

W. D. Feby Term, 1905  
Public Bridge

—Versus

Osceola Boro.  
across Moshannon Creek

X

Petition for the erection of a County Bridge.

TO THE HONORABLE ALLISON O. SMITH, President Judge of the Court of Quarter Sessions of the Peace in and for the County of Clearfield.

The petition of the inhabitants of the Borough of Osceola, in said County, respectfully sheweth, that a bridge is much wanted ~~the dividing line between Centre County and Clearfield County~~ over the McShannon Creek; at a place where a road crosses said Creek into Centre County, at or near the Pennsylvania Depot, at Osceola in said County, Pennsylvania. By reason of recent floods taking out the bridge it is impassible, and that the expense of erecting said bridge would be too heavy and burdensome upon the inhabitants of said Borough,

Your petitioners therefore pray your Honor to take such order in the premises, as in your wisdom shall seem meet and consistent with the Act of General Assembly in such case made and provided.

And they will ever pray, etc.

J. Mallon  
Jas. S. Shillingford  
H. W. Biddle  
J. A. Worner  
Geo. A. Brown  
W. Westbrook  
J. C. Miller  
Brown, Baird, & Peers  
McKenna, Paul, Murphy  
J. A. Brown & Son  
Michael Murphy  
P. J. Head  
Lawson Baird

J. H. Haslett  
A. B. Read  
Ross & Jackson  
Jas. A. Stoddart  
George Morris  
Henry Bain  
W. J. O'Brien  
J. C. Brown  
Geo. Jones  
Osceola, October, 1851  
A. D. McLaughlin  
Benj. & Smegart

S. P. Jones.

H. E. Brooker  
Joseph Lamotte  
J. D. Buntington  
E. C. Bates  
J. H. Santley  
Harry Suyko  
Geo. F. Schuppler  
S. H. Warren.

H. S. Shillingford  
Liquor Inspector  
of the State Tax

Simon Reest

C. B. Hess

E. W. Hutton

Chas. Eshoff  
Theodore Moore

P. Gallagher

Mr. L. G. Smith Senior, 1905

Rockin' Fox Bridge  
Tremont

There are 6,100' pitch pine  
planted & when up will  
J. S. Mc Clellan - Supervisor  
Lafayette, New Hampshire  
My wife & I are looking  
for 100,000' timber for  
the proposed bridge  
and will come to you  
and get you to build  
the bridge for us.

W. O. Miller, City.

Public Bridge over Moshannon ) In the Court of Quarter Sessions  
Creek between Osceola Borough ) of Clearfield County.  
Clearfield County, and Rush ) No. 2 February Sessions 1905.  
Township, Centre County. )

The proceedings in the above stated case were begun at February Sessions, 1905, and the report of the viewers favorable to the bridge was made to May Sessions, 1905, whereupon the report was referred to the Grand Jury at that session. The Grand Jury approved the report of the viewers and the matter was then presented to the Court for final approval.

An examination of the draft attached to the report shows that the approach to the bridge on the Clearfield County side, for a distance of over 500 feet, is on private ground, and that there is no public road or approach from the regular Borough streets on the north side of the railroad at that point to the Moshannon Creek or County line. Having considerable doubt as to the propriety of approving this bridge to be built at public expense, on account of its location, we made a personal inspection of the situation in order to <sup>be satisfied</sup> ~~satisfy ourselves~~. The so-called private road, as shown by the map, between Railroad Street in the Borough of Osceola across the Pennsylvania Railroad and across the swamp to the Moshannon Creek proper, is merely an old embankment of a dam. Apparently of recent years it has been used as a driveway and a temporary bridge constructed over the Moshannon at the point in question. On the Centre County side it meets a narrow road running along at the foot of the hill. This road apparently has at some time been constructed to the south, as well as to the north of the designated point for a bridge. We did not go over it to the south and do not

know what its present condition is, but it was claimed that the bridge was necessary and desirable in order to accommodate the people living on the brow of the hill a quarter to half a mile <sup>towards Edenville</sup> from the bridge location and around the point of the hill. The road from the desired location to ~~where~~ the first house ~~commence-~~ ~~is~~ is simply a narrow cut in the side hill, not wide enough for two conveyances to pass, and on the creek side of the road is a tramroad for a mine in that vicinity which is on a grade several feet lower than the road proper. We have been unable to get any information as to whether even this is a public road, although on the map connected with these papers is marked public road. There are quite a number of houses and of course a considerable number of people living on the Centre County side who would in a manner be accommodated by this public bridge, but in our opinion they would be still better accommodated by the building of a roadway across the mountain run a distance of not over one thousand feet to meet the general highway running south from Osceola on the Centre County side. After looking over the situation and taking into consideration the character of this bridge location, we are not satisfied that the County should expend the one-half of five or six thousand dollars required to build such a structure. A driveway in that vicinity may be very desireable, both for the people who live there, as well as for the merchants doing business at Osceola who have trade in that vicinity, but ~~referencing the County to expend such a sum of money~~ the situation with reference to there being public or private roads and the right to build across the railroad should all be definitely determined before asking the Counties involved to expend such a sum of money. This is especially true in view of the fact that there is also another bridge being pushed by citizens of Osceola over the

Moshannon at a point half a mile or so north of the proposed bridge. The viewers in that case, however, have reported the same unfavorably, so that we do not have it to pass upon at the present time. There are now before the Court for final approval or disapproval upwards of fifty thousand dollars worth of bridges and Clearfield County cannot afford to erect all of them.

It is, in our judgment, therefore, the duty of the Court to carefully discriminate and approve only such as are ~~so~~ unquestionably necessary for the general public interest. We are not convinced that this is one of them. We, therefore, refuse to approve the same.

By the Court,

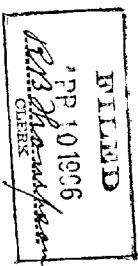


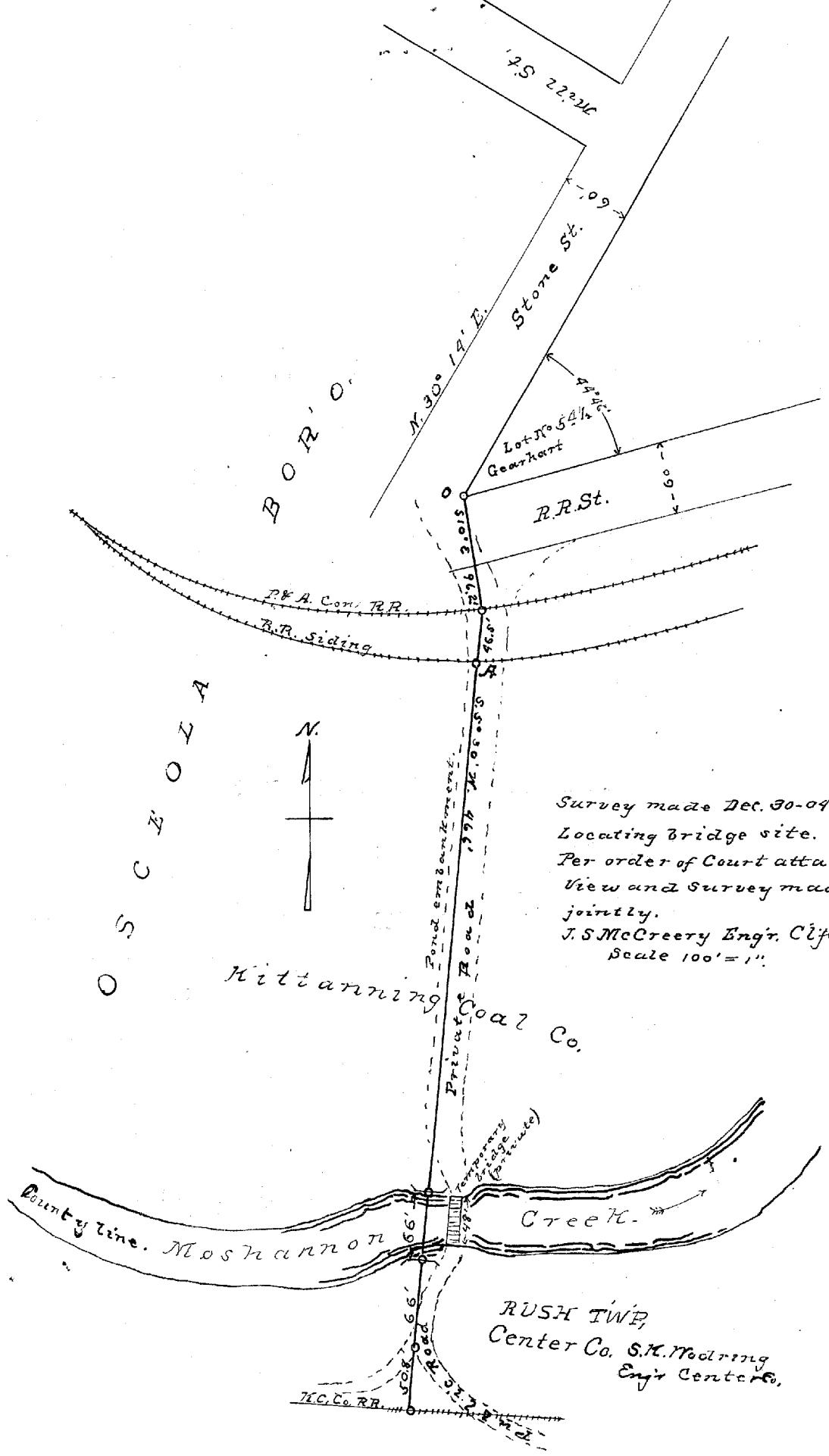
P. J.

No. 2 Dec. February Sessions, 1905.  
No. 2 July, " 1905.

Public Bridge over Moshannon  
Creek between Osceola Borough,  
Clearfield County, and Rush  
Township, Centre County.

OPINION.





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 7 day of December, A. D. 1804, before Judge of said Court, upon a petition of sundry inhabitants of the ~~township~~ <sup>Borough</sup> of Osceola in said County, setting forth that a bridge is much wanted over the Moshannon Creek - at a place where the division line between Centre County and Clearfield County road crosses said Creek into Centre County, at or near the Pennsylvania Town Depot, at Osceola in said County. By reason of recent floods taking out the bridge, it is impossible, and that the expense of erecting said bridge would be too heavy and burdensome upon the inhabitants of said Boro.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law,  
to Report at next term of Court

whereupon the Court upon due consideration had of the premises, do order and appoint

J. J. McCreery, Joseph Alexander, and  
Ges. W. Dickey

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 two of them, view the same, and any two 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.

Grant S. Thompson  
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:

To ..... the sum of .....

To ..... the sum of .....

To ..... the sum of .....

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

We the undersigned viewers appointed  
by the County of Clearfield County as per the  
accompanying order, having met this 30<sup>th</sup> day of Dec  
1904, and being duly sworn according to law,  
proceeded to view the proposed location for  
bridge and find the facts set forth by the  
petitions to be as stated, that there is  
need for a public bridge at this place  
and we in conjunction with the viewers from Center Co  
recommend the building of a bridge across the  
Moshannon creek at a point on the side of old  
Mill pond and shown by the accompanying draft.

Survey as follows: Beginning at intersection of stone and R.R. st  
"0", in front of Oscula Boro. being corner of Gear Lash lot No 54<sup>1/2</sup>  
Hence across R.R. st. S 10° E 96.2 feet to center of R.R. (main tract). Then  
S 5° 30' West. 46.5 ft to center of side tract. Then along pond embankment, used as road, S 5° 30' road 4.66 ft to Moshannon  
creek, left bank, at a point suitable for the face of North abutment, across  
to Center Co's side 6.6 ft to point for abutment, gauge bearing, 89 ft to whom  
public road intersects private road. + 50.8 ft to K.C.C. Co. tract. Total 793 ft.  
Said bridge or such part thereof as may be decided on  
by the grand inquest to be built jointly by Clft & Center Cos.  
Our report further favors the building of said  
bridge conditioned on an adjustment of right  
of way from the R.R. tract marked "A" to the creek  
the same being private road over the property  
of The Kittanning Coal Co.

J. M. Tracy  
Geo. Dickey  
Joseph Alexander

Dear Sirs, May 5, 1905, we the Grand Jury, find the mentioned bridge necessary and that it would be too expensive for the Borough of Oscoda, and Township of Brush to build and appraise the report of the viewers.

D. J. Geringer  
Barrenom.  
April 1906 report of  
divers his reward for  
plants grown in Barrenom  
field Barrenom.

337. The Count  
Alphonse de Saxe

ORDER TO VIEW.  
of 5/1903 return granted  
agreed to Grand Jury  
Many Persons - By the Court  
Affidavit of myself  
Total 22.10

~~Missouri State  
Geological Survey  
Circular No. 10  
1908  
Price, 50 cents~~

D. J. G. in 1908

FILED  
Attorney.

**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. **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.