

No. 3, May Sessions, 1905

COMMONWEALTH

versus

Public Bridge

in  
Groves Bros.

Charge

WILLIAM I. SWOOPÉ,  
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 sheweth, 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.

*[Signature]*  
Justin Holton  
Robert Steff  
F. S. Morrison  
M. G. Tegan  
Wm. Chaffin  
Bliss  
J. E. McDermott  
E. J. Straw  
Wm. Harnish  
Jacob Bink  
David Mullen  
Thos. G. Benton

*[Signature]*  
C. A. Wales  
W. W. Elmore  
A. R. Elmore  
J. W. Bailey  
Frank Gregg  
F. W. Harker M.D.  
J. J. Phillips  
D. B. Harker  
John Harker

A. C. Hunter  
J. J. Black

J. W. Rea

W. B. Smith  
J. N. Smith

D. A. Redden

Henry Waters

S. H. Curran

W. Waters

S. F. Hall

S. I. Morrison

J. J. Hunter

S. J. Thompson

J. M. Hunter

W. M. Richards

D. Love

H. H. McLaughlin

W. E. Brocious

Lee Bennett

Frank H. Smeal

Stewart Hall

Eugene Hewalt

Thos Lewis

H. C. Ross

A. E. Hamer

A. B. Smith

John A. Ains

S. M. Haylor

Geo. K. Gibson

Geo. M. Diggins

R. D. Hough

Adam R. Spauld

Jess. Pickney

A. E. Phygall

Chas. Kibb

Edson McEwen

G. H. Lee

R. E. Hunter

Char. Ross

E. Hunter

Walter Potts

John H. H. H.

Harry Bowman

J. B. Strong

Louise H. H.

W L Huggs Vincent Smedley  
 Sam Morrison E. E. Toner  
 J. H. Hine M. H. Hine  
 A. L. Longwill J. M. L. Hine  
 O. L. Hine A. Hine  
 J. H. Hine J. H. Hine  
 Blake Lightner John A. Hine  
 S. H. Hine John H. Hine  
 J. H. Hine J. H. Hine  
 G. W. Brint J. H. Hine  
 Allen Strass J. H. Hine  
 F. J. Lee J. H. Hine  
 Abraham Smith J. H. Hine  
 Edwin Smith J. H. Hine  
 W. J. Carby J. H. Hine  
 Geo Ramsey J. H. Hine  
 H. H. Hine J. H. Hine  
 Wm H. Hine J. H. Hine  
 C. J. O'Leary J. H. Hine  
 J. D. Freeman J. H. Hine  
 James Freeman J. H. Hine  
 Wm H. Hine J. H. Hine  
 Hilbert Hine J. H. Hine

George W. Kline

Rev Gibb.  
aged Dublin

J A Asphornt

J A Houser

W D Smeal

G L Mays

L F Edelweitz

E. P. Bolger

Wm Montgomery 125

Wm Lightner

George W. Hales

H W Lightner

Dennis O Shea

J. F Sanders

130 J. L. Ware

(130 signed)

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 14, 1905

*Murray & O'Loughlin*  
Attorneys for Petitioners.



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 Borough of Irwina 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 P. and 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.

Roe 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 Kistau to P.M. & W. R.R. depot in the Boro. of Irwona crosses North Kistau Run*

in *Irwona* <sup>*Boro.*</sup> ~~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.

B. 11. 11.

Chas. C. Wilson-

Service accepted.

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Street Commissioner

M. H. Jones

# 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 Town of Irona crosses  
North Witmer Road

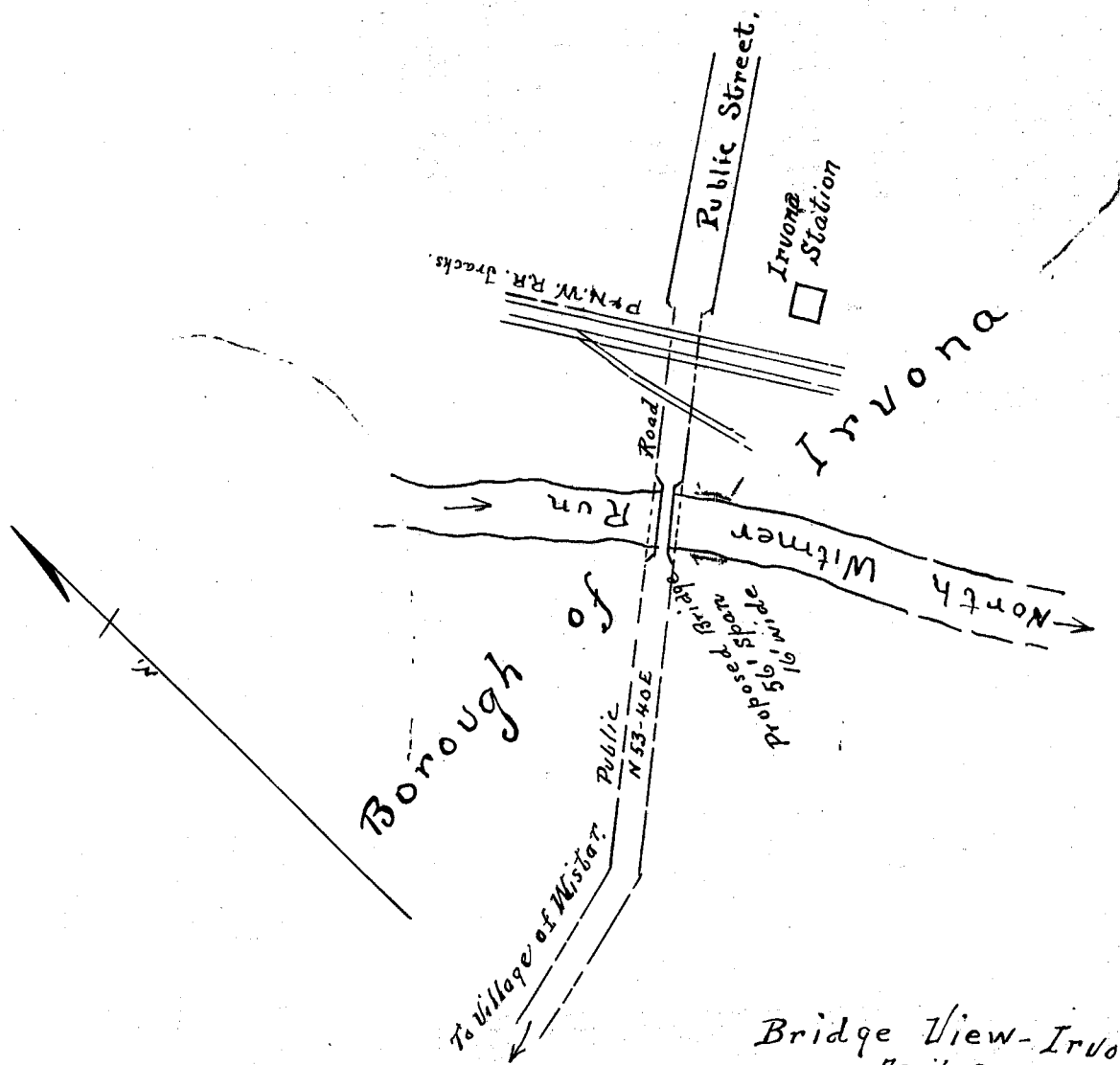
in Irona <sup>Borough</sup> ~~Township~~, in the county  
aforesaid, will meet at said place on  
Monday, the 24<sup>th</sup> day of  
April, A. D. 1905, at 2 o'clock  
P. M., to attend to the duty assigned them,  
of which time and place aforesaid all parties  
interested will please take notice.

C. B. Alexander  
Joseph Delahunt  
A. J. Fry

Viewers.

April 17, 1905.

Service accepted  
Apr 19. 1905  
County Census  
By W. H. L. L. L.  
C. H. L.



Bridge View-Irvona Boro.  
April 24-1905.  
Plan Showing Location for  
Proposed Bridge.  
Scale 1"=200' C.B.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 cross-  
ing 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 ap-  
proaches.

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

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

VIEWERS.

*Sep 9, 1905*  
*Bridge*  
*Appointed by the Grand*  
*Inquest for the September*  
*Term, 1905*  
*W. M. Wally Foreman*  
*John Simpson Sec.*

*C. B. Alexander*  
*Joseph Delehant*  
*W. J. Fry*

Now Sept. 9<sup>th</sup> 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 & superstructure thereof and also pay for the erection thereof and that the borough construct the approaches and prepare the approaches as set forth in this report.

W. B. Wally Foreman  
of Granbury  
John Simpson Sec

Sept 22 1905 The within report is approved & the finding, that the bridge is necessary and too expensive for the Borough of Granbury to build is approved - The County to build the superstructure only as recommended by the Grand Jury.  
By the Court  
Alison D. Smith

Filed  
Fees \$1.25, paid by  
189  
FILED  
MAY 4 1905  
Roll B. Thompson  
Attorney.

ORDER TO VIEW.  
May 5, 1905 Return from  
viewer returned by the  
Grand Jury of 1905  
Alison D. Smith

Bridge  
No. 3 May 1905  
Public Bridge  
in  
Granbury  
C. B. McDonald  
Days 2 1/2  
Miles 5 1/2  
\$19.25  
A. J. Fry  
Days 1  
Miles 4  
\$2.75  
Joseph McDonald  
Days 1  
Miles 18  
\$3.80

NOTE - Viewers will carefully note the number of days employed, and set the amount out at the foot of the column. 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 this effect.