

No. 10 ~~versus~~ Term, 1909

Public Bridge

Versus

DeBos' Borough
Ditch

Heron

X

Now, December Sessions, 1909, the foregoing report of Viewers having been concurred in and approved by the Grand Jury, it is now concurred in by the Court, except as to the recommendations for a superstructure of iron and steel. We disapprove of the building of any bridges of this size in Clearfield County, by the expenditure of County moneys, in which the superstructure is of iron or steel. The Viewers in said case in their Report went outside of their duty in recommending the character of the structure, as their duties relate only to the necessity of the bridge and whether or not it is a proper case for the expenditure of County moneys.

We concur, therefore, with the report of the view as to the necessity of aid towards the erection of the bridge by the appropriation of such sum as may to the County Commissioners seem right and proper under the circumstances, on the condition that the said bridge when erected shall be made wholly of concrete, unless there is reason, by reason of the location or conditions there prevailing, to prevent the erection of such structure. Approval is also made on condition that proper plans and specifications be drawn and submitted to the Court for approval, and consideration, and that the amount agreed upon as the appropriation between the County and the Borough be also submitted to the Court, and that there be a public letting of said bridge, upon due advertisement, the same as though it were a County bridge.

By the Court,

Alison D. Smith
P. J.

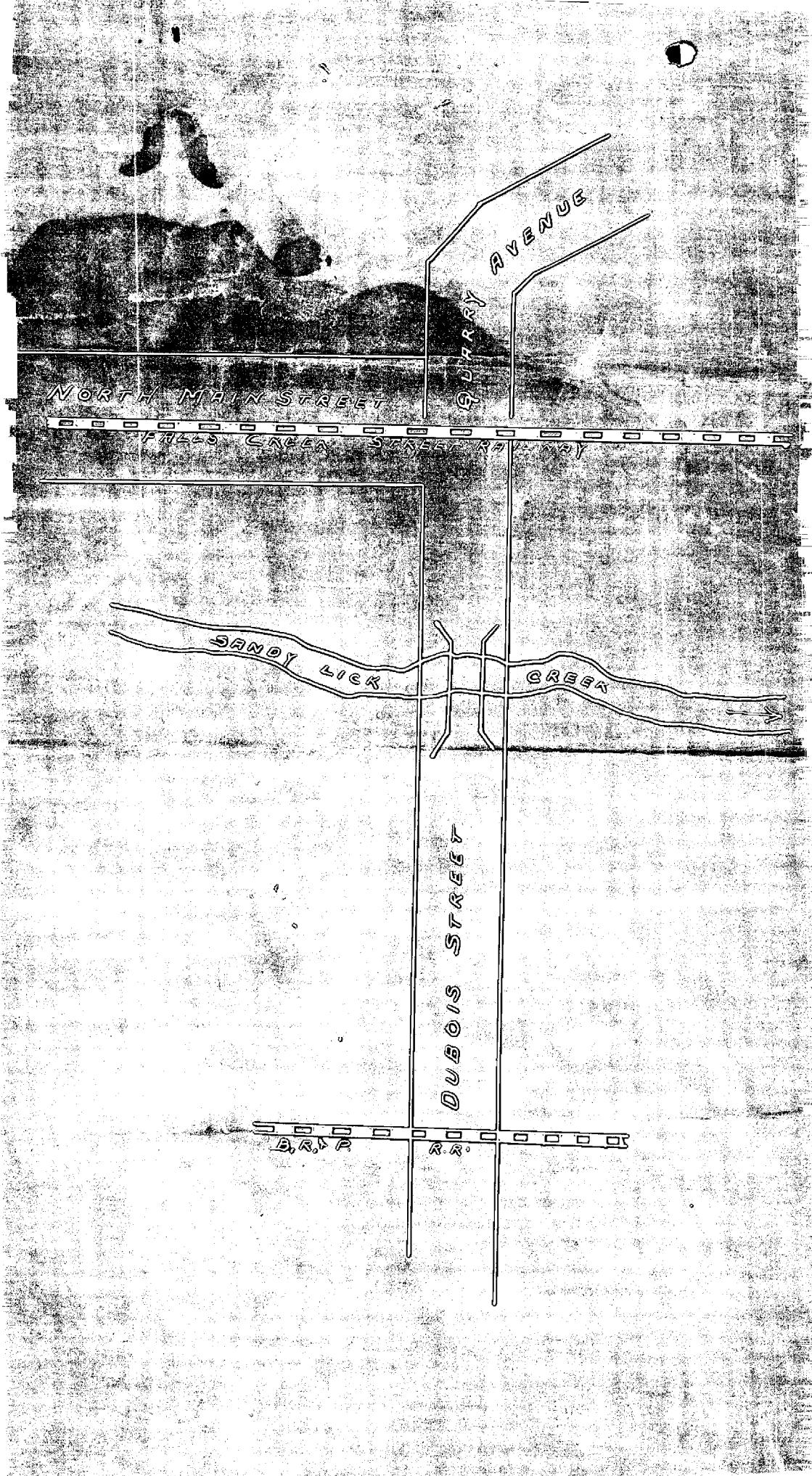
Where Dubois Street Crosses the said Creek is necessary to the traveling public. The said bridge to be forty five feet long between the Abutments and the bottom of girders to be eight feet above low water mark. We would recommend that the Abutments be built of Concrete and the superstructure of iron or steel. As we are of opinion that the whole cost of the Erection of the said bridge would be too burdensome to the tax payers of Dubois borough we would recommend that the said borough bear the cost of the substructure and the filling of approaches and that Clearfield County bear the expense of the superstructure.

Respectfully submitted

W. A. Reese
J. L. Dunning
P. O. Gaulin } Tierns

To the Honorable
The Judge of the
Court of Quarter Sessions of Clearfield
County Penna.

We the undersigned
persons appointed by the within
order of Court to view the bridge
therin mentioned respectfully report
that after having given due public
Notice by three written and printed
Notices put up near the location of
the said bridge and after having
also given due notice to the County
Commissioners of Clearfield County
and the Street Commissioners of
Dubois borough of the time and
place of meeting to view the said
bridge we met at the Commercial
Hotel in the borough of Dubois on
Tuesday the 24th day of August
A.D. 1909 and after having been
fully affirmed in pursuance of
the within order we proceeded to view
the bridge therin mentioned
After a careful view had of the premises
we were of opinion that a bridge
across the branch of Sandy Lick Creek
known as Shaffers ditch at the point



To the County Commissioners

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

Road leading from

On Du Bois Street in the Borough of Du Bois, where said Street is Crossed by that certain stream of water or creek known as the Little Juniata, in the Borough of Du Bois, Clearfield County and State of Pennsylvania,

inxxxxxxxxxxxxxxxxxxxxxxxxxxxx Township, to xxxxxxxxxxxxxxx

inxxxxxxxxxxxxxxxxxxxxxxxxxxxx Township, in the county aforesaid, will meet at the house of

commercial Hotel

, in the Borough of Du Bois, Township, on Wednesday, the 25th day of August A. D. 1909, 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.

H. A. Reese,

L. Denning,

P. A. Gaulin,

Viewers.

Accepted Service
for County Commissioners
for City, 16-1899
H. C. Sharpe,
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

8th day of June, A. D.

1809, before Judge of said Court, upon a petition of sundry inhabitants of the township of DuBois Borough said

County, setting forth that A Bridge is much wanted over a part of Sandy Lick Creek known as the Shaffer Ditch where DuBois Street a public street in said Borough crosses said Creek; and that the expence of erecting same would be burden some upon the inhabitants of said Borough and more than is reasonable they should bear. Your petitioners therefore pray your Honor to appoint three persons qualified to act as viewers and report to next term of Court.

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

And make report to next Term of Court whereupon the Court upon due consideration had of the premises, do order and appoint A. A. Reese, L. Derning, and P. A. Gaulin.

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. Thorpison,
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. Viewers 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 that effect.

No 10 Sept 3 1899

Public Bridge:

in

Westmoreland
(Shaffer & Ditch)

	AMOUNT.
W.C. Reese	Days 2 12.00
	Miles 55 5.50
L. Dennis	Days 1 5.80
	Miles 35 3.50
P.A. Gantlin	Days 1 6.50
	Miles 35 3.50
	6.50

	Days	Miles

ORDER TO VIEW.
Now before the December 1909
year and confirmed in this
it is further directed that the
said report be referred to the
December Grand Jury for action
as required by law.
By the Court
William J. Jones, J. J.
Filed 189

Fees \$1.25, paid by

RECEIVED	1899
WILLIAM J. JONES	Attorney.

1899

To the Commissioners of
Clearfield County.

You are hereby notified, that
I will as solicitor for DuBois
Borough present the petition
of the Town Council of DuBois
Borough, in Sand County, on
June 3rd, 1909, to the Court of
Quarter Sessions, asking for
a County Bridge in the
Sand borough of DuBois
over a branch of Sandy Creek
Creek-known as the Shaffer
Ditch, and praying the Court
to appoint proper persons

qualified according to law
to view the place proposed
for Sand bridge and enquire
whether such bridge is necessary
and make report at next Term
of Sand Court.

By Order
Solicitor for DuBois
Boro.

June 3rd 1909

Service accepted by the
County Commissioners of Clearfield
County L. C. Spohnis
Clerk.

To the Honorable Allison O. Smith, Judge of the Court of Quarter Sessions of Clearfield County:

The petition of the undersigned, The Town Council of the Borough of DuBois, in said County, respectfully represents:

That a bridge is much wanted over a part of Sandy Lick Creek known as the Shaffer Ditch where DuBois Street, a public Street in said Borough crosses said Creek; and that the expense of erecting said bridge would be burdensome upon the inhabitants of said Borough and more than it is reasonable they should bear.

That your petitioners have presented this petition to enable the Commissioners of Clearfield County, when duly authorized and empowered according to law from out of the county funds, to either build such bridge or any portion or portions thereof, or to furnish such borough the whole or part of the money necessary to build said bridge as provided by the act of Assembly approved July 9th A.D. 1897; P.L. 238 § 1.

Your petitioners therefore pray the court to appoint proper persons, qualified according to law, to view the place proposed for said bridge and inquire whether such bridge is necessary as aforesaid and make report at the next term of the said court. And they will ever pray etc. etc.

Frank Culver
M. O. Hetrick
Edward J. Price
John Brumley
George Minns Jr.
J. P. Jacobson
Chas. D. Langtry
Wm. McKenzie
E. Fred Vorberg
E. C. Shieles
B. O. Miller
Archie Donaldson

Clearfield County, SS:

On this day of May A.D. 1909 before me the undersigned
a Justice of the Peace in and for said county, personally appeared
D.S. Karron ~~Collector of Internal Revenue~~ who being duly sworn according to law says
that the facts set forth in the foregoing petition are true and
correct to the best of his knowledge and belief.

D.S. Karron

Sworn and subscribed to

before me this 3 day of

May A.D. 1909.

Joe B. Thompson
- Prothonotary

2010 May, Penn
Chancery Session
1909

Petition for a
County Bridge
See Penn Penn
Herron &

Filed June 8, 1909

May 1909
within Petition presented
read and considered and
thereupon the A. Russell
Gardner attorney and C. C.
Gardner are authorized
powers to pay the expenses
and make report to
next term

By the Court
Wm. J. Mull
1909

D. S. HERRON,
ATTORNEY AT LAW,
DUBOIS, PA.