

No. 3 Dec Sessions, 1908

~~COMMONWEALTH~~

~~VERSUS~~

Public Bridge over
Beaver Run in
Burnside Twp.

Charge

X
JAMES H. KELLEY,
DISTRICT ATTORNEY.

In The Court of Quarter Sessions of Clearfield County, Pa.

To The Honorable Allison O. Smith, Judge of said Court.

The petition of the undersigned, supervisors and inhabitants of the Township of Burnside, County of Clearfield, Pa., respectfully represents, that a bridge is needed over Beaver Run in said Township at a point which is a mile or about a mile above Patchinville on the road leading to Cherry Tree. That such bridge is necessary and would be too expensive for said Township to build. Your petitioners believing it should be built at the expense of the County pray the Court to appoint viewers to view and report to the Court in the manner provided for in the case of roads.

And so they pray.

John K. Kneass Supervisor

W. E. Lowman Supervisor

H. W. Berg

N. B. Young

S. M. King

A. J. McArthur

David Fulton

W. L. Keirn

W. E. Thomas

J. H. Chapman

James Chapman

Wm. J. Oestrow

Ernest Riddle

No. 3 Dec. 20. 1908
In The Court of Quarter ss.
Campbell County.

Petition for bridge view for
County bridge over Beaver
Run in Burnside Township.

Now Adm. Adm. within
petition presented and and
considered. Therefore
J. B. McManis - S. W. Bell
and J. W. McManis
are appointed viewers
to view said premises
and make report at
meeting of 17 said
Court. By the Court
William Smith
CJ

J. B. McManis.

Public Bridge over Beaver) No. 3 December Sessions, 1908.
Run in Burnside Township.)

Now, February Sessions, 1909, the within Report of Viewers, together with the approval of concurrence of the Grand Jury therein, is hereby referred to the County Commissioners of Clearfield County for further action.

We do not concur with the report as a whole. First, as we understand the Report it recommends the building of the entire structure at the expense of the County. We respectfully call the attention of the Board of Commissioners to the practice in this County which has not been to make all bridges of this size County bridges. We think this bridge comes within the class which it has been the practice heretofore to build as appropriation bridges, that is, bridges in which the County furnished the superstructure and the Township the abutments, or some such division of expense. They do not then go on record as County bridges but after erection are turned over to the Districts in which they are located for further and future maintenance.

Neither do we concur in the Report of the Viewers as to the character of the superstructure. As heretofore on several occasions, we protest emphatically against iron bridges for townships or for any other place where some form of concrete structure can be erected. The lightness of the iron put in such bridges and the lack of care which is usually given to them makes their life so short that it is folly to erect them. So also the present cost of plank, which is constantly growing greater, together with the fact that plank lasts but a very few years, in our judgment makes the erection of iron bridges a matter of false economy, if it is economy at all. Even if the first cost of a concrete structure is greater than the first

cost of an iron bridge, it is money well spent. The only thing necessary to see to is that you get a good first class job of re-inforced concrete and they ought to last for hundreds of years and require but little, if any, expense of maintenance. If stone is available and can be used so as to make the cost within reasonable limits, we much prefer it as a material to the iron used.

We, therefore, most respectfully suggest to the Board of Commissioners that they take up with a competent engineer the matter of constructing a permanent re-inforced concrete structure instead of an iron one over Beaver Run, in Burnside Township, and the matter of a division of expenses between the Township and the County can be easily arranged and determined on the line of an estimate of the respective cost of superstructure and abutments proportioned as in the old iron structures.

We concur in the necessity of a public bridge at this point, and also concur in the general recommendation that it is a proper place for the County to aid, but this concurrence is made conditional upon the making of a substantial bridge of stone or cement rather than of iron. We respectfully say to the Board of Commissioners at this time, that we will not approve of any iron superstructures at any point in Clearfield County in which the County is asked to expend any portion of County funds, except it be the large river bridges in which there may be some question as to whether or not a concrete arch can be sprung.

Very respectfully submitted,

By the Clerk -
Allison P. Smith
PJ.

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

eleventh day of September, A. D.

1908, before Judge of said Court, upon a petition of sundry inhabitants of the township of

Burnside in said

County, setting forth that a bridge is needed over

Beaver Run in the said Township at a point which is about a mile above Patchinville on the road leading to Cherry Tree. That such bridge is necessary and would be too expensive for said Township to build. The petitioners believe that it should be built at the expense of the County.

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

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

J. S. McCreery, G. W. Bell and William P. Mahaffey

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.

R. 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.....

No damage

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 *Bever Run where the road leading from Patchinville to Cherry Tree crosses same*

in *Burriside* Township, in the county aforesaid, will meet at said place on *Wednesday*, the *Eleventh* day of *November*, A. D. 1908, at 9 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. M. Truay
J. W. Bell
W. P. Mahaffey
Viewers.

Kerrmoor Pa Oct 20, 1908.

Service of within notice accepted
this 21st day of Oct 1908

A. J. Koster
B. F. Wilhelm } For Co Commissioners

Bridge Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Sessions of Clearfield county, Pennsylvania, to view a Bridge at Beaver Run road leading from Patchville to Cherry Tree crosses same

in Burnside Township, in the county aforesaid, will meet at said place on Wednesday, the Eleventh day of November, A. D. 1908, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

K. M. Treury
J. W. Bill
H. P. Mahaffey
Viewers.

Kerrmoor Pa Oct 20, 1908.

Service accepted this 25th
Oct. 1908.

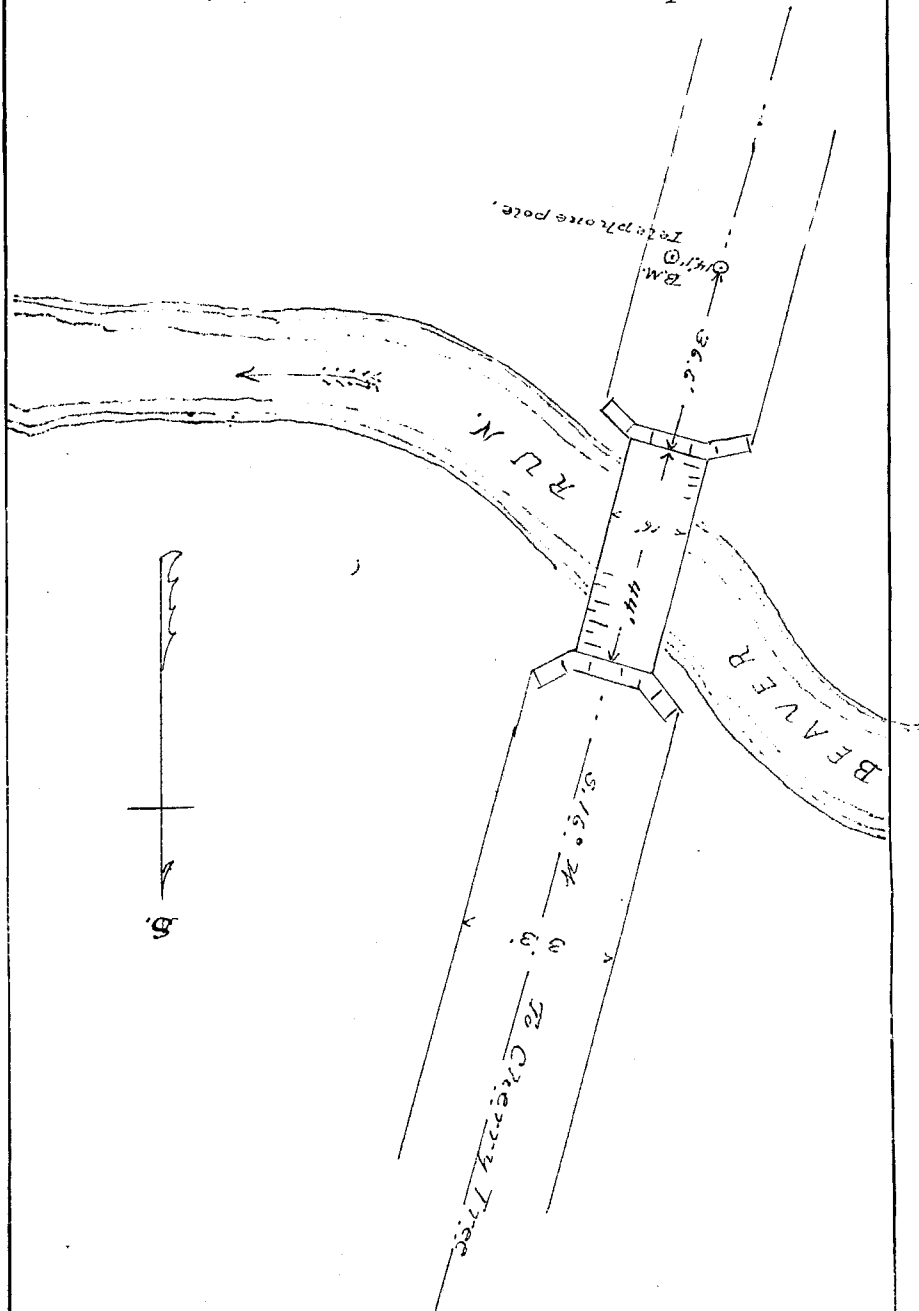
Sup of
Business

But

John Young

W. E. Lawrence

Location of proposed Bridge
 Across Beaver Run, Burnside Tn.
 No 3 Dec. 55, 1908. Scale 40' = 1"
 View Nov 11, 1908 - J.S. McCreery
 G.M. Bezz
 W.P. Macaffey.



To the Honorable Court of Quarter Sessions
of Clearfield County.

We the undersigned Viewers appointed by
your Honorable Court to view and lay out
a bridge across Beaver Run in Burnside
Twp on the Road leading from Patchmville
to Cherry Tree, Met this 11th day of Nov
1908 as per notices legally served and
posted and having been affirmed
according to law, find that a bridge
at this place is a necessity, and that
the ^{expense of} construction of same is more than
said Burnside Twp should be asked to

pay. We therefore unanimously recommend
that an Iron superstructure with good
stone abutments be constructed by Clearfield Co.
said bridge to be 44 ft span with 16 ft
roadway 9 ft above low water mark. Con-
forming as nearly as may be followed
by Consulting Engineer to accompanying notes
and draft, the same being a part of this report.
Beginning at a point in center of Road leading from Burnside
Cherry Tree, from Bench Mark. (Telephone pole) S. 74° E. 14.1'.
Following Center line of Road S. 16° E. (Mag. Mer.) 36.6' to face of
North abutment. 44' to face of South abutment. Roadway of
bridge to be 16' ^{at} 8' each way from center line, with 9' clear-
ance from low water. Present wooden structure unsafe.

Respectfully Submitted,

John Truitt
E. W. Bell
W. P. Mahaffey } Viewers

NOTE—Viewers will carefully note the number of days employed, and set the amount out at the foot of their return. If the viewers cannot interfere with damages assessed by the original viewers, they may, 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.

No. 3 Dec. 10. 189 1908.

Public Bridge over Beaver Run

in

Burnside Township.

| | | 3196 | AMOUNT. |
|--------------|-------|------|---------|
| J. M. Gray | Days | 3 | 1.50 |
| | Miles | 30 | 3.00 |
| E. M. Bell | Days | 2 | 6.00 |
| | Miles | 20 | 2.00 |
| W. P. Madoff | Days | 2 | 6.00 |
| | Miles | 40 | 4.00 |
| J. M. Gray | Days | 1 | 1.50 |
| | Miles | | |
| | Days | | |
| | Miles | | |

ORDER TO VIEW

December Sessions 1908 within report of viewers presented and read and the same is directed to be filed and lay over until February Sessions 1909 at which time the same is to be referred to the Grand Jury.

By the Court
Alfred J. Conner

Filed 189

Fees \$1.25, paid by J. S. McGary

J. S. McGary
Attorney.

Clearfield Pa. 2/11/09
We, the Grand Jury of Clearfield County, Pa. approve of this report, as herein reported.

W. M. Ross Foreman