

No. 7 May Sessions, 1917

COMMONWEALTH

VERSUS

Benny Bridge
in
Gramwood Twp

CHARGE

3/13/1917

X

Walter Welch,
District Attorney.

Know all Men by these Presents,

That we, *Ezra Johnston, Charles E. Thorp, D. H. Nolan*
J. M. Frankston & J. B. Johnston






held and firmly bound unto the Commonwealth of Pennsylvania to use of
the party or parties entitled thereto

in the sum of One Hundred (100) Dollars,
lawful money of the United States of America, to be paid unto the said
Commonwealth of Pennsylvania, to use as aforesaid, or its

certain attorney, executors, administrators or assigns, to which payment well and
truly to be made, we bind ourselves, our heirs,
executors and administrators, firmly by these presents. Sealed with our
seals, and dated the 30th day of November
in the year of our Lord one thousand nine hundred and sixteen.

Whereas there has been presented to the Court of Quarter Sessions
of Clearfield County, Pennsylvania, at December Sessions thereof,
1916, a petition of the citizens of Greenwood Township, said County,
for a view for a County bridge where the township road leading from
Clover Run in Bell township, said county, by the way of Curry Run to
Harron in Ferguson township, is crossed by the West Branch of the
Susquehanna River, at the village of Curry Run.

Now the Condition of this obligation is such if the above bound-
en, their heirs, executors, administrators or any of them, shall, in
case the Court order the costs in the said proceedings for the view
of the said bridge across the West Branch of the Susquehanna River,
be paid by the petitioners, say the legal costs of said bridge view,
then this obligation shall be null and void, otherwise to be and
remain in full force and effect.

Ezra Johnston 
Charles E. Thorp 
D. H. Nolan 
J. M. Frankston 
J. B. Johnston 

Signed, Sealed and Delivered
in the Presence of



Bond.

TO

COMMISSIONER OF REGISTRATION

Dated

for

Mar 21 1917 at Springfield

My Comm

Wm. B. B. 1917

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

In RE County bridge across the West Branch)
of the Susquehanna River at Curry Run,)
Greenwood Township.)

To the Honorable Singleton Bell, President Judge of said Court:-

The petition of the undersigned inhabitants of the Town-
ship of Greenwood, County of Clearfield and State of Pennsylvania,
respectfully represent:-

That a bridge is much wanted over the West Branch of the
Susquehanna River at the village of Curry Run, at the place where
the said river crosses the public road leading from Clover Run in
Bell Township, said County, by way of said village of Curry Run,-
crossing said West Branch of the Susquehanna River at said point to
the village of Marron in Ferguson Township, said County; that said
point is frequently rendered impassable by reason of ice and high
water; that the erecting and constructing of such a bridge at said
point requires more expense than it is reasonable that the said
township of Greenwood should bear.

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

J. S. Gardner.
O. R. Lins.
D. H. Moten
Chas. Beam
H. J. Johnston
J. W. McClracken
Frank Beam
Geo. Bice
Blair Gearhart

J. S. Gardner.
O. R. Lins. Gearhart
D. H. Johnston
Chas. Beam
J. M. Thompson
W. B. Bice
A. D. Junod
Blair Gearhart
Edw. Greenline
J. W. Wilby

A. M. Coulter
William Elshart
Leadell Johnston
To sink Pass
Martin Passmore
J. M. Barrett
J. M. Young,
James Coulter
J. M. Johnston
H. M. Wier
Wm Johnston
A. L. Ross
Chas. L. Thorp
Harry Harbyfeld
A. H. Wiley
J. H. H. H.
W. H. Johnson
J. R. Newcorn
Truman Young
G. F. Johnston
Raymon Johnston
Mervil Straw.
B. F. Sawyer
Claine C. Dickey
Max P. Johnston
K. Hoyt Thorp
Clyde Mitchell
Edwin L. Brown
David Mitchell
E. A. Johnston.
Jay Stevens
W. C. [unclear]

A. B. Johnston
G. M. Campbell
C. A. A. Bell
J. Y. Sullivan
P. B. Curry.
J. A. Hup
Vernon I. Shupe
W. M. Young
Herman L. Hess.
V. M. Bell
A. B. Johnston
J. C. M. Sunderland.
J. H. D. [unclear]
J. I. Bell
D. H. [unclear]
J. P. Beam
Thos. R. Diehl
J. A. Passmore
W. G. A. Schu
James F. Mitchell
J. M. Meeley
J. H. Macdonald
W. L. Webster
John Webster
S. G. Snakes
A. L. Kaufman
C. L. Ross
A. I. Johnston

Now a Member 1917,
Admitted by E.D. Butler
as a S. Hughes
and appointed me to
lead and report to the
Court. By the Court
Hughes Bell
N.Y.

ALLISON O. SMITH
ATTORNEY-AT-LAW
CLEARFIELD, PA

REPORT AN INQUIRY CLEARFIELD, PA

Norman S. Davis

James Redden

W. H. Hamilton

J. S. Haulikens

C. D. Haulikens

J. B. Witherite

M. M. Johnson

Chancey Derrick

L. L. Bell

B. O. Johnson

A. B. Stephenson

H. J. Brier

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

2nd day of March, A. D. 1917

before Judge of said Court, upon a petition of sundry inhabitants of the town-

ship of Greenwood in said County, setting forth

that a bridge is much wanted over the west branch of the

Susquehanna River at the village of Curry Run, at the place where the
said river crosses the public road leading from Clover Run in Bell Twp.

said County, by way of said village of Curry Run, crossing said West
Branch of the Susquehanna River at said point to the village of Marron in

Ferguson Township, said County; that said point is frequently rendered im-
passable by reason of ice and high water; that the erecting and constructing
of a bridge at said point requires more expense than it is reasonable that
the said township of Greenwood should bear,

and therefore praying 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 Esq., 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 S. 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 Greenwood 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 Thursday the twenty second day of March A.D. 1917, at 8.30 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 Court House in Clearfield, Pa., on Friday the twenty third day of March A.D. 1917, at nine o'clock A. M.

And that the said viewers met at the N Y C R R Station near the site or proposed location of said bridge, where the public road leading from Clover Run in Bell Township to the village of Marrion in Ferguson Township on Thursday the 22d day of March A.D. 1917 at 8.30 o'clock A. M. and that there were present at the view D H Nolen, J M Frampton, Harry Hartsfelt, Alex Ross, Josiah Newcomer, Jack McCracken, McClellan, Ross, W G A Sahm, Jack Redden, Sup, C L Thorp, W E Curry, G W Hess, supt, J Hoyt Thorp, F B Johnson, A J Johnson, G W Campbell, B F Sawyer, H S Mitchell, George McDivitt, Gay Hullihen, and Ezra Johnson.

parties interested in said bridge.

And that the said viewers all having been present at the view and after having made said view and hearing above mentioned was held in the Grand Jury Room in the Court House in Clearfield Pa on Friday the twenty third day of March at nine (9) o'clock A. M. when the following witnesses appeared and were sworn and examined in favor of said bridge by their Council Hon Allison O Smith and cross examined by H B Hartswick Esq Attorney for the County Commissioners, to wit. James Mitchell, D H Nolon, G W Hess, C L Thorp, F B Johnson, G W Campbell, J Hoyt Thorp, J M Frampton, and J H Redden; including the County Commissioners, to wit: Jessier E Dale, H H Spender and Austin Haney who were also present at the said hearing.

And after the view and hearing aforesaid, the undersigned viewers do agree, that there is a need for a bridge across the West Branch of the Susquehanna River, at or near the place where the public road or highway, leading from Clover run in Bell Township to the village of

Marrison in Ferguson Township across said river, near the village of Curry Run in Greenwood Township; but that the expense of the erection of such a bridge would be greater or more, then is reasonable that the said township of Greenwood should bear.

The viewers further report; that the Iron Railroad bridge of Hugh Irvin and James Mitchell near said point has by the consent of the owners thereof been lately floored and fitted up by private subscription by the citizens of the village of Curry Run and the immediate community so as to make it passible as a wagon bridge and is now used as such. That said bridge is a substantial structure; with good substantial abutments, is 177 feet in length and of sufficient width to make a fourteen (14) feet wide roadway; and that the viewers are informed by Mr Mitchell one of the owners thereof that said Railroad bridge, including the abutments, and the right of way and filling, from the west end of the bridge to the township road, leading from Mahaffey to Clearfield (and lately taken over by the State highway department as a state road), and from the east end of the bridge, to the right of way of the New York Central Railroad for the sum or price of Five Thousand (\$5000.00) Dollars; which in the opinion of the viewers is a reasonable and fair price for the same and considerable less then a bridge could be build there by the county.

The viewers further report; that the citizens and Supervisors have signified their willingness to obligate themselves to the County, that in case the county purchase said Railroad bridge for a county bridge to put the same in proper repair for a wagon bridge and keep it in good condition by private subscription for a period of five years so that the only expense the county will be to for that period will be the purchasing cost of Five Thousand (\$5000.00) Dollars.

The viewers further report: That from the fact of the Railroad being on the opposite side of the river from the village of Curry Run, and it being the junction of the two branches of the New York Central Railroad, to wit: The river line coming down

along the river from said point to Clearfield, and the old Beech-Creek road coming to Clearfield by way of Kerrmoor; and the only regular passenger and freight station with a ticket and freight agent, Telegraph operator and express office, and the only place where freight can be shipped to and from between Mahaffey, six miles up the river or Lumber City six miles down the river from Curry Run or Kerrmoor eight mile east on the old Beech-Creek line or Grampian six miles distant on the P R R; so that without a bridge at Curry Run the only way the merchants and other people living in the village of Curry-Run and the surrounding neighborhood as well as those coming from the western end of the township as far back as Clover Run in Bell Township to get to the Railroad station will be by crossing the river at Curry-Run which without a bridge can only be done by fording the river, which can only be done when the water is low, during the summer season; and the balance of the time when the river is flush or icy the only way the people living on the west side of the river have of getting to the Railroad station is up around by Bower which is about three and one half miles around; or down round by Bell's Landing which is about the same distance. That the principal part of the freight shipped to and from said station goes to and from the opisite side of the river from the station; that there is considerable freight consisting of mine ties, mine props and other lumber shipped out from said station.

Besides the school children, living on the east side of the river have no way of getting across to school which is on the west side except by fording or in boats which owing to the condition of high water and ice during the winter month renders it impossible for them to get across to school the greater part of the time the school is in session.

The viewers would further report, that from the information they have of the amount of travel across said bridge, that in their opinion a county bridge is needed at said point to accomodate the travling public at that point; and that from the fact of the assurance of the citizens of the village of Curry-Run and the surrounding community to keep said bridge in proper repair by private subscription for five yeara without any cost or expense to the county during said perion except the purchasing cost of Five

3

Thousand (\$5000.00) Dollars the cost of said Iron Railroad Bridge

The viewers, would therefore recomend, that in case said Railroad bridge, including the abutments and the right of way from the west end of the said bridge to the State road and from the east end of the bridge to the right of way of the New York Central Railroad can be purchased for the said sum of Five thousand (\$5000.00) dollars with the aforesaid guarrentee from the citizens to keep the same in proper repair for the period of five (5) years that the said Railroad bridge be purchased by the County Commissioners and converted into a county bridge and be used as a wagon or road bridge; and in case said bridge is purchased and converted into a county bridge it will be necessary to change the route or course of the township road and in that case the viewers lay out a public road on the filling or railroad bed on the right of way from a point in the public road, leading, from Mahaffey to Clearfield, where the said right of way or railroad of the said Irvin and Mitchell crosses said public road; thence south forty two (42) degrees thirty (30) minutes, east six hundred and forty three (643) feet to the west end of said bridge; and from the east end of said bridge; south forty two (42) degrees, thirty (30) minutes; east four hundred (400) feet, thence south fifty one (51) degrees, fifteen (15) minutes; east one hundred and thirty seven (137) feet to a point in the public road, leading from Clover Run in Bell township to the village of Marrion in Ferguson Township at the crossing of the New York Central Railroad near the station of said railroad.

And the viewers further report, that the following road leading to and from the fording now used across the said river will by reason of the change made in the said road so as to connect the township road with the ends of said bridge will in case said bridge becomes a county bridge, become, useless, inconvenient and burdensome to the taxpayers and would therefore recomend that the same be vacated, as follows: Beginning at a point in the public now state road, leading from Mahaffey to Clearfield; in the village of Curry Run; thence leading south thirty two (32) degrees forty five minutes, east six hundred and fifteen (615) feet to low water

mark on the west side of the river where the fording crosses the said river; thence from low water mark on the east bank of the said river, south fifty one (51) degrees, thirty (30) minutes, west, two hundred and fifty (250) feet, thence south, twenty (20) degrees, east, five hundred and twenty five (525) feet to the Railroad crossing, where said road connects with the road laid out from the east end of the said bridge, to the intersection with the said township road, leading from Glover Run to Marrion in Ferguson Township.

WITNESS Our hands and seals this the 23d day of March.

A. D. 1917.

A. G. Kramer (SEAL)
E. B. Billott (SEAL)
J. S. Michael (SEAL)
 VIEWERS

TO:- Jessie. E. Dale, H. H. Spencer and Austin 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 to view a site for a bridge across the Susquehanna River where the public road leading from the village of Clover Run in Bell Township, to the village of Marrión in Ferguson Township crosses said River at the Village of Curry Run in Greenwood Township in the County aforesaid; will meet at the Railroad Station of the New York Central Railroad near Curry Run in Greenwood Township on THURSDAY the 22d day of March A. D. 1917 at 8.30 o'clock A. M. to attend to the duty assigned them, 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 in order to give all parties interested, either in favor of or against said bridge, a chance to be heard by the viewers, before the filing of their report, will be held in the Court House in Clearfield Pa on Friday the 23d day of March A. D. 1917 at nine (9) o'clock A. M. at which time and place all parties concerned in said bridge may attend and be heard.

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

Now March 10 1917 service of the foregoing notice accepted
for the County Commissioners of Clearfield County Pa.

L. C. Norris
Clerk.

To:- George. Hess, H. H. Redden, and D. W. Wiley.

Supervisors of Greenwood Township Clearfield County Pa.

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 the Susquehanna River where the public road leading from the village of Clover Run in Bell Township, to the village of Marrion in Ferguson Township crosses said River at the Village of Curry Run in Greenwood Township, in the County aforesaid; will meet at the Railroad Station of the New York Central Railroad near Curry Run in Greenwood Township, on THURSDAY the 22d day of March A, D. 1917 at 8.30 o'clock A. M. to attend to the duty assigned them, 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 in order to give all parties interested, either in favor of or against said bridge, a chance to be heard by the viewers, before the filing of their report, will be held in the Court House in Clearfield Pa on Friday the 23d, day of March A. D. 1917 at nine (9) o'clock A. M. at which time and place all parties concerned in said bridge may attend and be heard.

A. G. Kramer

E. D. Billotte

J. S. Michaels

VIEWERS.

Now *Mar 10th* 1917 served the foregoing notice on George Hess, H. H. Redden and D. W. Wiley the Supervisors of Greenwood Township personally by handing each of them a true and correct copy of same.

D. H. Nolan

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

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:

No private property being taken or effect by location of said bridge or the laying out or vacating of said road no damages assessed

To _____ the sum of _____

To _____ the sum of _____

Witness our hands this 23rd day of March A. D. 191 7

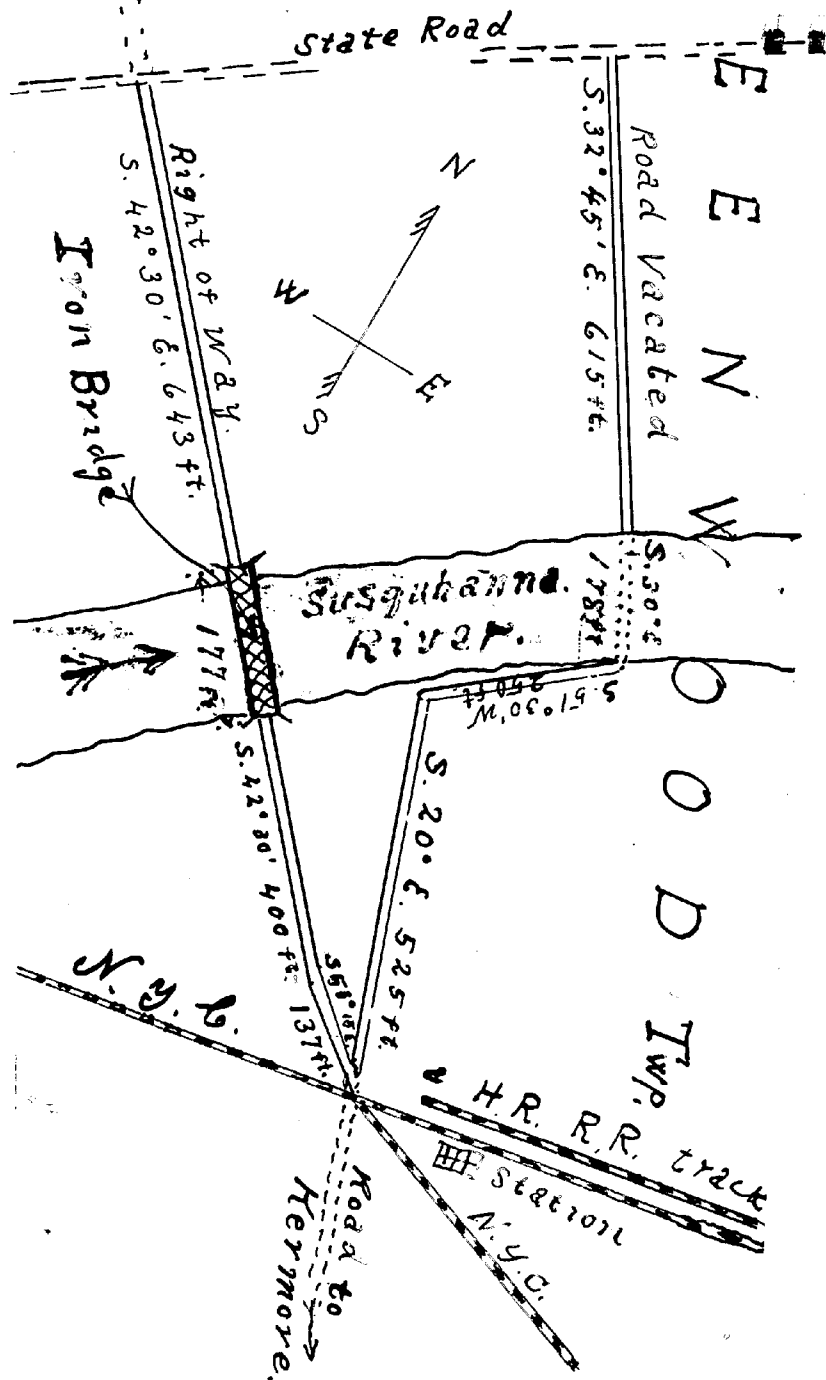
A. G. Kramer

Mr. H. C. Brown
Min. Secy. Genl.

[illegible]

JOHN H. MOORE,

Curry Run
Village.



Draft showing location of
Iron Bridge over Susquehanna
River at Curry Run. Also
Road viewed and Road vacated
in Greenwood Twp. 61st. Co.

Mar. 22nd, 1917. by
A.C. Kramer
E.D. Billotte
J.S. Michals.