

~~Good Bridge~~

No. 5 Sept. S.S. Term, 1912

Public Bridge

versus

Brushy Brook

X

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

22nd day of May, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the ^{Borough} ~~township~~ of Brislin in said

County, setting forth that the public is greatly inconvenienced and burdened for want of a bridge in a public road crossing Beaver Run, in the Borough of Brislin of said County. Bridge 122 feet long, at a point 150 feet from the Penna R.R. Crossing of said public Road. The expense of building said bridge is more than it is reasonable for the of Brislin to bear. Wherefore your petitioners pray that viewers be appointed to view said bridge, and determine whether or not the County of Clearfield shall bear the costs of the construction of said bridge

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

FB Woodward, AS McMin and J. W. Gies

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 2 of them, view the same, and any 2 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.

John H. Moore
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 ensembling 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.....

REPORT OF VIEWERS.

To the Honorable Allison O. Smith, President Judge
of the Court of Quarter Sessions.

The undersigned viewers appointed by your Honorable
Court in the above stated proceeding, respectfully report as
follows:

That in pursuance of their duties they gave due and
legal notice in accordance with the Act of Assembly and the
rules of your Honorable Court, to all persons interested, to
the Commissioners of Clearfield County, and to the council
of Brisbin Borough, that they would meet for the purpose of
holding the view at Brisbin, Pa., on Monday, November 4th,
at 10 A. M.

That copies of said notices showing service have been
filed with this report.

That the three viewers met at the appointed time
and place and inspected the site of the proposed bridge and
took the necessary data from which to make up the draft
which is hereunto attached and made a part of this report.

As a result of their investigations, the viewers
submit the following findings: First, that the present
bridge crossing the rivulet in Brisbin Borough, as set forth
in the petition, is inadequate, the space under the same being
too small to carry off the water. Second, that the street
or thoroughfare which is traversed by the rivulet, is the
main artery of travel from Osceola to Sanborn and is largely
used for traffic between such points. Third, that the
assessed valuation of Brisbin Borough is \$50,415.00, the tax
rate 30 mills, and that the Borough has borrowed money to
the extent of its borrowing capacity. Fourth, that the
Borough has within its limits, a number of bridges to
maintain. Fifth, that in its present impoverished condition
it would be unduly burdensome for the Borough to pay the
full cost of the construction of an adequate bridge over the
aforesaid rivulet. Sixth, that the bridge proposed can be
constructed without the encroachment upon any private property.

Therefore, taking into consideration the above
stated conditions, we recommend that a new bridge be constructed
of a size to be approved by a competent engineer and that
the costs of the construction of the same be divided between
the County of Clearfield and the Borough of Brisbin. The
County of Clearfield to pay three-fourths of such cost and
the Borough of Brisbin the remaining one-fourth.

Respectfully submitted.

Hugh B. Woodward
Wm. MacMillan
J. W. Gill

NOTE—Viewers will carefully note the number of days employed, and set the amount out at the end of the report. 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 that effect.

AMOUNT.

JW Gee } Days 1
Miles 21 7.10

W MacMillan } Days 2
Miles 58 \$45.80

HB Woodward } Days 2
Miles 28 12.80

Days
Miles

Days
Miles

No. 5 Sept. 5, 1892

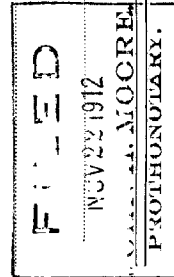
Bridge
in

Brislin Borough

ORDER TO VIEW.
Now February 13, 1913, the within Report of Viewers, and also the Committee of the Grand Jury at February Session 1913, are hereby approved, and the said Order, which is hereby referred to the County Commissioners for such action as they may deem right and proper.

By the Court
Allison O. Smith
Filed 189

Fees \$1.25, paid by Atty.



Attorney.

September Session 1912 powers of Viewers discharged to next term.

By the Court
Allison O. Smith

December Session 1912 within report of Viewers presented and confirmed in Si. said report to be laid before the February Grand Jury for action as per Act of Assembly in such cases made and provided.

By the Court
Allison O. Smith

Clearfield, Pa. 2/13/13.

✓
We the Grand Jury of Clearfield County, Pa. approve the report as herein submitted by the viewers.
J. Weaver
foreman

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

To the Honorable Allison O. Smith, President Judge of said Court.

The petition of the undersigned residents, tax payers and citizens of the Borough of Brisbin respectfully represent:

That the public is greatly inconvenienced and burdened for want of a bridge in a public road crossing *Beaver Run* ^{Bridge 122 ft long} Run in the Borough of Brisbin of said County, at a point 150 feet from the Pennsylvania Railroad crossing of said public road,

That expense of building said bridge is more than it is reasonable for the Borough of Brisbin to bear.

Wherefore your petitioners pray that viewers be appointed to view said bridge, and determine whether or not the County of Clearfield shall bear the costs of the construction of said bridge, and they will ever pray.

Edwin Pope
Thos Lloyd
Early Barger
William Lobb
Thos Mapstone
Daniel Jones Jr
Guy R. Newling

Thos Lloyd
Thos V. G. G. G.
W. A. Gould
S. P. Thomas
W. R. Jones
Wm. A. Suggs
James M. Philomny
John M. Philomny
Albert Hamlin
Thomas M. Ray
Frank Craig

Harry B. B. B.
Clerk of Court

Know all men by these presents that

are held and firmly bound unto the County of Clearfield in the sum of One hundred dollars lawful money of the United States, conditions for the payment of all costs in a proceeding instituted by the annexed petition for a view of a public bridge in the Borough of Brisbin, Pa., for the purpose of having the construction thereof paid for by the County of Clearfield, filed to number in the Court of Quarter Sessions, if the said costs shall be imposed up the petitioners.

Geo. T. Gould (Seal)

James McPherson (Seal)

Frank Craig (Seal)

Now May 20. 1912. notice of presentation of
within petition to the Court on this day
and appointment of viewers is
accepted -

Barney Boulton
Atty for Brislin Borough

May 20" 1912

Service accepted for the
Commissioners of Clearfield
County - L. C. Morrison
Clerk

No. 5. Sept. T 1912

In re. Public Bridge
in Brislin Boro.

Petition for viewers -

Now May 20 1912 within
petition presented, read and
considered, and thereupon H. B.
Moohr and H. J. MacMinn and
J. M. Hill are appointed viewers
to view said premises and
make report at next term

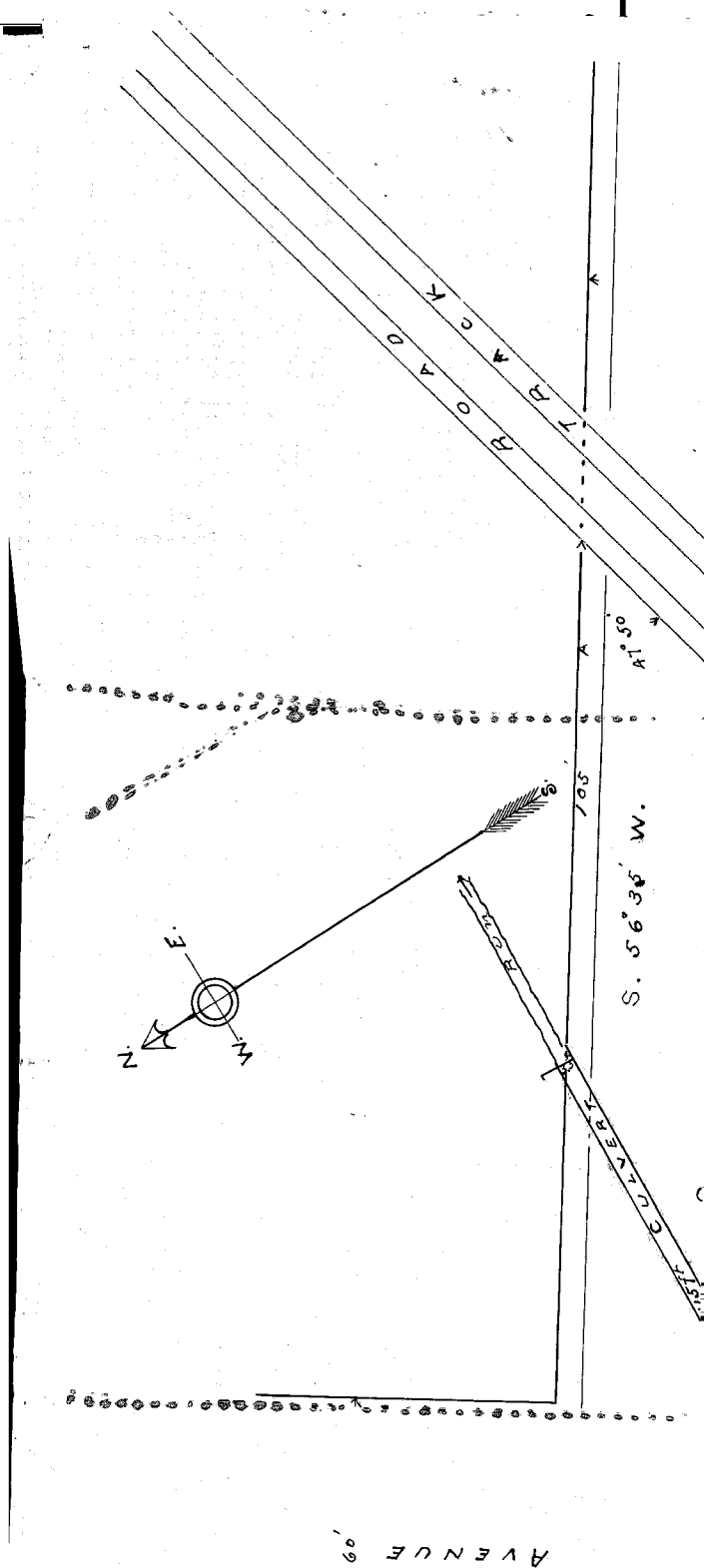
By the Court
Alvan A. Smith

FILED
MAY 25 1912
JOHN H. MOORE
CLERK

Boulton

99

AVENUE



ST. OSCEOLA

MAIN

OR

WOOPER

31' 10" 5' 10" 5' 10"

View of Crossing Beaver Run in

BRISBIN BOROUGH

CLEARFIELD COUNTY

VIEWS

H. B. Woodward.

H. S. Mac Minn.

J. H. Gill.

Nov. 4. 1912.

Scale 20 ft 1 inch.

VIEW

VIEW

60' 2'

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In re Road in Woodward Township # No. 4 September Session 1912
#

To the Honorable Singleton Bell, President Judge of said Court.

The undersigned respectfully represents, They are Citizens of Woodward Township, Clearfield County, Pennsylvania, and interested in the above mentioned proceeding; that an order to open said road was regularly issued by your Honorable Court on the 29 day of June A.D. 1914, and the same served upon the Supervisors of Woodward Township, by handing same to one of them, namely William Phelps; and the other Township Supervisors being Ashley Martin and Patrick Henneesey.

That the Township Supervisors of Woodward Township have made no move towards opening said road, and the undersigned have reliable information that said Township Supervisors do not intend to make any effort toward opening said road, one of them having so stated to Mr. Harry Boulton, Atty. for the petitioners in said road proceeding, the said Supervisors further stating that the road was unsafe as proposed to be opened, and that the Township was without funds to open same.

Wherefore we pray the Court to issue a rule upon the Township Supervisors of Woodward Township to show why an attachment should not issue for contempt in refusing to obey the opening order as aforesaid issued by the Court.

Joseph Petrusky (SEAL)
Steve Gabutney (SEAL)

State of Pennsylvania, #
County of Clearfield # SS.

On this 8th day of May, A.D. 1914, before me a
Justice of the Peace in and for said County, personally came ~~the~~
Steve Sakutney and Jos Petruski
who being duly sworn according to law doth depose and say that the
facts set forth in the foregoing petition are true and correct.

Steve Sakutney (SEAL)

Joseph Petruski (SEAL)

Sworn and subscribed before me this 8 day of May, A.D.
1914.

Harry Boulton (SEAL)

Notary Public.

*My commission
expires Jan 31, 1915*

4 Sept 28 1912
Road in
Woodward Gap
John - Road in
Woodward Gap -
Petition for Rule

Shu-ne-Road in
Shodward Inf-

Petition for Recall

Nov. 11th May 1914 -
a Rule is granted on
Waller's Motion for Rules
and Petitioner's Denial
to show cause why an
attachment for contempt
should not be issued
against them - Returned
1st Monday June next
By Mr. Smith
Singular & diff
seps

LAW OFFICE OF
BOULTON & FORSYTH
HOUSTON, TEXAS

APPENDIX.

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

The undersigned, residents and taxables of Woodward Town-
ship, said County, respectfully represent that they labor under
great inconvenience for want of a public road leading from point
in public street where lot of late John Farrar
in West Houtzdale abuts on same, and said point being *twelve*
hundred sixty feet distant from the ^{for} intersection of said
public street with the public road leading from Houtzdale to
Madera, and ending at point in public road opposite the Ocean
School building and ~~distant~~ at the intersection of two public roads
leading from Hendersons and intersecting or forking so as to lead
into the Borough of Brisbin by the one by the West side side and
the other by the North side; said proposed road being located
wholly within the Township of Woodward:

Wherefore they pray the Court to appoint viewers to
view and lay out a public road between the points aforesaid
and make report thereof according to law.

Louis Marion & Miner Woodward Pk
Samuel Ganser & Miner " "
Ernie Eastman Miner " "
Henry Marion Miner " "
Louis Marion & Miner " "
Charles Hoisch Operator
Michael Gratic, Farmer,
James Futsas Miner
John Mella Miner
Joseph Lusk Miner

William Cook Driver

Samuel Carlson

Willie Thompson

Thor Loft ss.

Louis Toribean

Laurence Nelson

Anders Anderson

William Anderson

Fred Anderson

Andrew Rodberg

Joe Rodberg

Leas Anderson

Samuel Oke, miner

John Oke, farmer

Amel Oke, coal miner

Wm. Oke, miner

Wm F Phelps, miner

Thomas Rochette, merchant

John Ashcroft, miner

James Toddhunter

Thomas McElton

J W Newcomer, Foss. collector

Joseph Griffin, miner

George Calbert Mine Laborer
Thomas Hartley miner
Samuel Barber Sr miner
Samuel Atter

Thos a Mather Mine Inspector

MOSHANNON COAL MINING COMPANY

| | |
|----------------|----------|
| Allen Benson | Clerk |
| Philip Baron | Butcher |
| John Mayhew | Merchant |
| H B Benson | Farmer |
| Wattersen Bros | Livery |
| W J Mayhew | Merchant |
| John Mills | = = |
| R Madigan | = = |

2

Now, May 20, 1912, we are held and
firmly bound unto the Commonwealth
of Pennsylvania in the sum of one hundred
dollars conditioned for the payment of
all costs on within petition and view
for public road in Woodward Township
if payment of said costs by petitioners
is decreed by the Court;

Witness our hand and seal
at Bryn Mawr
this 20th day of May 1912

Now. May 20, 1912. notice of presentation
of within petition and appointment of
viewers is accepted. Petition to be
presented on Wednesday May 22, 1912

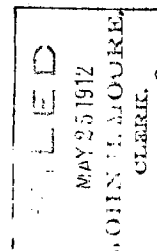
John McElrack
Collector for Woodward Twp.
Board of Supervisors

No 4 Sept 1912

In re. Petition for public
road in -
Woodward Twp.

Now May 26, 1912 within
petition presented, read and
considered and thereupon
Harry Byers, W. A. Reese and
Adrian Gould are appointed
viewers to view said road
and make report at next
term

By the Court
William A. Smith



Boulton.