

No. 2 May 25 Term, 1910

Bridge over Shyrock Run in

Burnside Township

Versus

X

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

The petition of the undersigned supervisors of Burnside Township, respectfully represent;

First: That to a proceedings had in your Honorable Court to No. 8 May Sessions 1917, a petition was filed for the vacation and supply of a public road in Burnside Township as appears by the records filed to the above entitled number.

Second: That the report of the viewers for vacation and supply was confirmed absolutely on September Term 1917, and the opening order issued thereon, directed to the supervisors of said Township.

Third: That in the portion of said road, as supplied, the said road crosses Shyrock Run, at or near the residence of Langdon.

Fourth: That there is great necessity for a bridge across Shyrock Run, in accordance with the location of said road as filed by the viewers to No. 8 May Sessions 1917.

Fifth: Your petitioners further represent that they are unable financially to build the bridge and pray that the said bridge may be decreed to be a county aid bridge.

Your petitioners, therefor, pray the court that viewers may be appointed to view and locate a public bridge as above prayed for.

And they will ever pray etc.

John Young (SEAL)
J. L. Brothers (SEAL)
J. Ralph Futton (SEAL)

Clearfield County, SS

J. Ord Smith, Secretary of the Burnside Township
Board of Supervisors, being duly sworn, says that the facts
set forth in the foregoing petition are true as he verily believes.

J. Ord Smith

Sworn and subscribed before me, this 28th day of February 1920.

J. Ord Smith
My commission expires Jan. 1, 1926. J.O.

KNOW ALL MEN BY THESE PRESENTS, that we, John Nowry, Joseph L. Brothers and Ralph Hutton, supervisors of Burnside Township, are held and firmly bound unto the county of Clearfield, in the sum of fifty dollars, lawful money of the United States, to which payment well and truly to be made, we do bind ourselves, our and each of our heirs, executors and administrators firmly by these presents.

Sealed with our seals and dated this _____ day of February 1920.

WHEREAS, the Supervisors of Burnside Township, have filed a petition in the Court of Quarter Sessions of Clearfield County praying for the appointment of viewers to view and lay out a public bridge across Shyrock Run at or near the residence of _____ Langdon.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said above sounden shall at all times, in case the said petition for public bridge shall be denied, save harmless the County of Clearfield, from any and all expenses connected with said view, then this obligation to be void, or else to be and remain in full force and virtue.

John Nowry, chairman
(SEAL)

(SEAL)

No 2 May 11, 1920

Petition of Supervisor of
Bessemer trip for permission
of viewers to view and lay out
in County and bridge over
Shenango river in Bessemer
territory.

Now March 6, 1920
Attn: Mr. C. J. Bellville
and J. S. Michaels are
appointed viewers to
proceed as directory
and report to may
1st.

By Mr. Conner
Supervisor

W. H. MILLER &
W. H. MILLER & HARTSWICK
ATTORNEYS AT LAW
SEARFIELD, PA.

BALTIMORE OFFICE SUPPLY CO., BALTO. MD.

275-124 with

Return of Viewers.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace in and for the County of Clearfield, Pa.

We the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court, and have filed their oaths of office in the Court of Common Pleas of Clearfield County, Pa., beg leave to report as follows:

That notice of the time of the view was duly served according to law upon the Commissioners of Clearfield County and on each member of the Board of Supervisors of Burnside, ----- Township, and that three notices thereof were posted along the public road at and near the location of said bridge, giving notice that the view would be held on Tuesday ----- the 30th day of March A. D. 1920, at nine (9) o'clock A. M. And that the public hearing as required by the Act of Assembly and the Rules of Court would be held in the Arbitration Room, in the Court House in Clearfield, Pa., on Wednesday, ----- the 31, day of March A. D. 1920, at one (1) o'clock P. M.

And that the said viewers met at ----- the site or proposed location of said bridge, where the public road leading from Cherry Tree to MM Burnside in said Township to MM Burnside Borough in Burnside Township on Tuesday the 30, day of March A. D. 1920 at nine o'clock A. M. and that there were present at the view besides the viewers John Nowery on of the Supervisors of Burnside Township in favor of the bridge. And that the public hearing was held in the arbitration Room in the Court House in Clearfield Pa on Wednesday March 31, 1920 at one o'clock P. M. and was attended by H. B. Hartswick Esq of the firm of Miller & Hartswick Attorneys for the Supervisors of Burnside Township: -----

parties interested in, ----- said bridge.

And that the said viewers all having been present at the view and after having made said view do agree that there is a, --- necessity for said bridge across Shyrock Run where the new road recently laid out, leading from Cherry Tree to Burnside to avoid two dangerous Railroad crossings in the Railroad yard at Cherry Tree by moving the public road back from the Railroad yard thereby improving the condition of the road, the said bridge is to replace the old wooden bridge across said run which is in an unsafe condition.

The viewers would therefore recommend, that a re-enforced Concrete bridge thirty (30) feet in length, with a driveway sixteen (16) feet in width, twelve (12) feet above low water mark, with solid concrete or stone abutments, if stone abutments to be laid in cement mortar, resting on solid bottom, be erected at the point where the said road recently laid out across Shyrock Run in Burnside Township as per draft attached. And that in the opinion of the viewers the cost or expense of the erection of the said bridge as recommended including the abutments will be not less than three thousand (\$3000.00) dollars, and as said amount, owing to the financial condition of the Township would be to heavy a burden on the Township alone to bear, They therefore recommend that one half of the cost or expense of the erection of said bridge be paid by the County and the remainder by Burnside Township. -----

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 6th.

day of March, A. D. 19 20

before Judge of said Court, upon a petition of sundry inhabitants of the town-
ship of Burnside in said County, setting forth
that there is great necessity for a BRIDGE

across SHYROCK RUN, in accordance with the location of said ROAD as
filed by the viewers to No. 8 May Sessions 1917.

Your Petitioners further represent that they are unable
financially to build the bridge and pray that the said bridge
may be decreed to be a County aid bridge.

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

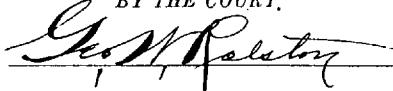
where upon the Court upon due consideration had of the premises, do order and appoint

A.C.Kramer. E.D.Billotte. and J.S.Michaels.

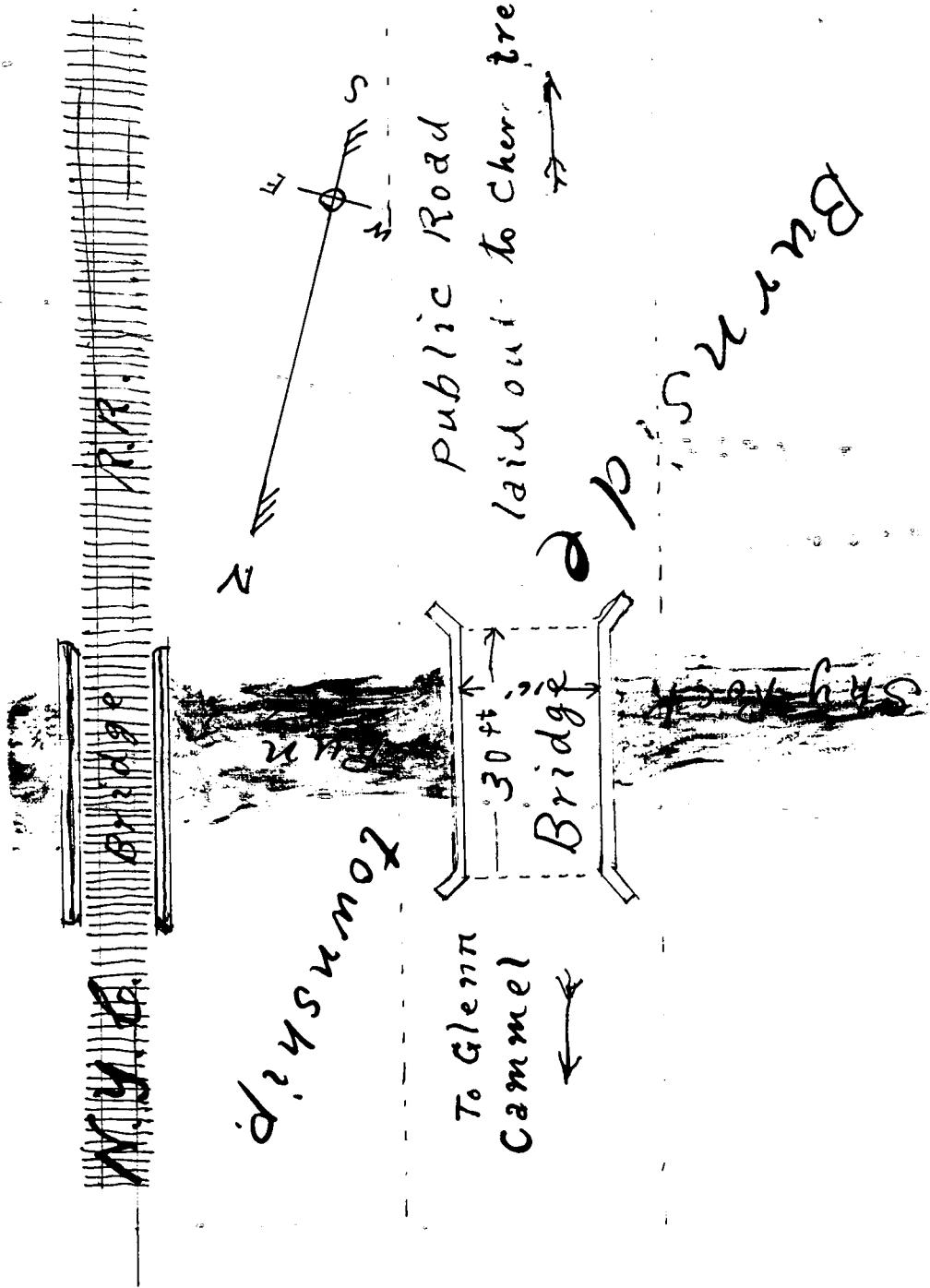
who after being respectively sworn or affirmed to perform their duties impartially and to the best of their judgment, are
to view the place proposed for the said bridge, and if they or any two of them, view the same, and any
two of the actual viewers agree that there is occasion for such a bridge, and 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 accord-
ingly: to May Sessions 1920.

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,



CLERK.



Draft Showing location of
Bridge proposed to be Built
on public Road leading from
Glenn Cammel to Cherrytree
Viewed and laid out the 30th.
day of March A.D. 1920.

A. G. Kramer.
G. A. Billotte
J. S. Michaels.
Viewers.

Scale $\frac{1}{32}$ " to 2'

TO:- J. L. Brothers, John, Nourey and J. Ralph. Hutton,
Supervisors of Burnside Township Clearfield County Pennsylvania.

You are hereby notified, that the undersigned viewers, appointed by the Court of Quarter Sessions of Clearfield County Pa, to view a site for a bridge across Shyrock Run; where the public road recently laid out leading from near Cherry Tree to Burnside crosses said run near the residence of Lengdon in Burnside Township, leading to the Borough of Burnside in the said Township of Burnside in the County aforesaid, will meet at the proposed location of said bridge in the said Township of Burnside on Tuesday 30th, day of March A. D. 1920 at nine (9); o'clock, A. M. to attend to the duty assigned them, as to whether or not said bridge is needed and the Township in the erection of the same is entitled to receive County aid, of which time and place aforesaid all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers, before the filing of their report in Court in order to give all parties, either in favor of or against said bridge being erected by County aid a chance to be heard by the viewers before the filing of their report in Court will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday the (31); day of March A. D. 1920 at one (1) o'clock P. M. at which time and place all parties interested in said bridge may appear and be heard.

A G Kramer

Ed Billotte

J S Michaels

VIEWERS.

Now March 2nd 1920 served the above notice on John Nourey, J. L., Brothers and J. Ralph Hutton the Supervisors of Burnside Township personally by handing to each of them a true and correct copy of same.

John Nourey

TO:- T, F. Weimer, Jesse, E. Dale and M. L. Farrell, County Commissioners, of Clearfield County Pennsylvania.

You are hereby notified that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa to view a site for a bridge across Shyrock Run; where the public road recently laid out, leading from near Cherry Tree to Burnside crosses said Run, near the residence of Langdon in Burnside Township, leading to the Borough of Burnside in the said Township of Burnside in the County aforesaid will meet at the proposed Location of said Bridge in the said Township of Burnside on Tuesday the 30th day of March A. D. 1920 at nine (9) o'clock A. M. to attend to the duty assigned them, as to whether or not said bridge is needed and the Township in the erection of the same is entitled to County aid, of which time and place aforesaid all parties interested will please take notice.

And that the public hearing as required by the Act of Assembly and the Rules of Court to be held by the viewers, before the filing of their report in Court in order to give all parties, either in favor of or against said bridge being erected by County aid a chance to be heard by the viewers before the filing of their report in Court will be held in the Arbitration Room in the Court House in Clearfield Pa on Wednesday the 31, day of March A, D. 1920 at one (1) o'clock P. M. at which time and place all parties interested in said bridge may appear and be heard.

A. G. Kramer
E. B. Billotte
J. S. Michaels
Viewers.

Now March 15th 1920 service of the foregoing notice is hereby accepted for the County Commissioners of Clearfield County Penn'a.

L. C. Morris
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. **no damages claimed.**

Witness our hands and seals this 31, March A. D. 1920

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: **No Damages assessed.**

To Mr. the sum of 1000
To Mr. the sum of 1000
To Mr. the sum of 1000

Witness our hands this 31, day of March A. D. 1920.

A. G. Kramer (SEAL)
E. A. Billotte (SEAL)
J. S. Michaels (SEAL)
VIEWERS

NOTE.—Viewers will carefully note the number of days employed, and set the amount out at the foot of their 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 all advantages as well as the disadvantages of bridge, they will report to that effect.

No. 2 May 19 20
View Bridge site
over Shyrock Run.
In
Burnside Township

	AMOUNT
<u>A. G. Barnes</u>	Days <u>5</u> Miles <u>90</u> \$ <u>4.50</u>
<u>Ed. B. Hunt</u>	Days <u>5</u> Miles <u>126</u> \$ <u>4.50</u>
<u>J. S. Michael</u>	Days <u>4</u> Miles <u>30</u> \$ <u>3.00</u>
	Days ... Miles ...

ORDER TO VIEW
BRIDGE.

Filed 19

Miller & Hartwick Atty's.
Fees \$1.25, paid by Atty's.

Max H Attorney.

FILED
APR 27 1920
GEO. W. RALSTON
CLERK

*Left end of long bridge to be removed
and replaced by a new bridge
and new roadway or sidewalk may be
used and paid for by viewers and
will be an expense to the bridge
and should be used as far as possible
but under any cost to the viewers*

Now Sept 8th 1920, approved

By the Comr
Amelia Bell