

Not microfilmed

Rd # 9

June term,

1929

Johnstown Bridge
over Stoney Creek
River



CITY OF JOHNSTOWN PA.
 PLAN SHOWING LOCATION OF
HIGHWAY BRIDGE
ACROSS STONYCREEK RIVER
AT BRIDGE STREET
 17TH WARD JOHNSTOWN PA.
 SCALE 1" = 40'

118525E	118526E	118527E	118528E	118529E	118530E	118531E	118532E	118533E	118534E	118535E	118536E	118537E	118538E	118539E	118540E	118541E	118542E	118543E	118544E	118545E	118546E	118547E	118548E	118549E	118550E	118551E	118552E	118553E	118554E	118555E	118556E	118557E	118558E	118559E	118560E	118561E	118562E	118563E	118564E	118565E	118566E	118567E	118568E	118569E	118570E	118571E	118572E	118573E	118574E	118575E	118576E	118577E	118578E	118579E	118580E	118581E	118582E	118583E	118584E	118585E	118586E	118587E	118588E	118589E	118590E	118591E	118592E	118593E	118594E	118595E	118596E	118597E	118598E	118599E	118600E
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IN THE COURT OF QUARTER SESSIONS,
CAMBRIA COUNTY, PENNSYLVANIA.
NO. 9 JUNE SESSIONS, 1929.

IN RE A BRIDGE OVER STONYCREEK
RIVER, CONNECTING BRIDGE STREET
IN THE SEVENTEENTH WARD OF THE
CITY OF JOHNSTOWN, WITH FERNDALE
AVENUE IN THE BOROUGH OF FERNDALE
ALL IN CAMBRIA COUNTY, PENNA.

REPORT OF VIEWERS.

Filed 26 August 1929

CERTIFIED

Mahlon J. Baumgardner
COUNTY CLERK

MAHLON J. BAUMGARDNER
ATTORNEY AT LAW
JOHNSTOWN, PENNA.
SWANK BLDG.

IN RE A BRIDGE OVER STONYCREEK RIVER, CONNECTING BRIDGE STREET, IN THE SEVENTEENTH WARD OF THE CITY OF JOHNSTOWN, WITH FERNDALE AVENUE IN THE BOROUGH OF FERNDALE, ALL IN CAMBRIA COUNTY, PENNA.

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

NO. 9 JUNE SESSIONS, 1929.

REPORT OF VIEWERS.

TO THE HONORABLE, THE JUDGES OF SAID COURT:

We, the undersigned Viewers, appointed by the annexed order of the above Court for the purpose of determining the necessity existing for a new public bridge over the Stonycreek River, connecting Bridge Street in the Seventeenth Ward of the City of Johnstown with Ferndale Avenue in the Borough of Ferndale, Cambria County, Pennsylvania, to replace an existing public bridge which is insufficient to accommodate the public travel, respectfully report:-

That we were duly sworn or affirmed as members of the Permanent Board of Viewers of Cambria County, Pennsylvania, as shown by the records of said Court; that we gave due public notice of the time and place of meeting of said view by hand bills posted on the premises and by notice served upon Friedjoff D. Tappert, Esq., acting Solicitor for T. K. Saylor, Esq., and by advertisement in the Johnstown Tribune and Cambria County Legal Journal, at least ten days prior to the time of the making of said view, evidence of which is shown by copies of said notices hereto attached and made a part of this report; that we met upon the premises according to the notice given on Thursday, August 22, A. D. 1929, at ten o'clock A. M., Eastern Standard Time, and proceeded with the duties of our appointment.

We viewed the site and locality of the bridge proposed to be built, making a personal inspection of the grounds and points designated in the petition and order.

We find that the present structure over the Stonycreek River, which is on Route #6, of the State Highway, connecting Bridge Street in the Seventeenth Ward of the City of Johnstown with Ferndale Avenue in the Borough of Ferndale, and over which much traffic passes, is antiquated, weak and dangerous and so narrow that it barely accommodates a line of traffic going each way, and leaves no room for pedestrians to travel said bridge in safety, there being no side walks on either side of said bridge for pedestrians.

We are of the opinion that a necessity exists for a bridge at this point, and that the expenses of erecting a bridge of sufficient size to take care of the traffic, which is extremely heavy, would be burdensome upon the inhabitants of the City of Johnstown, and that said expenses are greater than the City of Johnstown is able to bear. Therefore, we proceeded to lay

out said bridge having due respect to the shortest distance and the best ground for the same, in such manner as would be as near as practicable to the desire of the petitioners and at the same time the least injury to private property. We recommend that a bridge with a thirty foot traffic way and an eight foot sidewalk for pedestrians be erected.

We gave due consideration to the matters before us and are of the opinion that there is a necessity for the said bridge as laid out, and further that the expenses of erecting same would be burdensome upon the inhabitants of the City of Johnstown, and more than it is reasonable that said City should bear. The bridge is necessary for the traveling public and, therefore, we recommend proper assistance by the County of Cambria.

WITNESS our hands and seals this twenty-fourth day of August, 1929.

W. H. Johnson (SEAL)
Chas. E. Campbell (SEAL)
Dipon Stone (SEAL)

Viewers.

IN RE A BRIDGE OVER STONYCREEK RIVER, CONNECTING BRIDGE STREET IN THE SEVENTEENTH WARD OF THE CITY OF JOHNSTOWN, WITH FERNDALE AVENUE IN THE BOROUGH OF FERNDALE, ALL IN CAMBRIA COUNTY, PENNA.

IN THE COURT OF QUARTER SESSIONS, CAMBRIA COUNTY, PENNSYLVANIA.
NO. 9 JUNE SESSIONS, 1929.

TO MAHLON J. BAUMGARDNER, PHILIP CAULFIELD
AND DIXON TOMB, DRS.

Mahlon J. Baumgardner, P.

Data and Preparing Notices to View	\$ 12.00	
Stenographer and Stationery	3.50	
Obtaining Acceptance of Service	12.00	
Posting Notices	12.00	
Mileage	.40	
Making View	12.00	
Mileage	.40	
Conference and consultation re necessity for bridge	12.00	
Preparing Report of Viewers	12.00	
Stenographer and Stationery	3.50	
Advertising Notice to View - Tribune	8.20	
Advertising Notice to View - Legal Journal	3.80	\$ 91.80

Philip Caulfield, P.

Making View	\$ 12.00	
Mileage	.40	
Conference and consultation re necessity for bridge	12.00	\$ 24.40

Dixon Tomb, P.

Making View	\$ 12.00	
Mileage	.40	
Conference and consultation re necessity for bridge	12.00	\$ 24.40

APPROVED FOR PAYMENT

J. H. [Signature]
[Signature]
[Signature]
COMMISSIONER

CERTIFIED
 [Signature]
 COUNTY CONTROLLER

IN RE A BRIDGE OVER STONYCREEK
RIVER, CONNECTING BRIDGE STREET,
IN THE SEVENTEENTH WARD OF THE
CITY OF JOHNSTOWN, WITH FERNDALE
AVENUE IN THE BOROUGH OF FERNDALE,
ALL IN CAMBRIA COUNTY, PENNA.

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

NO. 9 JUNE SESSIONS, 1929.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to determine the necessity existing for the new public bridge over the Stonycreek River, connecting Bridge Street, in the Seventeenth Ward of the City of Johnstown, with Ferndale Avenue in the Borough of Ferndale, all in the County of Cambria, Pennsylvania, and to replace an existing public bridge which is insufficient to accommodate public travel, and to inquire whether the cost and expense of erecting said bridge and the approaches thereto is greater than is reasonable that the City of Johnstown should bear, will meet on the bridge aforesaid on Thursday, August 22, A. D. 1929, at nine o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,
PHILIP CAULFIELD,
DIXON TOMB.

Viewers.

Dated August 9, 1929.

IN RE A BRIDGE OVER STONYCREEK
RIVER, CONNECTING BRIDGE STREET,
IN THE SEVENTEENTH WARD OF THE
CITY OF JOHNSTOWN, WITH FERNDALE
AVENUE IN THE BOROUGH OF FERNDALE,
ALL IN CAMBRIA COUNTY, PENNA.

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

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MAHLON J. BAUMGARDNER,
PHILIP CAULFIELD,
DIXON TOMB.

Viewers.

Dated August 9, 1929.

AND NOW, this ^{12th} day of August, A. D. 1929, I hereby accept service of the above Notice to View, as Solicitor for the City of Johnstown, Cambria County, Pennsylvania.

Joseph B. Tappert
Solicitor, City of Johnstown.

Acting for T. K. Taylor

NOTICE TO VIEW

TRIBUNE

CAMBRIA COUNTY LEGAL JOURNAL

VIEWERS' NOTICE—In re a bridge over Stonycreek River, connecting Bridge street, in the Seventeenth Ward of the City of Johnstown, with Ferndale avenue, in the Borough of Ferndale, all in Cambria County, Pennsylvania. In the Court of Quarter Sessions, Cambria County, Pennsylvania. No. 9 June Sessions, 1929.

NOTICE TO VIEW.

We, the undersigned Viewers appointed by the above Court to determine the necessity existing for the new public bridge over the Stonycreek River, connecting Bridge street, in the Seventeenth Ward of the City of Johnstown, with Ferndale avenue, in the Borough of Ferndale, all in the County of Cambria, Pennsylvania, and to replace an existing public bridge which is insufficient to accommodate public travel, and to inquire whether the cost and expense of erecting said bridge and the approaches thereto is greater than is reasonable that the City of Johnstown should bear, will meet on the bridge aforesaid on Thursday, August 22, A. D. 1929, at 9 o'clock a. m., Eastern Standard Time, for the purpose of performing the duties of our appointment.

MAHLON J. BAUMGARDNER,
PHILIP CAULFIELD,
DIXON TOMB,

Viewers.

Dated August 9, 1929.

NOTICE TO VIEW

In re a bridge over Stonycreek River, connecting Bridge street, in the Seventeenth Ward of the City of Johnstown, with Ferndale Avenue in the Borough of Ferndale, all in Cambria County, Penna.

In the Court of Quarter Sessions, Cambria County, Pennsylvania. No. 9 June Sessions, 1929.

NOTICE TO VIEW

We, the undersigned Viewers appointed by the above Court to determine the necessity existing for the new public bridge over the Stonycreek River, connecting Bridge Street, in the Seventeenth Ward of the City of Johnstown, with Ferndale Avenue in the Borough of Ferndale, all in the County of Cambria, Pennsylvania, and to replace an existing public bridge which is insufficient to accommodate public travel, and to inquire whether the cost and expense of erecting said

bridge and the approaches thereto is greater than is reasonable that the City of Johnstown should bear, will meet on the bridge aforesaid on Thursday, August 22, A. D. 1929, at nine o'clock A. M., Eastern Standard Time, for the purpose of performing the duties of our appointment.

Mahlon J. Baumgardner,
Philip Caulfield,
Dixon Tomb,

Viewers.

Dated August 9, 1929.

8-16-1t

Thursday Aug 2

1857.

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 5th day of August A. D. 1929 before the Honorable Judge of the said Court: Upon the petition of divers inhabitants of the City of Johnstown, in the said County, setting forth that

~~there is a necessity for work on a~~ ~~road or highway, to lead from~~

there is a necessity existing for a new public bridge over the Stonycreek River, connecting Bridge Street, in the Seventeenth Ward of the City of Johnstown with Ferndale Avenue, in the Borough of Ferndale, to replace an existing public bridge which is insufficient to accommodate the public travel; that the cost and expense of erecting said bridge and the approaches thereto would be too expensive and burdensome for the City of Johnstown to bear.

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

M. J. Baumgardner

surveyor, and

Philip Cauffield and Dixon Tomb

viewers, to view the ground proposed for said bridge, and if they view the same, and shall agree that there is occasion for such bridge, 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:

Frank G. Ruff

Clerk.

O.T.E. "It shall be the duty of all persons appointed in the several counties of this Commonwealth to view any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to procure from the person or persons over whose land such location may be made releases from all 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. 9 June SESSIONS, 1929

Order to view bridge in the

City of Johnstown

Viewers

M. J. Baumgardner

Phillip Cauffield

Dixon Tomb

Clerk 90 cts.

IN THE COURT OF QUARTER SESSIONS
OF CAMBERIA COUNTY, PA.

No. *9 June* ~~September~~ Sessions, 1929.

PETITION FOR APPOINTMENT OF
VIEWERS

Bridges in City of Johnstown

Filed August 1929

LAW OFFICES
TILLMAN K. SAYLOR
JOHNSTOWN, PENNSYLVANIA

U.S. NATIONAL BANK BLDG.

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

No. September Sessions, 1929.

PETITION FOR APPOINTMENT OF VIEWERS.

To the Honorable, the Judges of said Court:

The petition of the undersigned inhabitants of the City of Johnstown, a municipal corporation of the third class, in the County of Cambria and State of Pennsylvania, respectfully represents:

That there is a necessity existing for a new public bridge over the Stonycreek River, connecting Bridge Street, in the Seventeenth Ward of the City of Johnstown with Ferndale Avenue, in the Borough of Ferndale, to replace an existing public bridge which is insufficient to accommodate the public travel; that the cost and expense of erecting said bridge and the approaches thereto would be too expensive and burdensome for the City of Johnstown to bear:

Your petitioners therefore respectfully pray your Honorable Court to appoint Viewers to view the premises and take such action in the matter as is authorized and required by the Act of Assembly in such case made and provided.

And they will ever pray.

NAME	ADDRESS
<u>M. J. Cab</u>	<u>Johnstown, Pa.</u> <u>824 Park Ave.</u>
<u>Mark A. Campbell</u>	<u>506 Grove Ave. Johnstown</u>
<u>F. E. McEllen</u>	<u>335 Park Ave. Johnstown Pa.</u>
<u>John Sharley</u>	<u>107 Ohio St. Johnstown Pa.</u>
<u>Maynard W. Warner</u>	<u>112 Ohio St. Johnstown Pa.</u>
<u>Sam. H. Angus</u>	<u>109 Ohio St. Johnstown Pa.</u>
<u>A. R. Krider</u>	<u>535 Coleman Ave. Johnstown Pa.</u>
<u>Russell Hoover</u>	<u>718 Gross Ave. Johnstown Pa.</u>
<u>William Bloch</u>	<u>546 Highland Ave. Johnstown Pa.</u>
<u>S. Richard Bloch</u>	<u>546 Highland Ave. Johnstown Pa.</u>
<u>J. Beach</u>	<u>546 Highland Ave. Johnstown Pa.</u>
<u>Sam. K. Shivers</u>	<u>229 Ohio St. Johnstown Pa.</u>
<u>John R. Lewis</u>	<u>41 Pa. Cent. Place Johnstown Pa.</u>
<u>C. E. Morrison</u>	<u>401 Highland Ave. " "</u>

NAME

ADDRESS

NAME	ADDRESS
John S. Kenney	560 Central Ave Johnstown
J. H. Bender	182 Gurney St - "
J. B. Wolford	611 Gov Ave Johnstown
John H. Clark	564 Central Ave Johnstown Pa.
C. M. Hammer	612 Central Johnstown Pa.
Nieland Wilson	79 Dupont Place "
Robert P. Kenner	747 D ^{park} Ave Johnstown Pa.
Wm. J. Namick	161 Charles St Johnstown Pa.
W. L. McClain	640 Linden Ave Johnstown Pa.
R. L. Evans	710 Ave Ave Johnstown Pa.
Harry Swank	134 Bond St. Johnstown Pa.
J. J. Swank	814 Park Ave Johnstown
Joseph H. Horn	513 Coleman Ave Johnstown
Frank Baldwin	812 Central Ave "
C. M. Putman	415 Highland Ave Johnstown Pa.
W. M. Keizer	170 Bond St "
John H. Keizer	325 Highland Ave Johnstown Pa.
Nicholas P. Staddle	323 - Ohio Street, "
J. P. Murphy	761 Grove Ave. Johnstown Pa.
Wm. D. Shaffer	161 Village St. Johnstown Pa.
N. S. Griffith	336 Highland Ave. "
J. J. H. H. H. H. H.	570 Linden Ave. Johnstown Pa.
Oliver J. Warner	333 Linden Ave. Johnstown Pa.
John E. Henderson	* 72 Dupont St. "
Harold R. Linden	509 1/2 Franklin St. Johnstown Pa.
Nancy W. Cameron	626 Sherman St. "
J. W. Cramer	320 Hayes St.
R. P. Linton	402 Grove Ave. "
Geo. L. Pearce	R-76 Dupont Pl. Johnstown Pa.
Dwight Davis	182 North St Johnstown Pa.
W. W. Davis	1400 Park St. Johnstown Pa.

State of Pennsylvania, :
: ss.
County of Cambria: :

Before me, the subscriber, a Notary Public in and for said County and State, personally appeared, George L. Pearce who, being by me duly sworn according to law, deposes and says that he is an inhabitant and taxpayer of the City of Johnstown, and that the subscribers to the foregoing petition are all inhabitants and taxpayers of the City of Johnstown; that he saw all the persons signing the above and foregoing petition, and that the signatures on said petition are in the handwriting of said petitioners; and that the facts set forth in said petition are correct and true to the best of his knowledge and belief.

George L. Pearce

Subscribed and sworn to before me the Second day of August, A. D. 1929.

Geo. J. Rutter
Notary Public

My commission expires Mar 2, 1933

DE C R E E

AND NOW, the 5th day of August, A. D. 1929, the within petition presented, considered, and M. J. Baumgardner and Philip M. Cauffiel and Dixon Trout are appointed Viewers.

By the Court
Council

IN THE COURT OF-QUARTER SESSIONS
OF CAMBRIA COUNTY, PA.
No. 9 September Sessions, 1929.

June

In the Matter of the Petition of the
Inhabitants and Tax Payers of the
City of Johnstown for the Appointment
of Viewers to View the Bridge Across
the Stonycreek River, connecting
Bridge Street, in the 17th Ward of
the City of Johnstown, with Ferndale
Avenue, in the Borough of Ferndale.

RECOMMENDATION OF GRAND JURY

Filed 6 Sept. 1929.

LAW OFFICES
TILLMAN K. SAYLOR
JOHNSTOWN, PENNSYLVANIA
U.S. NATIONAL BANK BLDG.

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

In the Matter of the Petition of	:	No.	September Sessions,
the Inhabitants and Tax Payers of	:		1929.
the City of Johnstown for the Ap-	:		
pointment of Viewers to View the	:	Petition filed on the 5th day of	
Bridge Across the Stonycreek River,	:	August, 1929, and Viewers appointed.	
connecting Bridge Street, in the	:		
17th Ward of the City of Johnstown	:	Bond filed same day; approved by	
with Ferndale Avenue, in the Bor-	:	the Court.	
ough of Ferndale.	:		
	:	Report of Viewers filed the 26 th	
	:	day of August, 1929.	

AND NOW, the 6th day of September, 1929, the report of Viewers in the above stated case having been by order of Court, laid before the Grand Jury, after hearing the witnesses produced and counsel for the petitioners, the Grand Jury are of the opinion and do find that the aforesaid bridge is necessary, and that the erection of the same will require more expense than it is reasonable for the City of Johnstown, a city of the third class in said county, to bear, and it appearing from the records of the Court of Quarter Sessions that the said bridge has been entered of record as a County bridge, we consider and find that it is proper for the said County of Cambria to build and erect said bridge, and we therefore recommend that the Commissioners of Cambria County appropriate out of the County funds the sum of *One hundred twenty five thousand* Dollars, or as much of the same as may be necessary for the erection of the said bridge.

David J. McManis
 Foreman of Grand Jury

AND NOW, the *6th* day of *September* A. D. 1929, the within recommendation of the Grand Jury is approved.

By the Court
Evans P. J.

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

No. 9 September Sessions, 1929.

B O N D

In the Matter of the Petition of
Certain Inhabitants and Tax payers
of the City of Johnstown for the
Appointment of Viewers to view
the premises and take action with
respect to the necessity for a
new public bridge over the Stony-
creek River, connecting Bridge
Street, in the 17th Ward of the
City of Johnstown, with Ferndale
Avenue, in the Borough of Fern-
dale, to replace an existing pub-
lic bridge which is insufficient
to accommodate the public travel.

Aug 5, 1929, forth
By the Court
Ernest J.

Filed 5 August 1929.

LAW OFFICES
TILLMAN, K. SAYLOR
JOHNSTOWN, PENNSYLVANIA

U.S. NATIONAL BANK BLDG.

KNOW ALL MEN BY THESE PRESENTS,

That we, M. Z. Smith and Calvin Overdorff

of the City of Johnstown, County of Cambria and State of Pennsylvania, are held and firmly bound unto the County of Cambria, its certain attorney or assigns, in the sum of One Hundred (100) Dollars, lawful money, for the payment of which sum well and truly to be made, we do bind ourselves, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents: and we do hereby confess judgment for the above sum, without stay of execution or appeal, waiving the right of exemption and appraisement and the right of inquisition on real estate, with five per cent. added as attorney's commission for collection. Sealed with our seals and dated the day of August, A. D. 1929.

WHEREAS, a petition of certain inhabitants and tax payers of the City of Johnstown was presented to the Court of Quarter Sessions of Cambria County on the 5th day of August, A. D. 1929, for the appointment of Viewers to view the premises and take action with respect to the necessity for a new public bridge over the Stonycreek River, connecting Bridge Street, in the Seventeenth Ward of the City of Johnstown with Ferndale Avenue, in the Borough of Ferndale, to replace an existing public bridge which is insufficient to accommodate the public travel.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the compensation and pay of the Viewers appointee by the Court in the above stated matter, and the cost of the view shall be well and truly paid by the petitioners in case the Court by order shall so direct, then this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, sealed and delivered :
in the presence of :

Ino W. Cameron :
Harry D. Cameron :

M. Z. Smith (SEAL) :
Calvin Overdorff (SEAL) :