

No. 3, May Sessions, 1905

COMMONWEALTH

versus

Public Bridge

Shoeless Boys

Charge

WILLIAM I. SWOOPES,
DISTRICT ATTORNEY.

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

To the Honorable Allison O. Smith, Judge of the said court.

The petition of the undersigned inhabitants of the Borough of Irvona, County of Clearfield, respectfully showeth, that a bridge is much wanted over North Witmer Run at the place where the new public highway crosses the same in the borough aforesaid, the said bridge being a necessity at that point on the new road opened from the school house in the village of Wister to the P. & N. W. R. R. station in the said borough. The said bridge will be wholly within the said borough, and the expense of erecting said bridge will be too heavy and burdensome upon the inhabitants of the said borough; that the said bridge is largely for the convenience of non-residents of said borough, and it is not reasonable that the said borough should bear the whole of the expense thereof.

Your petitioners, therefore, pray your Honorable Court to appoint proper persons to view the premises and to take such order on the subject as is directed and required by the Act of Assembly in such case made and provided.

And they will ever pray, etc.

John Christian
Wm. Hollon
Robert Steff
Z. S. Morrison
M. J. Segar
Wm. Charlton
W. J. McDaniel
J. E. McDonald
E. J. Straw
John Harnish
James Brink
David Muller
Thos. C. Butler

Samuel Miller
Ca. Stales
W. W. Johnson
A. (R. S. F. M. T. D.)
John F. Miller
J. W. Bailey
Frank Segar
F. W. Harpur M. D.
J. T. Phillips
D. B. Klein
John Jewett

11

C. J. Hunter	Thos Lewis
J. J. Black	H. C. Ross
J. V. Rea	A. Ellsworth
W. B. Smith	A. B. Smith
J. N. Smith	John Davis
Dal Reddick	S. H. Taylor
Henry Waters	Geo Robinson
J. H. Durand	Geo. J. Robinson
W. Waters	R. Donahay
S. F. Hall	Adam Spade
S. T. Morrison	Jess. Riches "
J. S. Morrison	A. E. Nugent
S. J. Morrison	Chas. Welch
Tom Fletcher	Eason McEwan
W. M. Richards	G. F. Lee
D. Love	R. G. Hunter
H. H. M. Pangburn	Char. Hoy
W. E. Broscine	E. Hunter
Lee Bennett	Walter Potts
Frank H. Smeal	Joe Hall
Stewart Hall	Mary Bowman
Eugene Dewalt	J. B. Strong
	W. W. H. F.

11 16
W. L. Hough. Wincentine
Sam Marison C. C. Towner
J. G. Moore M. M. McKey
A. L. Longwill J. M. L. Remer
O. L. Wilson J. S. Bloom
J. H. Phillips John A. Hale
Blake Lightfoot John N. Jones
J. H. Potts. Gibson " "
J. H. Wilson
G. W. Brink
Allen Strader J. M. Spade
F. J. Lee J. P. Adams
A. R. Hobson Smith Mr. G. Leibhart
Edwin Smith Mrs. T. Montgomery
W. J. Early G. B. Lightfoot
Geo Ramsey O. L. Richards
H. C. and C. Leibhart
Wm W. Hugg A. M. Richards
O. J. Onday Walter Leibhart
J. B. Freeman D. H. Barto
James Freeman James B. Wilson
W. M. Kegire C. McGehee
Kieran Kline G. Mercedes
Chas C. Wilson J. L. Leibhart

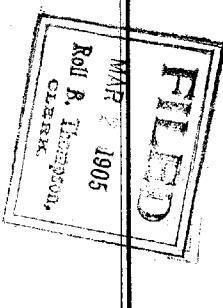
George W. Klein
Rev Gibb
aged Dublin
J. A. Chappart
J. A. Houser
H. H. Smeal
G. S. Straus
D. F. Edelbert
E. P. Bolger
Wm. Montgomery 125
Wm. Lightner
George W. Dales
W. H. Lightner
Dennis O'Shea
J. F. Sanders
130 J. H. Cane
(130 signs)

We do hereby certify that we have examined the within petition, and find that it is in regular form and conforms to the prayer of the petitioners.

February 11; 1905

Murray & O'Laughlin
Attorneys for Petitioners.

Petition for Bridge in
Irvington Borough



And now John A. ¹⁰⁰⁰
G. B. Thompson & Company
of South Pittsburg, Pennsylvania
are appointed vicars &
prayed for to make report
of their ex. 1905 - said
report to include any &
other bridge, among
or suitable stone work &
or everything & estimate of
cost of such so that
the same may be made
without any & loss
on the receiving & doing
of same in the sum
of the sum
John A. Thompson

Mr. W. H. Fox
Clerk

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

2 day of March, A. D.

1905, before Judge of said Court, upon a petition of sundry inhabitants of the ~~township~~ Borough of Irwona in said

County, setting forth that a Bridge is much wanted over North Witmer Run, at the place where the new public highway crosses the same in the Borough aforesaid, the said Bridge being necessary at that point on the new road opened from the School house in the Village of Wister to the Penn N.W. R.R. Station in said Borough. The said Bridge is wholly within the said Borough and the expense of erecting said Bridge will be too heavy and burdensome upon the inhabitants of said Borough, that the said bridge is largely for the convenience of non residents of said Borough and it is not reasonable said Borough should bear the whole expense.

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

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

Alexander, Joseph Delehunt and A. J. Fry

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.

Roll B. 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

Bridge Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view a Bridge at place where
new Public Road from School House
Village of Kistler to P.M. & W.R.R. Depot
in the Boro. of Ivona crosses
North Kistler Road

in Ivona ^{Boro.} Township, in the county aforesaid, will meet at said place on Monday, the 24th. day of April, A. D. 1905, at 2 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

C. B. Alexander

Joseph Delahunt
A. J. Foy

Viewers.

April 19, 1905.

Service accepted.

Br. 100

Chris. C. Wilson

6

100

Service accepted.

Street Commissioner

W. M. Ames

Bridge Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view a Bridge at place where
new public road from school house
in village of Wistar to the P.M&W,
R.R. Depot in the Bros of Iroova crosses
North Wistar Road

in Iroova ^{Borough} Township, in the county aforesaid, will meet at said place on Monday, the 24th day of April, A. D. 1905, at 2 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

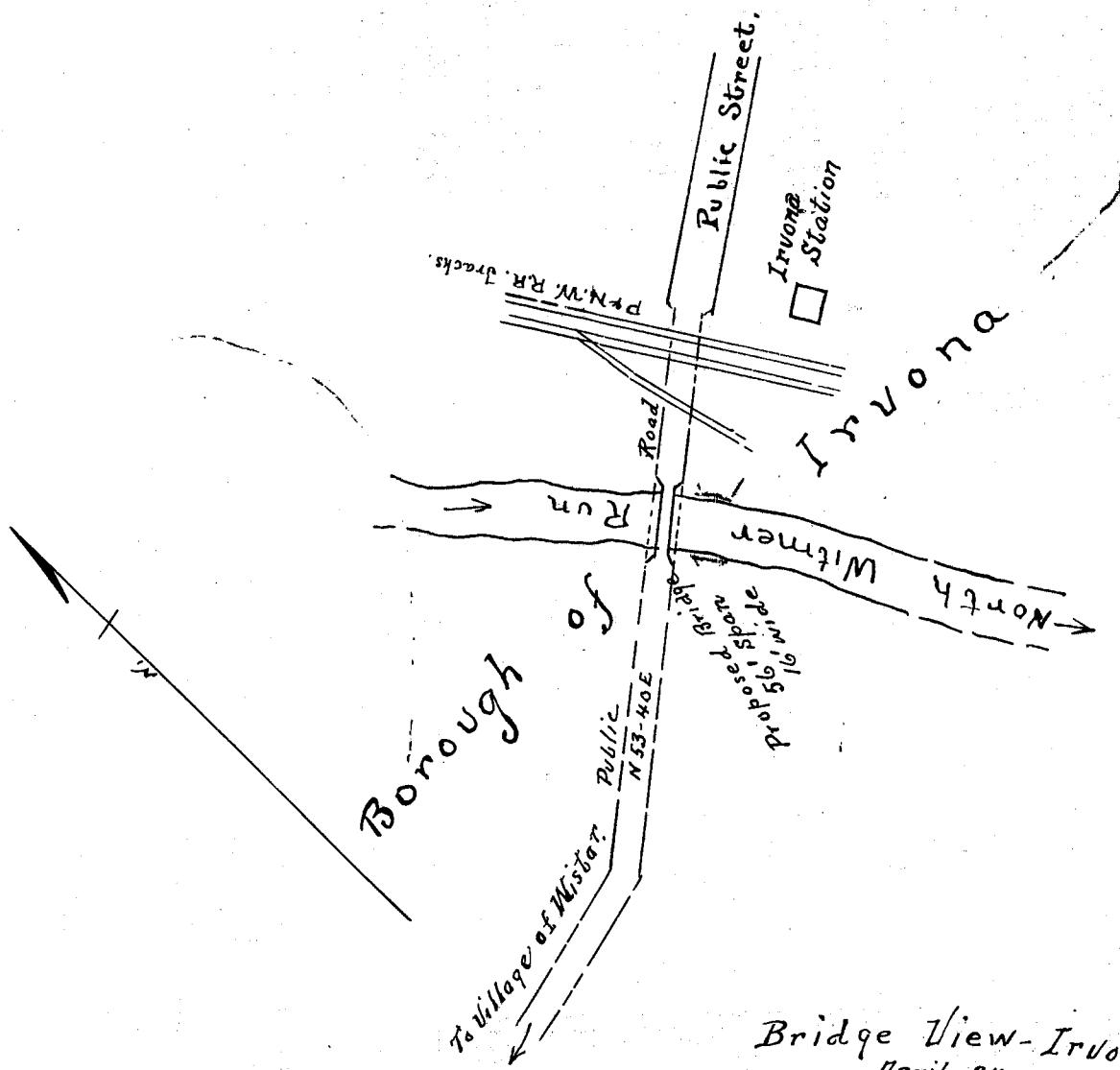
C. B. Alexander

Joseph Delahunt
A. J. Fry

Viewers.

April 19, 1905.

service accepted
Apr 19, 1965
County Clerk's
By W. H. Starnes
At



Bridge View - Irvinon Boro.
April 24-1905.

Plan showing location for
proposed bridge.

Scale 1" = 200' C.R.A.W.

TO THE HONORABLE ALLISON O. SMITH, PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY PENNSYLVANIA.

We the undersigned Viewers appointed by the within order of Court to view for the bridge therein mentioned, respectfully report that we gave good and lawful notice of said bridge view and met agreeable thereto and having been severally sworn or affirmed, we viewed the location at sight proposed for said bridge and roads leading thereto and have found that the bridge petitioned for is required for a crossing over the North Witmer Run at a point where a new road recently granted crosses same also replacing a private bridge at same point, said private bridge being now entirely gone. In your viewers opinion this bridge is a necessary adjunct to said new public road and should be granted.

Said bridge should be of iron construction placed on well built abutments, have a span of 56 feet and be placed at 8 feet above low water.

And further the construction thereof would cost more than is reasonable that the said Boro. of Irvona should bear, your viewers would therefore respectfully recommend that in the construction of this bridge that the within mentioned county of Clearfield supply the iron work or superstructure and the erection thereof, and that the within mentioned Boro. of Irvona construct the necessary abutments and prepare the approaches.

A plot or draft showing the location of this bridge is herewith attached and made a part of this report.

WITNESS our hands and seals this 1st. day of May A.D. 1905.

Sept 9, 1905.
Bridge
Appointed by the Grand
Inquest for the September
Term, 1905.
John W. McWatty Foreman.
John Simpson, Sec.

VIEWERS.

C. B. Alexander,
Joseph Deleasant
A. J. Fry,

Now Sept. 9th 1905 we approve the foregoing report and find that the bridge is necessary and too expensive for the borough to build. We further recommend that the County furnish the iron work or superstructure thereof and also pay for the erection thereof and that the borough construct the ~~approach~~ ^{approach}ments and prepare the approaches as set forth in this report.

*M. B. Wally Foreman
of Grandury
John Simpson - See*

Sept 24 1905 The Wilson Airport is approved &
the finding that the bridge is necessary and the resolution for the Borough
of Duma to build is approved - the County to build the infrastructure
only as recommended by the ^{the formal Duma} ~~formal Duma~~ if
any

By the author
Wilson D. Smith Jr.

Briggs

No. 3 May 1905.

Public Bridges

C. B. Alexander } Days 3^{1/2}.....
 } Miles 50..... \$19.50
 AMOUNT.

Joseph H. McLean } Days 1
 } Miles 18. \$3.88
 A. J. Fry } Days 1
 } Miles 18. \$2.70

ORDER TO VIEW.

ORDER TO VIEW.
 Miles
 May 5, 1933 Boston
 started & arrived Cambridge
 the Grand Jury at 9:30 A.M.
 for the Committee
 } Miles
 } Days

Filed..... 189.



NOTE.—Viewers will carefully note the numbers of days employed, and set the mount out at the foot of his 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 damages as well as the disbursements of the bridge, they will report to the court, disallowing the same.