

Charles Leventy  
John Leventy  
T. J. Osborn  
Commissioners of Cambria County.

No. 1 Sept. Term. 1909

# PETITION

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

Chest Creek; in  
East Carroll Township.

And now Sept. 7 A. D. 1909,  
the within petition read and consider-  
ed and the following persons ap-  
pointed Inspectors:

Naniel Murphy  
Amos Dishong  
Ed. Lynch  
John T. Green  
Frank Deaver  
Thomas Baker

To make report to the next Court of  
Quarter Sessions.

By the Court  
\_\_\_\_\_  
Attorney

Filed 7 Sept 1911 1909

To the Honorable Francis J. O'Connor,

President Judge of the Court of Quarter Sessions  
of Cambria County:

We, the subscribers, persons appointed by the Court to view the place proposed for a bridge in the within order mentioned, respectfully report:

That having been present at the view of the place proposed for the bridge within mentioned, and having all been first severally sworn or affirmed, in pursuance of said order, having given due public notice as required by law, we viewed the premises aforesaid and are of opinion that a bridge over Chest Creek, at the place where the public highway leading from Eckenrode's Mill to Patton Borough crosses the said Creek, is necessary, and that the erection of such a bridge would be attended with more expense than it is reasonable the said Townships of Carroll and Clearfield should bear.

We also further report: That after proper examination, we are of opinion that a change in the location of such bridge would be an improvement and more advantageous in that it would do away with a grade crossing over the Cambria and Clearfield Division of the Pennsylvania Railroad Company, and therefore have located the said bridge at a point across the said Creek two hundred and thirty-five feet further down the said Chest Creek, and therefore report that the route of said road should be changed in the following manner, to-wit:

Beginning at a point in the road leading to Eckenrode's Mills four hundred and fifty-three feet from the West end of the old bridge thence along the present road North twenty degrees East two hundred and forty-one feet to a post; thence continuing along the said road North thirteen degrees thirty minutes East one hundred and twenty-eight feet to a post in line of the Cambria and Clearfield Division

of the Pennsylvania Railroad Company; thence still continuing by same North thirty degrees West eighty-four feet to the old bridge; thence still by same North twenty-eight degrees West eighty-three feet to a post; thence North nineteen degrees thirty minutes East fifty feet to a post; thence North seventy-three degrees thirty minutes East three hundred and sixty feet to a post in public road leading from Patton to Chest Springs, should be vacated, and supplied with the following road; to-wit:

Beginning at the same point in the road leading to Eckenrode's Mills four hundred and fifty-three feet from the West end of the old bridge; thence through lands of H. J. Link North twenty-six degrees West two hundred and ninety-eight feet to the proposed new bridge over the said Chest Creek; thence through lands of Henry Litzinger North twenty-one degrees fifteen minutes West one hundred and sixty-seven feet to a post; thence continuing through lands of the said Henry Litzinger North Sixteen degrees thirty minutes West two hundred and ninety-two feet to a post; thence continuing through same North eight degrees West fifty-eight feet to a post; thence by an over-head bridge, to be erected, as we are informed, by the Cambria and Clearfield Division of the Pennsylvania Railroad Company, North fourteen degrees thirty minutes West one hundred and ten feet to a post in the public road leading from Patton to Chest Springs.

The undersigned further report: That they endeavored to procure from all the owners of lands over which the said road passes, releases in writing of all claims to damages that may arise from opening the same, but failed to procure such release from H. J. Link, and therefore having taken into consideration the advantages to be derived by the said H. J. Link from the road passing through his lands, they have assessed the damages sustained by the said H. J. Link at fifty dollars. And Henry Litzinger, through whose land the road passes, informed the viewers that he did not desire any damages whatsoever.

We further report: That before the said view public notice was given to all parties in interest according to law, and we annex a plot or draft of said road as laid out, showing the courses and distances, together with the improvements through which the same passes with a description and draft of the road vacated, and showing the location of the old and proposed new bridge.

WITNESS our hands and seals this 29<sup>th</sup> day of November, A. D. 1909.

J. L. Elder	2 days	\$10.00	
" "	Mileage	1.50	
W. A. B. Little	1 day	3.00	
" "	Mileage	1.00	
Walter Perry	1 day	3.00	
" "	Mileage	.40	
M. H. Kanthier	Chairman	1.50	
		<u>\$20.40</u>	
Peter Farabaugh	Chairman	1.50	
Frank Earhart	"	1.50	

J. L. Elder  
W. A. B. Little  
Walter Perry

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... Sixth ...day of... September ... A. D. 1909, before the  
Honorable Judge of the said Court: Upon the petition of divers inhabitants of the Township of Barnett & Blairfield,  
in the said County, setting forth that they labor under inconvenience for want of a Bridge road or highway, to lead from  
a bridge is much wanted over Schist Creek, at the place where the public  
highway leading from Ekmorris Mills to Patton, crosses the said creek,  
on the line between the Townships aforesaid; these roads on the Blairfield  
Township side of said stream converge at the said point, making it an  
important matter to your petitioners. The present structure is frame and  
has been repaired so frequently that it is not possible to put it in  
safe condition by further repairs; and it is now unsafe for travel.  
They further represent that the expense of erecting said bridge would be  
burdensome upon the inhabitants of said Townships and more than it  
is reasonable they should 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

J. S. Elders surveyor, and  
W. A. B. Little and Walter Perry

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:

S. S. Kirkhead, 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. 1, Sept. SESSION, 1909.

Order to view Bridge over  
East branch in Cornwell  
and Leaffield Townships.

Viewers.

J. L. Elden  
W. A. B. Little  
Walter Perry

Clerk Fordward 90 cts.  
Leach

BRIDGE MOUNTAIN-HEADS ELECTRIC PRINT.

Paid by Elden.

Received  
J. L. Elden  
on P.R.R.  
date

1/2 mile S. Thos. W. Linnett  
N. (Buck road) Corp.  
Ab. from Buck Road 190

VERSUS

Præcipe for

Chas. H. Linnett  
Filed

, 190



IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY.

-----	{	No. -----	Term, 190-----
-----		Debt -----	
vs. -----		Interest from -----	
-----		Issue -----	
-----		Returnable -----	

To Prothonotary of said County. }

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Attorney for Plaintiff



And now, 11. 1910, within report approved  
 by the Grand Jury, and said bridge to be  
 entered upon record as a County Bridge,  
 with the understanding that the Townships  
 of Carroll and Clearfield pay for the approaches  
 George Matthes  
 Foreman

Vol. Suppl. Dec 1909

Report of Viewers to view  
 bridge over Chest Creek  
 in Carroll and Clearfield  
 Townships.

Filed & Decreted, 1909,  
 in open Court,

J. W. LEECH  
 ATTORNEY AT LAW  
 EBERSBURG, PA.  
 DISTRICT ATTORNEY

WM. G. JOHNSON & CO., PITTSBURGH, PA.

In the Court of Quarter Sessions of Cambria County.

NO. 1 September Sessions 1909. R. D.

In re petition of the County Commissioners for the appointment of Onspectors to inspect bridge over Chest Creek in East Carroll Township.

:\_DECREE:\_

And now Sept., 7<sup>th</sup> A. D. 1911 the within petition read and considered and the following persons appointed Inspectors: Daniel Murphy, Amos Dishong, Ed Lynch, John Jo Green, Frank Bearer, Thomas Baker, to make report to the next Court of Quater Sessions.

By the Court.

Extract from the-Record,

Certified 18<sup>th</sup> Sept., 1911.

A. D. Kirkead

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 over the Chest Creek between Carl and Clearfield Townships, 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 specification, and in a workmanlike manner, and we do hereby approve the same and recommend that the contractor, J. A. Lord be allowed for extra work done to the wing walls on the above bridge, \_\_\_\_\_ yards, at \$\_\_\_\_\_ per yard or \_\_\_\_\_ in addition to the contract price.

Witness our hands and seals this 28th day of September, A. D. 1911.

Geo. J. Green (SEAL)

L. A. Murphy (SEAL)

L. H. Bearer (SEAL)

Thomas H. Baker (SEAL)

Edward Lenz (SEAL)

\_\_\_\_\_  
(SEAL)

10 Sept Dec 1909 R.D.

11/10/09

*[Signature]* (SMT)

(SMT)

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TO THE HONORABLE FRANCIS J. O'CONNOR,

PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS

OF CAMBRIA COUNTY:

The petition of the undersigned inhabitants of the Townships of Carroll and Clearfield, in said County, respectfully represents:

That a bridge is much wanted over Chest Creek, at the place where the public highway leading from Eckenrodes' Mills to Patton, crosses the said Creek, on the line between the Townships aforesaid; three roads on the Clearfield Township side of said stream converge at the said point, making it an important matter to your petitioners. The present structure is frame and has been repaired so frequently that it is not possible to put it in safe condition by further repairs, and it is now unsafe for travel.

They further represent that the expense of erecting said bridge would be burdensome upon the inhabitants of said Townships and more than it is reasonable they should bear.

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 as aforesaid, and make report at the next term of Court.

And they will ever pray, etc.

*Attest*

*AP P. 10. 11. 11*

*St. O. Litzinger*

*Peter Gabalanga*

*H. P. Dispart*

*W. A. Luther*

*P. G. Mc Gully*

*Andrew S. Lutz*

*P. O. Luther*

*R. M. Beamer*

*Albert Boslet*

*J. H. Beamer*

*P. M. Beamer*

*D. W. Beamer*

*W. L. Beamer*

*J. L. Beamer*

*H. L. Beamer*

*Thos. C. Mc Beamer*

*Bernard Litzinger*

*A. J. Anderson*

Michael Weber  
 John A. Bisset  
 William Springer  
 Chas. Gaskela  
 E. P. Bender  
 J. P. Bertman  
 J. J. Schott  
 P. J. Schott  
 H. J. Eckenrode  
 Wm Miller  
 Peter A. Bortom  
 J. L. Shambaugh  
 J. J. Shambaugh  
 J. H. Hoover  
 E. E. Hoover  
 John B. B. B.  
 Joseph Stoy  
 William B. B.  
 Chas. J. B.  
 Samuel B.  
 E. P. B.

Cambria County, SS:

Before me, a Justice of the Peace in and for said  
 County, personally came \_\_\_\_\_  
 who being duly sworn according to law, says that the matters and  
 things set forth in the foregoing petition are true and correct.

Sworn and subscribed before

me this first

day of Sept,

A. D., 1909.

A. J. Bensen  
 Justice of the Peace.

E. P. Bender



Henry Bloomberg  
New York State  
Jas M. Cornell  
F. W. M. Cornell  
Levy M. M. M.  
H. M. M.  
H. M. M.  
H. M. M.

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QUARTER SESSIONS.

No. | Sept. Sessions, 1909.

Petition of inhabitants of  
Carroll and Clearfield Town-  
ships, for the appointment  
of viewers to view and locate  
bridge over Chest Creek be-  
tween said Townships.

Sept. 6, 1909

J. L. Elder  
W. B. Little  
Halter Perry

appointed viewers.

By the Court

Filed, 6 September, 1909

J. W. LEECH  
ATTORNEY AT LAW  
EBENSBURG, PA.  
DISTRICT ATTORNEY

WM. G. JOHNSTON & CO., PITTSBURGH, PA.