

No. 2 SEPTEMBER Sessions, 1916

COMMONWEALTH

VERSUS

IN RE PETITION FOR BRIDGE IN

BURNSIDE TOWNSHIP ACROSS BEAVER

RUN NEAR WINGLINGS MILL

CHARGE

Walter Welch,
District Attorney

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 19

MAY day of , A. D. 19 16

before Judge of said Court, upon a petition of sundry inhabitants of the town-
ship of Burnside in said County, setting forth
that at a point in suadi Township where hhe road

from Cherry Tree to New Wahington crosses Beaver Tun, near
Yingling Mill, there is a necessity for a new bridge, that said
bridge would have a span of about 35 feet and would be too expensive
and burdensome for the township to build under its present
financial condition, and t ey therefore pray the Court to appoint
viewers to view said bridge and report to the Court whether the County
shall build it or whether or not the county should render aid to the
township in building it.

and therefore paying 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. G. 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:

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 L. Moore

CLERK.

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 Wednesday the 28th day of June A. D. 1916, at nine (9) o'clock A. M.

And that the said viewers met at the location or the site or proposed location of said bridge, where the public road leading from Cherry Tree in Burnside Township to the New-Washington in Burnside Township Crosses Beaver Run on Wednesday the 28th day of June A. D. 1916 at nine o'clock A. M. and that there were present at the view John Nowrey, John, B. Magee and Joseph Brothers the Supervisors of Burnside Township and William Westover, Irvin Yingling and Blance Byers

of
parties interested and in favor 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. at said point to replace the old wooden structure there now, which is in an unsafe and dilapidated condition, and therefore recommend, that a double reinforced concrete bridge, Thirty six (36) feet in length with a driveway sixteen (16) feet in width twelve (12) feet in height above low water mark with solid concrete or stone abutments laid in cement mortar, resting on solid bottom, be erected at said point where the public road leading from the town of Cherry Tree to the town of New-Washington crosses Beaver Run in Burnside Township in the County aforesaid as per draft attached as part of our report.

And that in the opinion of the viewers, the cost or expense of the erection of said bridge as recommended, including the abutments will be about sixteen hundred (\$1600.00) dollars, and as said amount owing to the financial condition of the said Township and the need of other bridges that said amount would be too heavy and burdensome upon the said township alone to bear, and would therefore recommend that sixty per cent of the cost or expense of the erection of said bridge be paid by the County and the remaining forty per cent be paid by Burnside Township.

Witness our hands and Seals this the 28th day of June A. D. 1916.

A. H. Branner (SEAL)
E. B. Bille (SEAL)
J. L. Michael (SEAL)
VIEWERS.

To:- John B Magee, John Nowry, and J. L. Brothers;
Supervisors of Burnside Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa, upon the petition of the Supervisors of the said Township, setting forth, the necessity of a public bridge across Beaver Run where the public road leading from Cherry Tree to New Washington crosses said stream near Yingling's mill in Burnside Township; and in case said bridge is found necessary by the viewers to ascertain the probable cost or expense of the erection thereof and whether said cost or expense will be too heavy and burdensome upon the taxpayers of the said township to bear, and if so, whether said bridge shall be erected by the County as a County bridge, or whether any and if so what proportion of the cost or expense of the erection thereof shall be borne by the county and what proportion by said township.

You are therefore hereby notified, that the said viewers will meet to make said view and discharge the duties of their appointment at the location or proposed location of the said bridge where the said public road, leading from Cherry Tree to New Washington crosses ~~the stream~~ said Beaver Run near Yingling's mill in Burnside township on Wednesday the 28th day of June 1916 at (9) nine o'clock A. M. when and where you may attend if you see proper.

A. G. Kramer
E. D. Billotte
J. S. Michaels.
VIEWERS.

Now June 13 1916 served this notice on John B Magee, John Nowry and J. L. Brothers the Supervisors of Burnside Township personally by handing each of them a copy of same.

Car. J. J. J.

TO:- Jessie E Dale, H. H. Spencer and Auston Haney.
County Commissioners of Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa upon the petition of the Supervisors of the township of Burnside setting forth, the necessity of a public bridge across Beaver Run where the public road leading from Cherry Tree to New Washington crosses said stream, near Yingling's mill in Burnside township; and in case said bridge is found necessary by the viewers to ascertain the probable cost or expense of the erection thereof, and whether said cost or expense will be too heavy and burdensome upon the taxpayers of the said township to bear, and if so whether said bridge shall be erected by the County as a County bridge, or whether ~~the~~ ~~any~~ any and if so what proportion of the cost or expense of the erection thereof shall be borne by the county and what proportion by said township. of Burnside.

You are therefore hereby notified, that the said viewers will meet to make said view and discharge the duties of their appointment at the location or proposed location of the said bridge where the said public road, leading from Cherry Tree to New Washington crosses said Beaver Run near Yingling's mill in Burnside township on Wednesday the 28th day of June 1916 at (9) nine o'clock A. M. when and where you may attend if you see proper.

A. G. Kramer
E. D. Billotte
J. S. Michaels
VIEWERS.

Now June 13 1916 service of this notice accepted for the
County Commissioners of Clearfield County Pa.

L. C. Harris
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. 191 _____



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 one being Damaged*

no damages were assessed
To _____ the sum of _____

To _____ the sum of _____

To _____ the sum of _____

Witness our hands this *28th* day of *June* A. D. 191 *6*

A. G. Kramer

E. D. Billoette

J. S. Michael

*The Trust Company is approved concerning
 Nov Oct 11 1916 the recommendation
 by the Court and
 Singmaster & Bell*

No. 3 SEPTEMBER 1916
 BRIDGE
 in
 BURNSIDE TOWNSHIP

ORDER TO VIEW
 BRIDGE.

FILED
 Filed AUG 19 1916
 Fees \$1.25, paid by *W. H. M. M. M. M. M.*

Cole & M. M. M. M. M.
 Attorney.

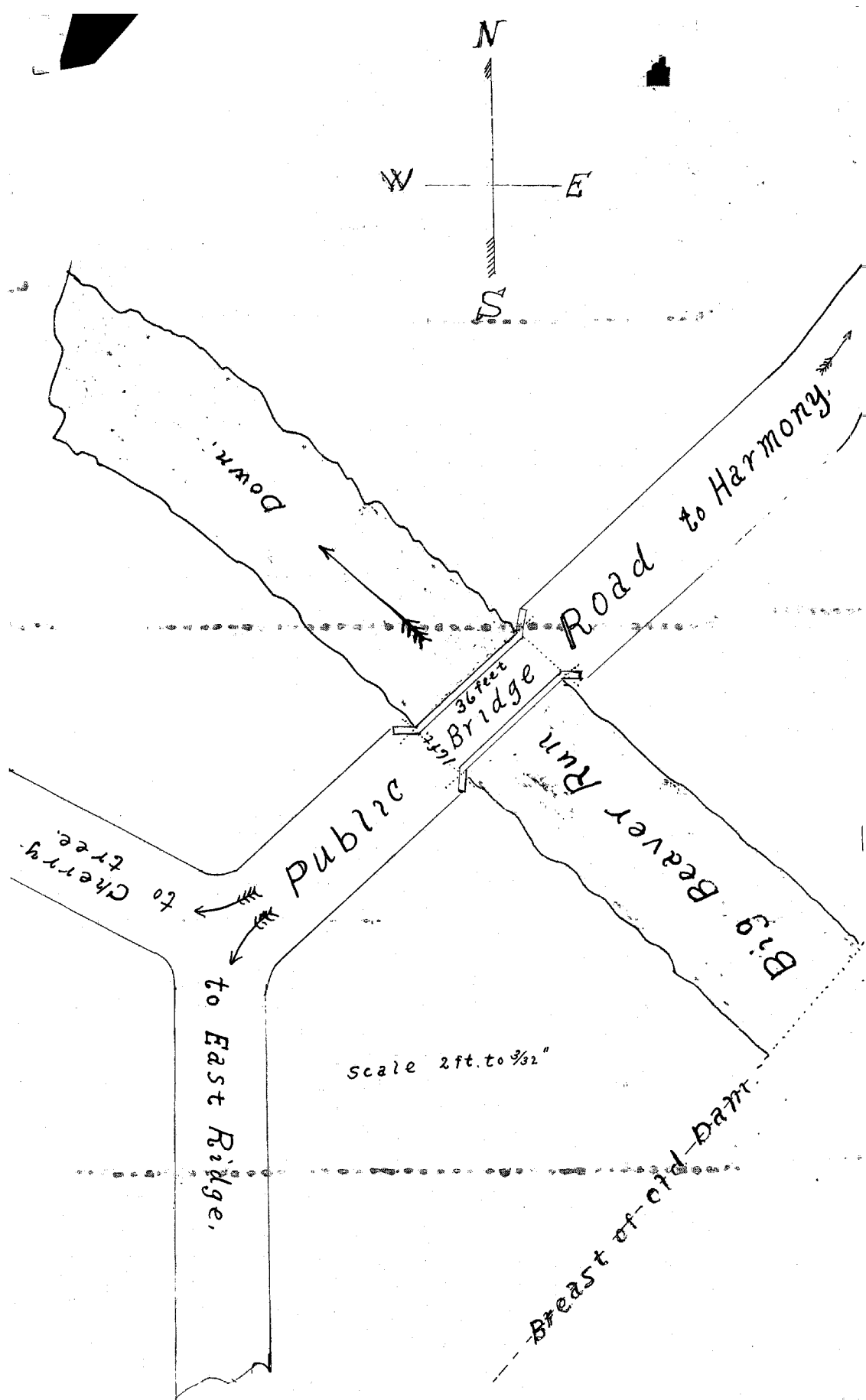
NOTE: - Viewers will carefully note the number of days employed, and set the amount out at the foot of their return.
 Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.
 N. B. - If the viewers believe the parties are not entitled to damages taking into consideration the advantages as well as the disadvantages of the bridge, they will report to that effect.

<i>A. G. Kramer</i>	Days	3	\$15.00
	Miles	104	\$25.20
	Days
	Miles
<i>Ed. Bilato</i>	Days	3	\$15.00
	Miles	140	\$27.00
	Days
	Miles
<i>J. A. Michael</i>	Days	3	\$15.00
	Miles	40	\$17.00

*Nov Sept 6th 1916
 the entire report
 of Viewers approved
 with recommendation that
 that cost of same
 be divided 50%
 50% *J. J. Allen**

N

For



Draft Showing location of a Bridge in Burnside township, Clearfield County, Pa.

Viewed and laid out June 28th. 1916,

By A.G. Kramer,
E.D. Billotte, and
J.S. Michaels.

The petition of the supervisors of Burnside Township respectfully represent:

And they will ever pray.

John B Magee
John Crowley
J L Brothers

{ Supervisors
of
Burnside Township
Clearfield Co

State of Pennsylvania } Pa
County of Clearfield } S. S.

Personally appeared before me a Justice of the
Peace in and for the County aforesaid.

J. L. Brothen one of the Supervisors of the Township of Burnsiv. and upon oath duly administered did depose and say the facts set forth in the above Petition are true and correct.

Sworn and subscribed to this

29th day of April 1919.

John M. Byers, J. P.
My Comm. Exp. Dec. 31, 1911.

J L Brothers

No 2 Sept 21 1916

Pattern of filigree of
Bureau's Journal in the
apparent of review to
own public history across
Bureau's own filigree
will in public record
leading from Clary from &
West Washington

How May 9th 1916, Pat
Merrett Thompson
E. A. Belletta, A. P. Brown
and J. S. Mohr
are appointed Barrett
from said hedge and
make report clary

By the Committee
Engle
17

Nov 19 1916

JOHN P. COLE

CHIEF OF LAW OFFICES

COLE & HARTSWICK
OPERA HOUSE BLOCK
CLEARFIELD, PA.

Baltimore Office Supply Company, Baltimore, Md.