

No. 6

Dec.

Term, 190

Public Bridge

versus

Bigler Trust

x

-: IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY: -

To the Honorable Cyrus Gordon, President Judge of said Court: -

The petition of the undersigned citizens and inhabitants of the Township of Bigler, said County, respectfully represents: -

That a public road passing through said township is crossed by Muddy Run, a large creek or rivulet tributary to Clearfield Creek, at a point in the village of Smoke Run, said Township, near to the hotel lately conducted by James McGuire and to the store and premises of L. & M. Beyer; that said public road is extensively used as a means of communication between Houtzdale, Ramey, and Glen Hope, Utahville, Irvona and Coalport:

That the bridge by which said creek is crossed by the public road aforesaid is delapidated, weak and rotten, so that the erection of a new bridge is imperatively necessary; that the erecting of a bridge across said creek would be more expensive than it is reasonable Bigler Township should bear; and same should be borne by the County of Clearfield -

Wherefore your petitioners pray the Court to appoint viewers to view the site of the said bridge and the proposed bridge, and to make report to your Honorable Court according to law, and they will ever pray

Names

Names

John Beyer
C. C. Ball
E. C. Davis
W. R. Minde
Alexander
H. F. Dyer
Joseph Ashoff
J. C. Root
G. H. Fair

Thos Blyth
J. Miller
James Exirk
Samuel Exirk
Edward Exirk
William Wilson
S. S. Gray
James McCay
E. S. Butler

John Cook
W. A. Frick
Ashwoodley
Lewis W. Beyer
Johny Morgan
James Barron
Chas. Keenan
James Maher
Joseph Maxwell
C. W. Shuff
F. G. Higgins
Ben Termin
John Goreman
David Johns
Thomas James
S. D. Antis
A. Mimsen
Ed. Ridgeon
John Whiteside

H. C. Stodart
James C. Stodart
John J. Stodart
John B. Stodart
John B. Harrington
John Friday
O. G. Johnson
L. W. Trout
Evan Johnson
H. Boyer
John Stodart

Clearfield County, SS:-

At a court of Quarter Sessions held at Clearfield in and for said county of Clearfield, on the 27th day of September A.D. 1899, before the Honorable Cyrus Gordon, upon petition of divers inhabitants of the township of Bigler, in said county setting forth^{\\} That a public road passing through said township is crossed by Muddy Run, a large creek or rivulet tributary to Clearfield Creek, at a point in the village of Smoke Run, near to the hotel conducted by James Mc. Guire and to the store and premises of L. & M. Beyer; that said public road is extensively used as a means of communication between Houtzdale, Ramey, and Glen Hope, Utahville, Irvona, and Coalport:^{\\}

That the bridge by which said creek is crossed by public road aforesaid is dilapidated, weak, and rotten, so that the erection of a new bridge is ~~imparitively~~ necessary; that the erecting of a bridge across said creek would be monre expensive than it would be reasonable Bigler Township should bear^{\\} the court on due consideration appoint *DR Horz* *Rev. D. Dennis* *plus L. S. Lightner*, who after being respectively sworn or affirmed to perform their duties impartially and to the best of their judgment, are to view the place proposed for the said bridge, and if they view the same, and agree that there is occasion for such bridge, and that the erecting of said bridge would require more expense than it would be reasonable the said township should bear, they are to make report accordingly, and a map or plot thereof to be made, which shall accompany said report; the said report to be made at the next term of the Court of Quarter Sessions to be held for said county of Clearfield.

By the Court
Cyrus Gordon

11th, Dec. 7, 1899

*In re
Bridge at Monroe
Cinn. & Del. Trp.*

FILED

SEP 27 1899

Grant H. Thompson,

FILED

SEP 27 1899

Grant H. Thompson,

HARRY BOYD,
Notary.

HOUTZDALE, PENNA.

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county on the

27th day of Sept., A. D.

1899, before Judge of said Court, upon a petition of sundry inhabitants of the township of Bigler in said

County, setting forth that a public road passing

through said Twp is crossed by Muddy Run a large creek or rivulet tributary to Clearfield Creek at a point in the village of Smoke Run near to the hotel lately conducted by James McNamee and to the above and premises of Dr. Wm. Buyer. That said public road is extensively used as a means of communication between Knitzdale, Tannery, Shus Run, McNamee, Irona and Coalport. That the bridge by which said creek is crossed by the public road aforesaid is dilapidated and it is necessary that the erection of a new bridge is imperatively necessary. That the erecting of a bridge across said creek would be more expensive than it is reasonable Bigler Twp should bear and same should be borne by the County of Clearfield and therefore praying the Court to appoint proper persons to view and lay out the same according to law,

to make report to your Court according to law whereupon the Court upon due consideration had of the premises, do order and appoint

D. R. Good, Geo. D. Penn.

John L. Lightner

who after being respectively sworn or affirmed to perform their duties impartially and to the best of their judgment, are to view the place proposed for the said bridge, and if they or any of them, view the same, and any of the actual viewers agree that there is occasion for such a bridge, and that the erecting of the said bridge would require more expense than it would be reasonable the said townships should bear, they are to make report accordingly;

and a map or plot thereof to be made, which shall accompany said report; the report aforesaid to be made to the next term of the Court of Quarter Sessions to be held for the said county of Clearfield.

BY THE COURT.

Frank J. McNamee
CLERK.

RELEASE OF DAMAGES.

Know All Men by These Presents, That we, the undersigned owners of lands upon which the bridge is located by the viewers, under the annexed order, passes for and in consideration of the sum of ONE DOLLAR to us respectively paid by the at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said all damages that may arise to us respectively by reason of the location or building of said bridge, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location or building of said bridge.

Witness our hands and seals this day of
A. D. 189.....

Seal

Seal

Seal

Seal

ASSESSMENT OF DAMAGES.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and building of said bridge in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof as follows:

The report that no private property is
To taken - injured or destroyed by the erection
of the proposed bridge
To the sum of
To the sum of
To the sum of

Witness our hands this 22nd day of November A. D. 1899.

John H. Hougham
D. H. Hougham
G. D. Benson

Bridge

ROAD VIEWERS' NOTICE.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view a *Public*

Bridge
~~Read leading from~~ crossing Muddy Run at a point in the village of Smoke Run near to hotel lately conducted by James McGuire and where said Muddy Run is crossed by public road leading from Ramney to Hahville in *Bigler* Township, to

in _____ Township, in the county aforesaid, will meet at the ~~house~~ *store* of *Land M. Beyer*, in *Bigler* Township, on *Wednesday*, the *22nd* day of *November*, A. D. 1899, at 11 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

J. R. Good
Geo. A. Penn
J. L. Lightner
VIEWERS.

November 9, 1899.

Now. November 9. 1899. service
of notice of Bridge View as hereon
is hereby accepted.

M. G. Davis

~~C. J. Davis~~
cek

County Commissioner

Now. November 15, 1899. service
of notice of Bridge View as within
is hereby accepted

+ Gust Johnson +
+ O. E. Booker +
+ Supervisors of Bigler Twp.

State of Pennsylvania
County of Clearfield SS.

D. R. Good, Geo. D. Benn and J. L. Lightner,
being severally sworn or affirmed, say each for himself, that
he will perform his duties as a Viewer, according to the terms
of the annexed order to view, impartially and to the best of
his judgment, and further say not.

John L. Lightner
G. D. Benn
D. R. Good

Sworn and subscribed before me this 22 day of
November, A. D. 1899.

Harry Boulton
Notary Public.

To the honorable Cyrus Gordon, President Judge of the
Court of Quarter Sessions of Clearfield County, Pennsylvania.

We, the under signed Viewers appointed by the within order
of Court to view a bridge across Muddy Run, at the place there-
in described, do report:

That first having given ^{at the time and place appointed} more than five days notice of the
time and place of meeting according to law, we all met and hav-
ing been severally sworn or affirmed as within directed, and
upon due examination had as to the condition of the site, the
necessity of the bridge for public travel, and the expense of
same, we are of the opinion that a bridge is necessary at this
place, and further that the expense of erecting the same would
be greater than it is reasonable for Bigler Township to bear,
and recommend that the Township of Bigler build
the abutments and approaches, and that the
County of Clearfield furnish and place the
superstructure of the bridge.

A plot or draft showing the location of the said bridge
is hereto annexed and made a part of this report.

Length of bridge to be ^{no clear} Fifty feet in the clear be-
tween the abutments, and ^{no clear} eight feet above low
water mark. In witness whereof we have hereunto set our hands this
twenty-second day of November, A. D. 1899.

John H. Doigle
D. K. Wood
G. D. Benn
Viewers.

NOTE.—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return. Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the bridge, they will report to that effect.

	Days	Miles	Amount
J. D. Lightner	1	9	4.00
J. R. Good	1	2	2.00
G. & Dem	1	9	2.90

At Dec 1899 account
 W. Grand Jury
 Chairman was W. E. Deby
 Deacon of Church
 W. E. Deby
 Cyano Gardens

Nov 2 Dec 1899
 Public Bridge
 in
 Diner

ORDER TO VIEW
 Feb 9 1900 approved by
 referees W. E. Deby
 Cyano Gardens

FILED
 DEC 2 1899
 Grant H. Thompson,
 Prothonotary.

Fees \$1.25, paid by

Attorney.

Nov. February 9 1900 The Grand Jurors of the
 County of Clearfield having read and considered
 within report and heard testimony as to necessity
 and facts set forth in petition and report do approve
 the report and recommend that the Township of
 Bigler build the abutments and approaches entirely
 at the cost of said township and the County of
 Clearfield place the superstructure thereon and
 we do recommend

E. A. Davis