

No.

7 Dec

Sessions, 190

COMMONWEALTH

VERSUS

Intercounty Bridge across  
Moshannon Creek between  
Chester Hill and Philipsburg  
Boroughs

Charge

JAMES H. KELLEY,  
DISTRICT ATTORNEY

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

The Petition of the subscribers hereto respectfully  
represents:-

That they are inhabitants of the County of Clearfield; that a bridge is much needed over the Meshannen Creek, being the line of the adjoining Counties of Centre and Clearfield, at the place where the public highway to Philipsburg crosses the said creek from the Borough of Chester Hill in the County of Clearfield, to the Borough of Philipsburg in Centre County. The highway, parts of which the proposed bridge is to connect, ~~being~~ known as Walten Street in the Borough of Chester Hill and as Maple Street in the Borough of Philipsburg. That the bridge is required because of the entire dilapidation of the present structure, and the threat of the public authorities to close the highway to travel; that the erection of such bridge will require more expense than it is reasonable the said Boroughs of Chester Hill and of Philipsburg should bear.

Your Petitioners, therefore, pray the Court to appoint proper persons to view the premises, together with the viewers appointed by the Court of the adjoining County, and to make such order in the premises as is provided by the Acts of Assembly in such case made and provided.

Louis J. Tingan  
S. H. Ardisman  
Wm Rodgers

H. Swichts

C. B. Shantz -  
Bonjoworthian  
Edgar Shantz  
Franka chalcidopis

Harry H. Key -

Frank B. Pearson  
Michael Tingan

Edmund Monk

C. A. Abbott

H. Shultz

M. P. Sheriff

Mrs. Adams

E. A. Galtz.

McG Pearson

Fal Botwright

Tho. C. Sebastian -

J. P. Straw

J. E. Gearhart

John C. Dunn  
Sam'l Smith  
Lew D. Donblaser  
J. C. Rumberger  
A. W. Barger  
Peter Smith  
L. M. Peties  
James J. Dennis

James Tolman

John Middleton  
Simon Starkweather

W. W. Daneker  
James Simmons  
Harry C. Frost  
Tommy Tingan

Howe Pritchard  
Geo B. Sanders  
D. W. Beamer

E. W. Ewy  
John G. Nelson.

No. 1 Dec. 1901.	Due in First-Cont'd Bridge across Monongahela between Chester and Philadelphia Boroughs.	Position for appointment and of viewers.	KREBS & LIVERIGHT, ATTORNEYS AT LAW, CLEARFIELD, PENNA.
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Now Sept 24/1901 within petition read and considered and thereupon  
 Harry Byers, J. Miller Bloom and Joseph E. Phillips  
 are appointed viewers, who are to meet with those persons appointed  
 by The County of Beaver County at the place proposed for the  
 bridge as within specified and after viewing the same  
 to report to the next session of court.

By the Clerk  
 Allison D. Smith

To Honorable A. O. Smith,  
President Judge of the Court of Quarter Session of the  
County of Clearfield County.

We, the undersigned Inspectors appointed by your Honorable Court to inspect, in conjunction with Inspectors from Centre County the inter-County bridge across the Moshannon Creek at Maple Street, in the Borough of Philipsburg, Centre County, Pa., do most respectfully offer the following report.

We met upon said bridge on Dec. 1st, A.D. 1903, at ten o'clock A.M. That all of the Inspectors as appointed by your Honorable Court, also those appointed by the Centre County, were present. That after we had all been sworn according to law, we proceeded to inspect said bridge and found as follows, to wit:

FIRST. That the said bridge has been erected and completed ready for use and all of the work has been done in a workmanlike manner.

SECOND. That all of the terms and conditions of the contract and specifications have been complied with except those that have been changed by orders of the Engineer in charge by directions of the commissioners he represents.

THIRD. That it was found necessary by the contractor and the Engineer in charge to dig a foundation for the abutment on the Centre County side three (3) feet deeper than the specifications and contract called for, on account of the condition of the soil, thus requiring fifty six (56) cubic yards of additional concrete work.

FOURTH. That it was found necessary by the contractor and the engineer in charge to dig a foundation for the abutment on the Clearfield County side about ten inches (10) deeper than the contract and specifications called for, thus requiring ten (10) cubic yards of additional concrete work.

FIFTH. That by direction of the engineer in charge representing the County Commissioners of both Counties, the arching was so changed as to require forty six (46) cubic yards of additional concrete work.

SIXTH. That by direction of the engineer in charge, who represents the County Commissioners of both Counties, the surface of the driveway of the said bridge was changed from Macadem to brick. All of the work on the Bridge, as per original contract and specifications, also upon the changes as hereinabove described, is well done and in a workmanlike manner.

All of which report, we have the honor herewith to submit.

E. W. Fiss  
A. D. Orms  
J. S. Chaplin

Inspectors of Clearfield County.

E. N. G. Lamm  
W. H. Wall Jr.  
John D. Knisely

Inspectors of Centre County.

The Inspectors from Clearfield County would also respectfully suggest for the consideration of the Court, that at the upstream side of the Clearfield end of the Bridge, some provision be made to protect the abutment from wash from the creek, either by rip-rap, or by some form of retaining walls.

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

-o-o-o-o-

IN RE INTER-COUNTY BRIDGE  
OVER MOSHANNON CREEK  
BETWEEN CHESTER HILL AND  
PHILIPSBURG BOROUGHGS.

No. 7 December Sessions, 1907..  
Roads.

Now, November 19<sup>th</sup> 1908, petition presented and considered  
and thereupon E. W. Hess, Surveyor, of Clearfield, A. D. Orner,  
Architect of DuBois, and John Chaplin, Contractor, of Clearfield,  
are appointed Inspectors to report according to law.

BY THE COURT.

STATE OF PENNSYLVANIA }  
COUNTY OF CLEARFIELD) } SS:

Certified from the records of said Court  
this 24<sup>th</sup> day of November, A. D. 1908.

Roll D. Thompson  
Clerk.



Principales Causas.  
Board  
Dec 22 1907

Report of Treasurer:

Filed in Commissioner's  
Office at Memphis  
Dec 3rd 1907  
J. W. Shreve  
Treasurer

Dec 4, 1908 or had approved  
by the Compt.  
William W. Smith, Jr.

Inter County Bridge, Clearfield ) No. 7 December Ss. 1907.  
and Centre Counties. )

To the Board of Commissioners of Clearfield County.

The report of the Viewers in favor of the rebuilding of the bridge connecting Philipsburg, in Centre County, with Chesterhill, in Clearfield County, on what is known as Walton Street, Chesterhill, and Maple Street, in the Borough of Philipsburg, having been referred to the Grand Jury at February Sessions, 1908, and by them reported favorably, and also they having recommended that the bridge be built of concrete, we hereby approve the action of the Viewers, as also the action of the Grand Jury, as to the necessity of rebuilding the said bridge. We also approve the report of the Grand Jury recommending that the same be built of concrete. The short life of the bridge to be replaced is a sufficient condemnation of the practice of building iron bridges, especially over such streams as the Moshannon, in the water of which sulphur is a constant constituent. I, therefore, as to this bridge, reiterate what I said before to the Board of Commissioners in relation to the bridge in Union Township and the bridge in Beccaria Township, and recommend strongly that this is particularly a proper place for a complete concrete monolithic structure, and I respectfully ask that the Board of Commissioners, together with the Board of Commissioners of Centre County, secure plans and specifications for such concrete structure so as to arrive at a proper estimate of the cost of the same.

Respectfully submitted,

*Alvin D. Smith  
P.J.*

No. 7 Dec. 22. 1897

Platte

to the Honorable Alison O. Smith  
President Judge of the Court of  
Quarter Sessions of Clearfield County,  
Pa., The Grand Jury of the February  
Court of Quarter Sessions respectfully  
recommend that a steel super-  
structure be erected on the old  
abutments.

A. P. Isenberg

Foreman

Now, Feb. 13th 1908, motion  
made by Mr. A. B. Shaw an sec-  
onded by Thomas Williamson to  
reconsider the motion to rec-  
ommend a steel bridge in this  
place, and motion carried.  
Now, same day motion made  
and carried to recommend a  
concrete bridge at this place.

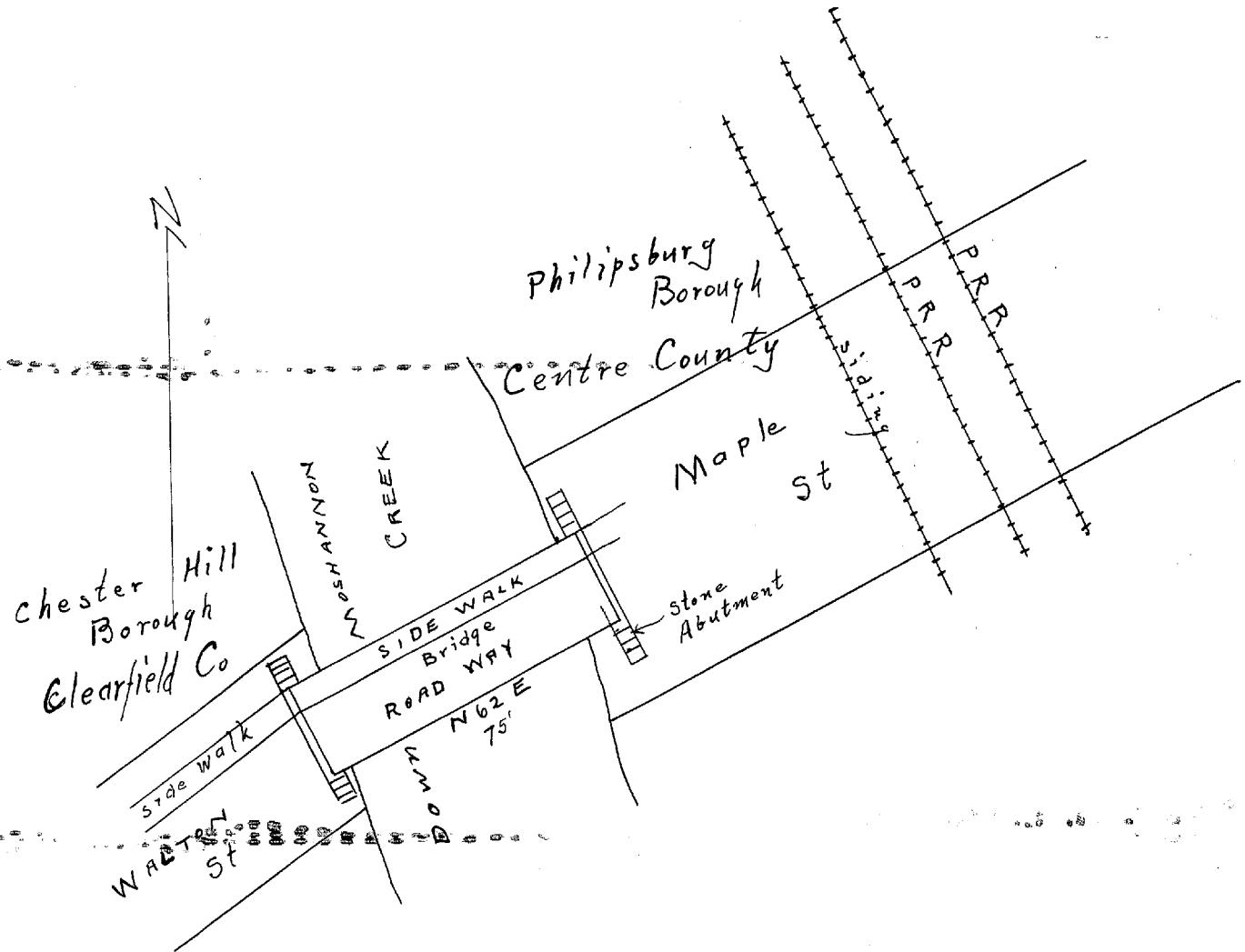
A. P. Isenberg

Foreman

to the Honorable Allison C. Smith  
President Judge of the Court of Quarter Sessions of Clearfield County Pa.  
We the undersigned viewers appointed  
by the within order of Court to view the  
bridge therein mentioned respectfully  
report that we gave notice of the  
view and were present at said bridge at  
time appointed for view together with  
W R Jenkins, F. P. Blair and W. Miles  
Walker viewers appointed by the Court  
of Quarter Sessions of Centre County, and  
after examining bridge now in use at said  
point we are of opinion that the said bridge  
is unsafe for travel, and that a new  
bridge is necessary there for public  
use, being on the main road from  
Philipsburg to Chester Hill Borough and  
Osceola.

We recommend that a stone or  
concrete bridge be built at said point  
but if a steel bridge is built it should  
be provided for so that it shall be painted  
frequently to avoid rusting. Witness  
our hands this 20th day of Nov 1907

Harry Boyer  
J. G. Phillips  
J. Mc. Bloom



No 7 Dec 55 1907  
Inter County Bridge

H. Byers  
J.M. Bloom  
J.E. Philips } Viewers

Scale  
1" = 30'

Clearfield County, ss:

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

3 day of Sept. A. D.

1807, before Judge of said Court, upon a petition of sundry inhabitants of the ~~county~~ of Clearfield in said

County, setting forth that they are inhabitants of the County of Clearfield; that a bridge is much needed over the Moshannon Creek, being the line of the adjoining Counties of Clearfield and Centre, at the place where the public highway to Philipsburg crosses the creek from the Borough of Chester Hill in the County of Clearfield, to the Borough of Philipsburg in Centre County. The highway, parts of which the proposed bridge is to connect, is known as Walton St. in the Boro of Chester Hill and as Maple St. in the Boro of Philipsburg. That the bridge is required because of the entire dilapidation of the present structure, and the threat of the public authorities to close the highway to travel; that the erection of such bridge will require more expense than it is reasonable the said Boroughs of Chester Hill and Philipsburg should bear and therefore praying the Court to appoint proper persons to view ~~the~~ the same according to law, together with the viewers appointed by the Court of said adjoining county and to make such order as the premises are provided by the Act of Assembly in such case made and provided whereupon the Court upon due consideration had of the premises do order and appoint

Harry Byers, J. Miller Bloom <sup>3d</sup> Joseph E. Phillips

who after being respectively sworn or affirmed to perform their duties impartially and to the best of their ~~met with other persons appointed by the Court of Quarter Sessions of Centre Co~~ judgment, are to view the place proposed for the said bridge, and if they or any ~~of them~~ of them, view the same, and ~~any~~ <sup>Counties</sup> 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.

R. 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 .....

NOTE.—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return. No claim will be made for expenses with damages assessed by the viewer, so far as the location may be charged by the viewer.

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.

No. 7 Dec 1907 \$89  
in  
Sunter County Bridge  
in  
Clearfield and Centre Counties

AMOUNT.	
Days 2	Days 2
Huntington } Miles 28 12.80	
J. E. Phillips } Miles 28 \$5.80	
Days 1	Days 1
J. M. Blawie } Miles 28 1.85	

ORDER TO VIEW  
December Sessions 1907  
Convened Nov 14 and  
Adjourned to be Resumed  
to the January Session  
of 1908  
Sunter County Bridge  
J. M. Blawie  
Filed 189

Fees \$1.25, paid by

Frederick Wright  
Attorneys.