

DOCKET No. 5

Number Term Year

6 Feb SS 1922

Petition for Bridge In Brady Twp

Versus

X

To the Honorable Singleton Bell, President Judge of the Court of Quarter Sessions of Clearfield County, Penna.

Your undersigned petitioners who are the Supervisors of the Township of Brady, in the said County of Clearfield, and State of Pennsylvania, respectfully represent;

That they as Township Supervisors of the said Township of Brady have charge of the maintainance of the roads and bridges in said Township, and that one of the bridges in said Township locally known as the "Kocher Bridge", in the public road in Brady Township leading from the farm of Samuel Hartzfeld to and ending in the Troutville Road, over East Branch of Mahoning Creek, and being a wooden bridge and resting on wooden abutments or supports, has become decayed and unsafe for public travel over it, and at the same time it would not be profitable to attempt to repair the said bridge;

That said bridge ought to be of permanent construction, such as stone or concrete, and that said proposed bridge and abutments would be a span of upward of fifty feet, and in consequence would be too expensive for the said Township to build with assistance from the County of Clearfield;

WHEREFORE your petitioners pray that the Court may appoint viewers to view the premises and to make recommendations in form of report to the court, as is by law in such case made and provided. And they will ever pray.

A. W. Bonsall
P. P. Illinger
H. E. Valder

Clearfield County)
Pennsylvania) SS:

Before me, the subscriber, a Notary Public duly commissioned in and for the said County of Clearfield, personally came J. P. Ellinger, Harry Bonsall, and H. E. Nolder, who by me being duly sworn according to law depose and say that they the deponents are the Supervisors of Brady Township, Clearfield County, Pennsylvania, and the persons whose names are signed to the foregoing petition, and that the facts therein set forth are, to the best of the knowledge and belief of the deponents, true and correct.

H. W. Bonsall

J. P. Ellinger

H. E. Nolder

Sworn and subscribed before
me this 14th day of January,
1922.

Concord Bovee

Notary Public

My Commission Expires May 2, 1923.

IN THE COURT OF QUARTER SESSIONS

To February Term, 1922

No. 6

PETITION FOR APPOINTMENT OF
VIEWERS.

ORDER.

Now, January 16, 1922, the foregoing petition presented to the Court, read and considered, and *Frank Hutton* and *A. G. Kramers* are appointed viewers in the matter and directed to make view and to report to the Court at next Term.

By the Court: *Samuel B. Bell*
P. J.

275 Paid by Supreme

FILED

JAN 16 1922

O. W. RALSTON
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 16th

day of January, A. D. 1922

before Judge of said Court, upon a petition of Supervisors
of said County inhabitants of the town:

ship of Brady in said County, setting forth

that they as Twp Supervisors of the said Twp of

Brady have charge of the maintainance of the roads and bridges in said

Twp, and that one of the bridges in said Twp locally known as the

"Kocher Bridge", in the public road in Brady Twp leading from the farm

of Samuel Hartzfeld to and ending in the Troutville Road, over East

Branch of Mahoning Creek, and being a wooden bridge and resting on wooden

abutments or supports, has become decayed and unsafe for public travel

over it, and at the same time it would not be profitable to attempt to

repair the said bridge; that said bridge ought to be of permanent construct-
ion, such as stone or concrete, and that said proposed bridge and abutments
would be a span of upward of fifty feet, and in consequence would be too
expensive for the said Twp to build with assistance from the County of
Clearfield;

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 Frank Hutton, Esq.,

J. E. Fry and A. G. Kramer, Esq.,

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.

Geo. W. Ralston

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 Brady 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 31th day of January A. D. 1922, at nine 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 first (1) day of February A. D. 1922 at nine o'clock A. M.

And that the said viewers met at the site or proposed location of said bridge, where the public road leading from Troutville in Brady Township to the Borough of Grampian in Penn. Township on Tuesday the 31th day of January A. D. 1922 at Nine o'clock A. M. and that there were present at the view H. E. Nolder, J. P. Ellinger and H. W. Bongall the Supervisors of Brady Township and also George Colter

parties interested in the said bridge.

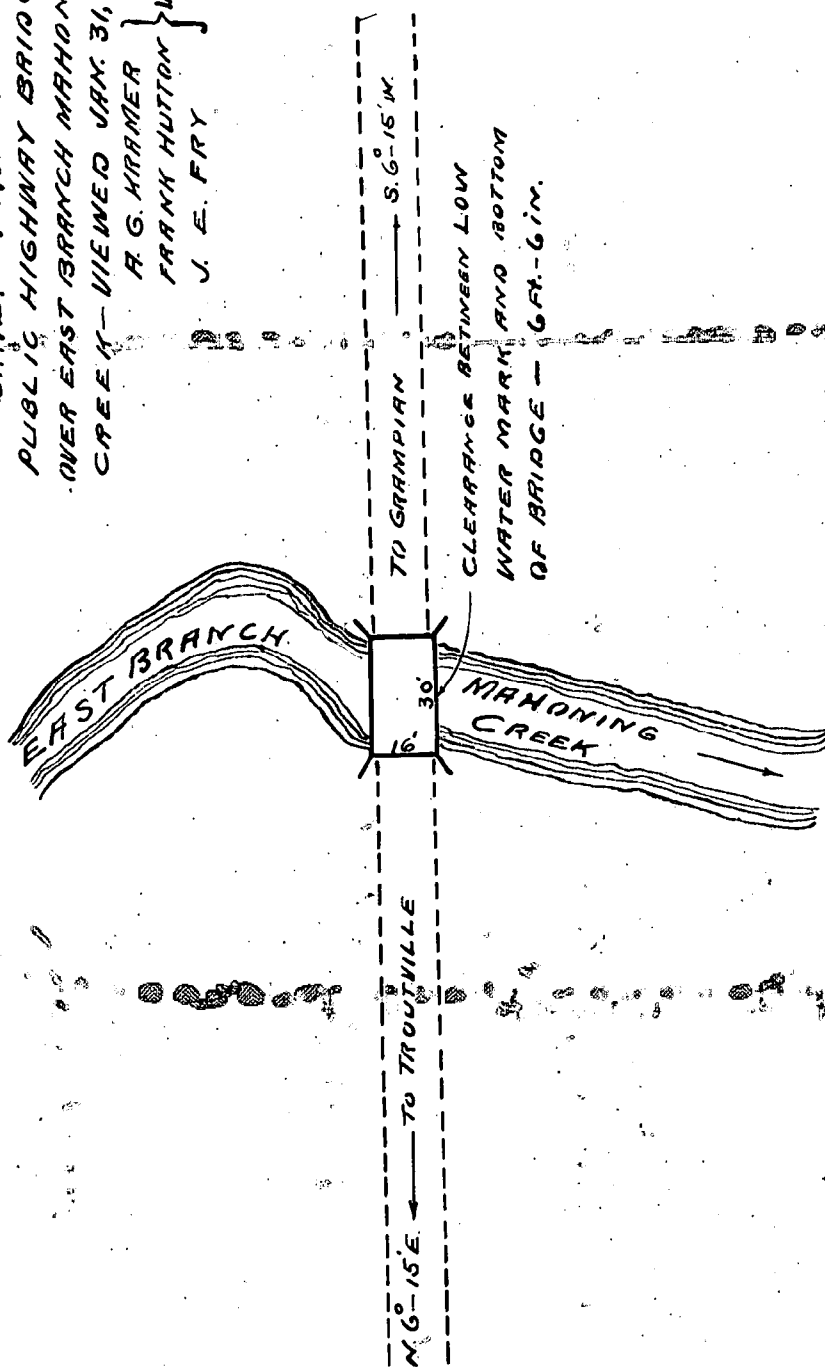
And that the said viewers all having been present at the view and after having made said view do agree that there is a necessity for said bridge. To replace the old wooden structure there now which is in an unsafe rotten and dilapidated condition,

and therefore recommend that a re-inforced Concrete bridge; thirty (30) feet in length with a driveway sixteen (16) feet in width, six feet six

inches (6-6) above low water mark. with solid Concrete abutments resting on solid stone or gravel bottom be erected at said point where the public road leading from Troutville to Grampian crosses the East Branch of the Mahoning Creek in Brady Township as per draft attached as part of our report; And that in the opinion of the viewers the estimated cost or expense of the erection of said bridge as recommended including the abutments will be about three thousand (\$3000.00) Dollars and as said amount owing to the financial condition of the Township would be too heavy a bur-

den upon the said Township alone to bear: The viewers would therefore recommend that in case the State contribute any portion of the expense of the erection of said bridge that said amount be deducted from the total expense of the erection of said bridge and in that event that the County pay one-half of the remainder and the Township of Brady the remainder. But in case the State fails to contribute any portion of the expense of the erection of said bridge in that event we would recommend that the County pay the one half of the entire expense of the erection of said bridge and that the Township of Brady pay the remainder.

BRADY TOWNSHIP
PUBLIC HIGHWAY BRIDGE
OVER EAST BRANCH MAHONING
CREEK - VIEWED JAN. 31, 1922.
A. G. KRAMER
FRANK HUTTON } VIEWERS.
J. E. FRY



TO: T. R. WEIMER, JESSE, E. DALE AND M. L. FARRELL,
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 East Branch of the Mahoning Creek where the public road leading from the residence of Samuel Hartzfeld in Brady Township to the Borough of Troutville crosses said stream in Brady Township in the County aforesaid, will meet at the proposed location of the said bridge in Brady Township, on Tuesday the thirty first (31st) day of January A. D. 1922 at nine (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.

And that the public hearing, 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 interested in said bridge, a chance to be heard by the viewers will be held in the Arbitration Room in the Court House in Clearfield Pa; on Wednesday the first (1), day of February A. D. 1922 at nine (9) o'clock A. M. when and where all parties interested may attend and be heard.

A. G. Kramer

Frank Hutton

J. E. Fry

VIEWERS.

Now January 20 1922 service accepted for the County Commissioners of Clearfield.

L. C. Morris

Clerk.

TO, H. W. BONSAALL, J, P. Ellinger and H, E. NOLDER;
SUPERVISORS OF BRADY 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 East Branch of the Mahoning Creek, where the public road leading from the residence of Samuel Hartzfeld in Brady Township; to the Borough of Troutville crosses said stream in Brady Township in the County aforesaid, will meet at the proposed location of the said bridge in Brady Township, on Tuesday the thirty first (31) day of January A. D. 1922 at nine (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.

And that the public hearing, 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 interested in said bridge, a chance to be heard by the viewers will be held in the Arbitration Room in the Court House in Clearfield Pa; on Wednesday the first day of February A. D. 1922 at nine (9) o'clock A. M. when and where all parties interested may attend and be heard.

A. G. Kramer
Frank Hutton
J. E. Fry
VIEWERS.

X Now January 21 1922 served this notice on H. W. Bonsall, J, P. Ellinger and H, E. Nolder the Supervisor's of Brady Township personally by handing to each of them a true and correct copy of same.

H. E. Nolder

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. 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:

To _____ the sum of _____

To _____ the sum of _____

To _____ the sum of _____

Witness our hands this First day of February A. D. 1922.

A. G. Krugner,
J. C. Tug
Mark Mutton

Feb 9 - 1972

We the Grand jury in the matter of report of
viewers of proposed bridge in Brady township. wherein the
viewers recommend that C. & D. Co. bear a proportion
of the cost of erecting said bridge: - We the Grand
jury after hearing the parties interested do not
recommend that C. & D. Co. bear any portion of
the said expense.

Ессентуки

Forman,

Herman Smith
 Secty

No. 6 February 23 1922

Petition for Appt. of Viewers
for Bridge in Brady
Twp

**ORDER TO VIEW
BRIDGE.**

Filed _____ 19

Fees \$1.25, paid by:

Supervisors:

Attorney.

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 on that effect.

ed by the original viewers, except so far as the location may be changed by the reviewers.

ed by the original viewers, except so far as the

Reviewers cannot interfere with damages assess-

foot of their return.

of days employed, and set the amount out at the

NOTE.—Viewers will carefully note the number

100

10

$\mathbf{A} = \begin{pmatrix} 1 & 2 & 3 \\ 2 & 3 & 4 \\ 3 & 4 & 5 \end{pmatrix}$

AMOUNT	
Days 4.	\$ 30.00
Miles 18.	\$ 3.00
Days	\$ 36.90

Miles	...	\$ 28.35
Days	2	
Miles	1/2	\$ 3.90
Days		
Miles		\$ 26.40

	Miles	Days	
Frankston	2.	78.	16.00
			3.90
			\$12.10

FILED
FEB 3 1922
GEO. W. BALSTON
CLERK