabitants of the Town-  
ship of Allegheny, in said County, respectfully represents:

That a bridge is much wanted over the Clearfield Creek at the  
place where the public highway from Wildwood to Cresson crosses the  
said creek near Wildwood, in the Township aforesaid, and that the ex-  
pense of erecting said bridge would be too burdensome upon the in-  
habitants of said township.

Your petitioners therefore pray your Honor to appoint proper  
persons to view the premises, and to make such order on the subject  
as is required and directed by law. And they will etc.

*Edward Boer*  
*Valentine Bishop*  
*John W. Gough*  
*Edward A. Sheehan*  
*John C. Tomlinson*  
*Richard Denny*  
*Simon Vaught*  
*J. A. Faraday*

Cambria County, ss.

*J. A. Farabaugh* being duly sworn according to law says that the matters set forth in the foregoing petition are true, as he verily believes.

Sworn and subscribed before me

this <sup>4<sup>th</sup></sup> day of ~~September~~ <sup>November</sup>, 1908

*James Mellon Jr.*

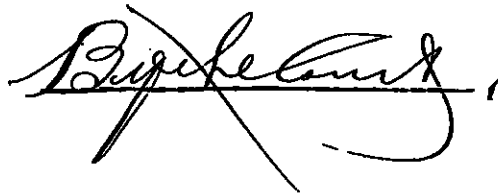
*J. A. Farabaugh*

No. 5 Sept. ~~1907~~ <sup>1908</sup>.

Petition for appointment of viewers to view the site for a bridge over Clearfield Creek at the place where the public highway from Wildwood to Cresson crosses said Creek near Wildwood in Allegheny Township.

Filed 6 November, 1908.

And now, November 6th, 1908 read, and the Court appoint J. L. Elder Jr., M. D. Eberly and William J. Tierney, viewers.



Kittell.