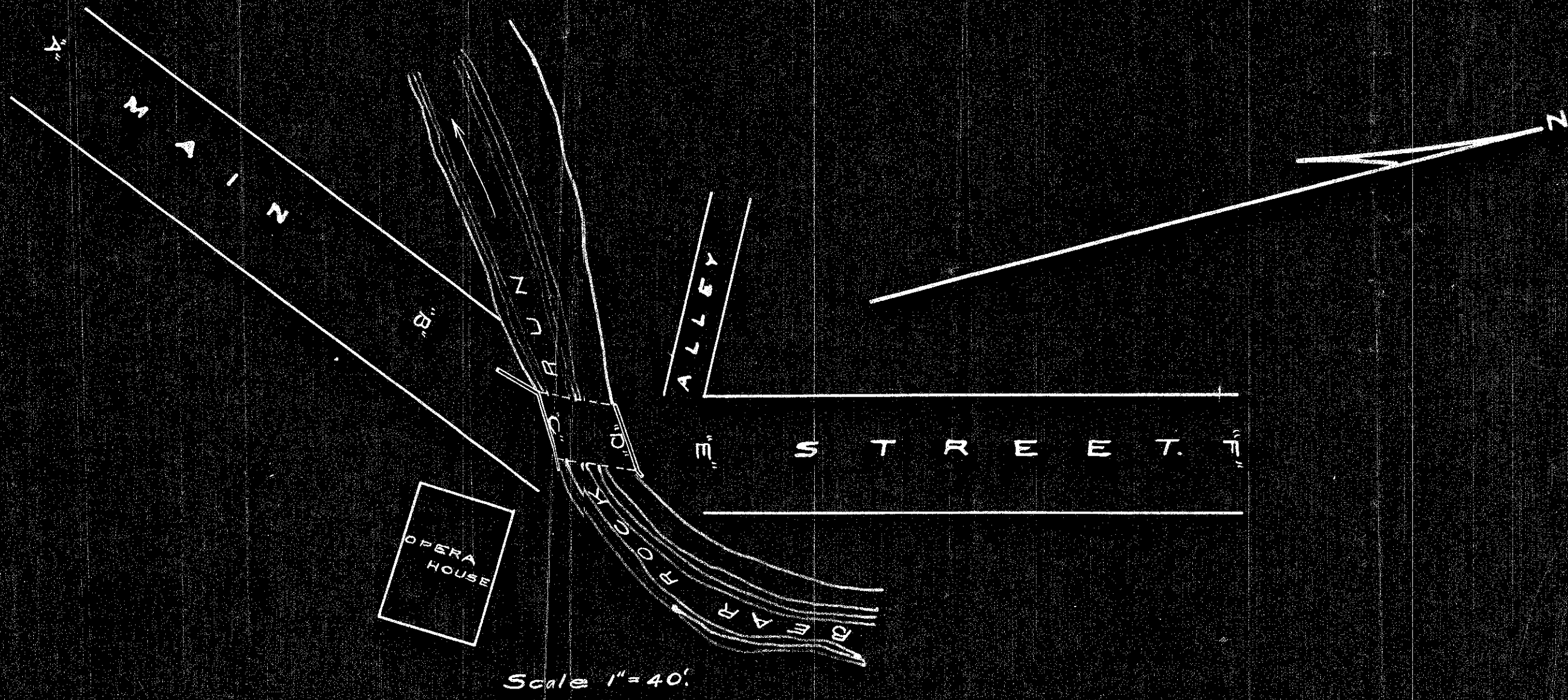
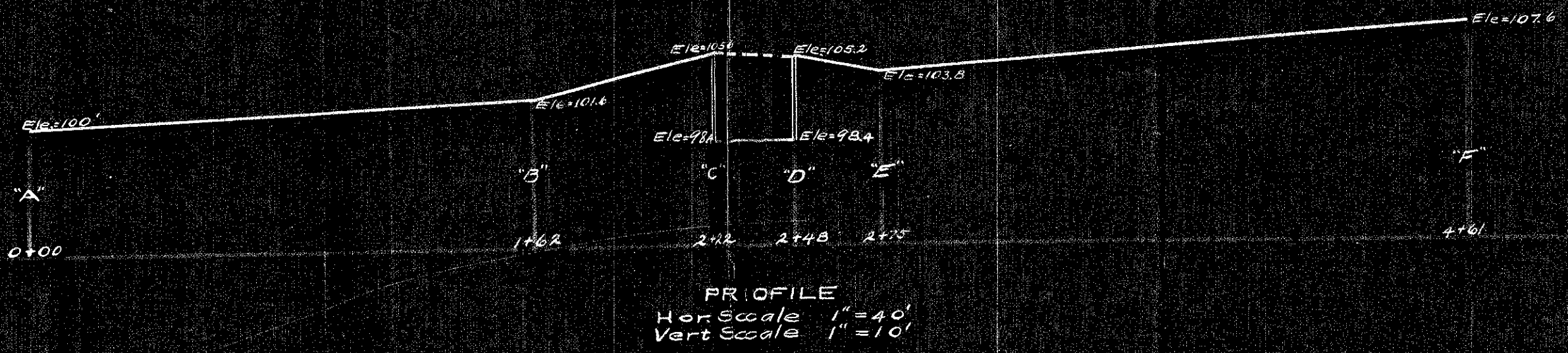


R. D#3 Sept 1909
Rot Microfilmed



BRIDGE SITE
 SITUATE IN
 LILLY BOROUGH-CAMBRIA CO.-PA.
 AT INTERSECTION OF
 BEAR ROCK RUN & MAIN ST.
 VIEWED BY
 O. R. THOMAS
 C. J. HOGUE
 J. G. WENDEROTH
 VIEWERS APPOINTED
 BY THE COURT.



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 ^{6th} day of ^{September} A. D. 1909, before the Honorable Judge of the said Court: Upon the petition of ~~diverse inhabitants of the Township~~ ^{Borough and Town Council of the Borough} of ^{Lilly}, in the said County, setting forth that they labor under inconvenience for want of a ^{Bridge} ~~road or highway~~, to lead from over the Bear Rock Run at the place where Main Street, a public highway, crosses the same in the said Borough of Lilly, and that the expense of erecting and constructing said bridge will be more than it is reasonable that said Borough of Lilly should bear and too burdensome upon the inhabitants and taxpayers thereof

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

^{D. P. Thomas} surveyor, and ^{G. J. Hogue} and ^{J. G. Wenderoth}

viewers, to view the ^{site} ~~ground~~ proposed for said ^{bridge} ~~road~~, and if they view the same, and shall agree that there is occasion for such ^{bridge} ~~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:

^{D. S. Kirkendall}, 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. 3, Sept. SESSION, 1907.

Order to view site for
Bridge in Valley
Brooklyn.

Viewers.

O. P. Thomas
L. J. Stoguer
J. G. Woodworth

Clerk McGuire 90 cts.

KNOW ALL MEN BY THESE PRESENTS, That we,
C. B. Kelly, and J. P. Kelly
of the County of Cambria and State of Pennsylvania, are held and
firmly bound unto the Commonwealth of Pennsylvania in the sum of
Fifty Dollars, lawful money of the United States, to be paid to the
said Commonwealth of Pennsylvania, its certain attorney or assigns;
to which payment well and truly to be made we do bind ourselves,
our heirs, executors, and administrators, firmly by these presents.

Sealed with our seals and dated this 30th day of Aug.
1909.

Now the condition of this obligation is such, that if the
above bounden C. B. Kelly,
and J. P. Kelly, heirs, executors, administrators, or
any of them, shall and do well and truly pay or cause to be paid
the costs of said view by the Court of Quarter Sessions of Cambria
County authorized on the ___ day of September, 1909, in the matter
of that certain proposed new bridge across Bear Rock Run
on Main Street in the Borough of Lilly, if the Court
shall hereafter direct them so to be paid, then this obligation
to be null and void, otherwise to be and remain in full force and
virtue.

Sealed and delivered in the
presence of:-

Blair Short,
J. S. Leakey,

C. B. Kelly SEAL
J. P. Kelly SEAL

No. 3. Sept. Sec. 1909.

Nov. Sept. 6th, 1909. the
within Bond and annuities
therein approved,
By *Byrd*

Filed 6 September, 1909.

M. E. E.



In the Court of Quarter Sessions of Cambria County.

NO. 3 Sept. Sessions 1909, R. D.

In re petition of the County Commissioners for the appointment of Inspectors to inspect the bridge across Bear Rock Run in Lilly Borough.

:- DECREE:-

And now Sept., 11th A. D. 1911 the within petition read and considered and the following persons appointed Inspectors: Demetrius Glass, Fred Arble Sr., George Inman, C. A. McGonigle, Robert Monahan, John E. Lowry, to make report to the next Court of Quarter Sessions.

By the Court.

Extract from the Record,

Certified 18th Sept., 1911.

A. S. Kinkead

Clerk, Q. S.

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 BearRock Run in Lilly Borough, 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 contract, plans and specifications, and in a workmanlike manner, and we do hereby approve the same and recommend ~~that the contractor, J. A. Bord be allowed for extra work done to the wing walls on the above bridge, at a~~
~~per yards or in addition to the contract price.~~

Witness our hands and seals this 19th day of September, A. D. 1911.

Contract 2200

George J. Inman (SEAL)

F. A. Bord (SEAL)

John E. Lacey (SEAL)

C. M. Young (SEAL)

Robert Inman (SEAL)

_____ (SEAL)

To the Honorable the Judges of the Court of Common Pleas of the County of Cambria, now holding a Court of Quarter Sessions of the Peace in and for said County.

The Petition of the Commissioners of the County of Cambria respectfully represents :

That it having appeared to the Court, to the Grand Jury, and the Commissioners of the said County, that a bridge over Pear Rock Run Creek, at the place where ~~a public highway from~~ the Main Street ~~to~~ Lillyboro crosses the said Creek, in the Township of Lilly, in said County, was necessary, and that it would be too expensive for the said Township to erect said bridge; and the same having been entered of record, your petitioners procured an estimate to be made as nearly as might be, of the expense of the same, and did proceed to have such bridge erected, by entering into a contract with J. A. Lord, of Hastings, Pa. for the building of the ~~sub~~ ^{entire} structure for the sum of \$ 2,000⁰⁰, and with ~~_____~~ for the building of the superstructure for the sum of \$ _____; and that the said bridge is now completed agreeably to the said contracts.

Your petitioners, therefore, pray the Court to appoint six fit persons to inspect said bridge and the workmanship thereof, agreeably to the Act of Assembly, and to make report to the next Court of Quarter Sessions to be held in and for the said County.

Attest:

E. C. Lovell

Clerk.

Charles Leventy
John Owens
J. J. Oster
Commissioners of Cambria County.

No. 3, Sept Sessions 1909

▷ PETITION ▷

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

Bear Rock Run Creek, in
Lilly Boro,
Township.

And now Sep. 11th A. D. 1909,
the within petition read and con-
sidered and the following per-
sons appointed Inspectors:

Nemetrus Glass
Fred Apple Sr.
George Immann
C. D. M. Gougle
Robert Morahan
John E. Lowry

To make report to the next Court
of Quarter Sessions.

By the Court

Filed 11 Sept 1909
Attorney.

IN THE COURT OF QUARTER SESSIONS OF CAMBRIA COUNTY, PENN'A.
To the Hon. Francis J. O'Connor, President Judge of said Court:-

The petition of the undersigned, Burgess and Town Council of the Borough of Lilly, in the County aforesaid, respectfully represents:-

That a new bridge is necessary and much wanted over the Bear Rock Run at the place where Main Street, a public highway, crosses the same, in the said Borough of Lilly, and that the expense of erecting and constructing said bridge will be more than it is reasonable that said borough of Lilly should bear and too burdensome upon the inhabitants and taxpayers thereof.

Your petitioners therefore pray the Court to appoint proper persons, qualified according to law, to view the place proposed for said bridge and inquire whether such bridge is necessary and whether its erection and construction would be too expensive and burdensome for said Borough of Lilly to bear as aforesaid, and make report at the next term of Court.

E. J. Duffy, Burgess.
J. P. Kelly
William L. Luene
W. L. McLaugh
Blair Short
Wm. T. Leakey
John Miller
Andrew Owen
Members of Council

Cambria County, SS:

Before me, the subscriber, a Justice of the Peace in and for said County, personally appeared

E. J. Duffy, one of the foregoing petitioners, who, having been duly sworn according to law, did depose and say that the statements of fact set forth in the within and foregoing petition are true and correct to the best of his knowledge, information and belief.

Sworn and subscribed before me this 31st day of August 1909.

Wm. G. Gougeon

E. J. Duffy

JUSTICE OF THE PEACE
MY COMMISSION EXPIRES MAY 3, 1914

No. 3 Sept. Sess. 1909.

Petition of the Burgess
and Town Council of the
Borough of Lilly for the
appointment of Viewers to
view the site of a pro-
posed new bridge in the
Borough of Lilly over
Bear Rock Run where
Main Street
crosses same.

And now, Sept. 6, 1909,
the within petition read
and considered and

J. Thomas,

J. Hogue,

and J. G. Henderson

are appointed as prayed
for.

By the Court

Filed 6 September, 1909,

W. A. McGuire, Atty.

REPORT OF VIEWERS.

The undersigned viewers appointed by your Honorable Court to view the site for a proposed county bridge across Bear Rock Run in the Borough of Lilly, in Cambria County, where Main Street of said Borough crosses said stream, in accordance with the directions contained in the annexed order of view, do respectfully report and return:

That having given due and public notice as required by law, by written notices posted in the most public places in the Borough of Lilly, and having served proper notice upon the Burgess and Town Council of the Borough of Lilly and upon the County Commissioners of Cambria County, as appears by the acceptances of notices hereto attached, and having been first sworn to perform their duties impartially and according to their best judgment, as appears from the subscribed affidavit hereto attached, they met at the time and place indicated in said notice and proceeded to view the site of the proposed county bridge and discharge their duties under said appointment.

There were present at said meeting a number of the petitioners and citizens of the Borough of Lilly who accompanied the viewers in making a personal inspection of the site of the proposed bridge. From all the information received touching the matter of the inquiry, both from citizens attending the view and from personal inspection and general observation, they conclude their findings, and report as follows:

The viewers agree and are of the opinion that the proposed bridge is necessary, that the erecting and constructing of such a bridge as is required for the accommodation of the public in travel over Main St. and across Bear Rock Run at the site of the proposed bridge will require more expense than it is reasonable the Borough of Lilly should bear, and that it would be too expensive a burden to impose upon the inhabitants and citizens of said Borough of Lilly alone. We find that said borough has five other bridges to maintain.

We therefore recommend that said bridge be entered of record in this Court as a county bridge, and attach hereto a draft showing the location, span, and other measurements in connection with the said bridge site.

Respectfully submitted,

O. P. Thomas
C. J. Hogue
J. G. Wenderoth

State of Pennsylvania,
County of Cambria, SS:

Before me, the subscriber, a Notary Public in and for said County and State, personally came O. P. Thomas, who being duly sworn according to law, did depose and say that the statements contained in the foregoing report of viewers are true, and that he did perform his duties as viewer therein with fidelity and impartiality and according to his best judgment.

Sworn and subscribed before me
this 2nd day of March, 1910.

O. P. Thomas

Thomas J. Still
Notary Public
My Commission Expires April 6, 1911

State of Pennsylvania,
County of Cambria, SS:

Before me, the subscriber, a Notary Public in and for said County and State, personally came C. J. Hogue and J. G. Wenderoth, who being duly sworn according to law, did depose and say that the statements contained in the foregoing report of viewers are true, and that they did perform their duties as viewers therein with fidelity and impartiality and according to their best judgment.

Sworn and subscribed before me
this 3rd day of March, 1910.

C. J. Hogue
J. G. Wenderoth

James P. Conley
Notary Public
Comm. expires 23rd March 1913

Costs incident to Views.

O. P. Thomas, C. E.

Dec. 3, 1909,	1 day	\$ 5.00	
	1 day (rodman)	2.50	
	Mileage, two men	4.00	
Feb. 11, 1910,	1 day	5.00	
	1 day (rodman)	2.50	
	Mileage, two men	4.00	
	Affidavits, three	.75	
Jan. 24, 1910,	View notices,	1.00	
Feb. 12, 1910,	Making Plat,	5.20	
	Affidavit (report)	.25	\$ 33.20

C. J. Hogue,

Dec. 3, 1909,	1 day	\$ 3.00	
	Mileage	.30	
Feb. 11, 1910,	1 day	3.00	
	Mileage	.30	
	Affidavit (report)	.25	6.85

J. G. Wenderoth,

Dec. 3, 1909,	1 day	\$ 3.00	
	Mileage	.30	
Feb. 11, 1910,	1 day	3.00	
	Mileage	.30	
	Affidavit (report)	.25	6.85
			\$ 46.90

Now March 11th, 1910, by resolution duly passed the Grand jury approves the within petition and report of viewers, and recommends that the County of Cambria build said bridge, that same be entered of record as a County Bridge, and that all expenses be borne by the County of Cambria.

George Mattes
Foreman.

NO 3. Sept. 2000. 1909

In the Court of Quarter Sessions of Cambria County.

In re County Bridge over Bear Rock Run, in the Borough of Lilly, where Main Street crosses said stream.

REPORT OF VIEWERS.

Filed 7 March. 1910,
in open Court,

WILLIAM A. MCGUIRE
ATTORNEY-AT-LAW
EBBERSBURG, - - PENNA.

March 11th
Now April 19th, 1910 the action of the Grand Jury as within recorded is approved, with the exception that the County of Cambria may not be obliged to bear the expense of the approaches to the bridge.

By the Court