

DOCKET No.5

Number	Term	Year
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1	May	1923
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Vacation of portion of Public road  
in Decatur Twp. from the residence  
of Mike Kishlock

Versus

X

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

IN RE Vacation of a portion of public road in Decatur Township leading from at or near the residence of Mike Kishlock in the village of Parsonville to State Highway No. 234 at or near what was formerly known as Beaverton, both termini being in Decatur Township. ) May SS. 1923

P E T I T I O N

To the Honorable the President Judge of said Court:

The petition of the undersigned supervisors respectfully represents:

That a portion of public road leading from at or near the residence of Mike Kishlock in or near the village of Parsonville to State Highway Route No. 234 at or near what was formerly known as Beaverton has become useless and burdensome and because of the caving in of the surface, the said road has become dangerous to public travel.

Your petitioners therefore, respectfully pray that an order may be granted to view and vacate said portion of public road, and that the same may be vacated according to law.

And they will ever pray, etc.

*Paul McClarren, Pa.  
G. S. York  
P. N. Shouse, Sec.*

STATE OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD ) SS.

Paul McClarren, one of the Supervisors of Decatur Township, being duly sworn according to law, deposes and says that the facts set forth in the above and foregoing petition are true and correct to the best of his knowledge and belief. Sworn and Subscribed before me this 21st. day of February A. D. 1923

*Geo. W. Ralston, Clerk*

*Paul McClarren*

IN THE COURT OF QUARTER  
SESSIONS OF CLEARFIELD COUNTY

NO. 1 May 25, 1923

IN RE: Vacation of a portion of public road in Decatur Township leading from, at or near the residence of Mike Kislock in or near the village of Parsonville to State Highway Route #234 at or near what was formerly known as Beaverton, both termini being in Decatur Township.

PETITION TO VACATE

Mar 21, 1923. A. F. Shantz,  
Henry Rees, and W. Shantz  
on behalf of the  
McGard family, the  
sets of Assembly members  
Hunt, John Cook  
Sugden, etc.

FILLED	OFFICES A. H. WOODWARD MAR 21 1923 Clerk
GRD. W. RAISON	

RETURN OF VIEWERS.

TO THE HONORABLE THE JUDGE 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, beg leave to report as follows:

That notice of the time of the view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County, and the Board of Supervisors of the Township of Decatur, and that Three notices thereof were posted along the route of the said road to be vacated, that the said view would be held on the

16<sup>th</sup> day of August, A. D. 1923, 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 the 17<sup>th</sup> day of August A. D., 1923, at 11 o'clock A. M., and that said Viewers, appointed by the said order, viewed the road desired to be vacated, and that there were present at the view A. G. Kizer, Paul M. Larue Supv. A. L. Edwards, Harry  
Race, James Spangle.

parties interested, either in favor of or against vacating said road. And that the aforesaid hearing was held in the Arbitration Room in the Court House, in Clearfield, Pa., on the 17<sup>th</sup> day of August, A. D. 1923, when the parties interested in the said road were in attendance: Paul M. Larue,  
Supv. of Decatur Twp. A. G. Kizer, A. L. Edwards, Harry Race & James  
Spangle

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said road has become useless, inconvenient and burdensome (see map hereto attached)

CLEARFIELD COUNTY, SS.:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, Pa., held at Clearfield, Pa., in and for said County, on the **twenty-first** day of **March** in the year of our Lord, one thousand nine hundred and **twentythree**

By the Honorable Singleton Bell, President Judge of the said Court: Upon the petition of sundry inhabitants of the Township of **Decatur**, in the County aforesaid setting forth that .....  
**a portion of public road leading from at or near the residence of Mike Kishlock in or near the village of Parsonville to State Highway Route No. 234 at or near what was formerly known as Beaverton has become useless and burdensome and because of the caving in of the surface, the said road has become dangerous to public travel**

and, therefore, praying the Court to appoint proper persons to view and vacate said road between the points mentioned, whereupon the said Court, upon due consideration had of the premises, do order and ap-

point from and among the County Board of Viewers **A. L. Edwards, Esq., Harry Reese and J. W. Spangle** who have been duly appointed by the said Court on the

County Board of Viewers, and filed their oaths of office in the office of the Court of Common Pleas of the County aforesaid, as required by law and are, therefore, duly qualified to perform the duties of their appointment, with impartiality and according to the best of their judgment; are to view the said road, and after having viewed the same, if they, or a majority of them, do agree that there is no necessity for said road, they shall proceed to vacate the same as agreeably to the desire of the petitioners as may be, and make report thereof to the next Court of Quarter Sessions to be held in and for said County, stating particularly whether there is any necessity for said road, or whether the same should be vacated; and the reason why, together with a plot, or draft, thereof showing the courses and distances with reference to the improvements through which said road passes.

And in case the viewers aforesaid shall decide in favor of vacating said road, they shall obtain from the persons through whose lands the said road passes, or otherwise affected, or damaged, by the vacating of said road, releases from whatever damage they may sustain by the vacation of said road; and in case the owners of such lands, or persons affected, thereby refuse to release their claim to damages, the said Viewers shall assess the same, taking into consideration the advantages, as well as the disadvantages, arising from the vacation of said road; and make report of such assessment; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft, or plot, aforesaid. In which said reports they shall state that they have been sworn, or affirmed, according to law, and that due and legal notice was given of the time when and the place where they would meet, to view said road and the time and place of hearing.

By order of the Court.

*G. W. Ralston*

Clerk.

and that a plan, or draft, of said road to be vacated showing the courses and distances, and over whose property the said road passes, is hereto attached and made a part hereof.

The undersigned Viewers further report that they endeavored to procure from all parties affected by the vacation of said road, or over whose properties said road passes, or in any way damaged by the vacating of said road, a release in writing of all claims to damages that may arise from the vacation thereof, and that they procured such release from: .....

And that the following persons having, in the opinion of the Viewers, been damaged by the vacation of said road, and having refused to release the damages to which they may be respectively entitled to by reason of the vacation, and closing up of the said road, we, the undersigned Viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof, as follows: .....

and we herewith return releases obtained, and copy of the notices.

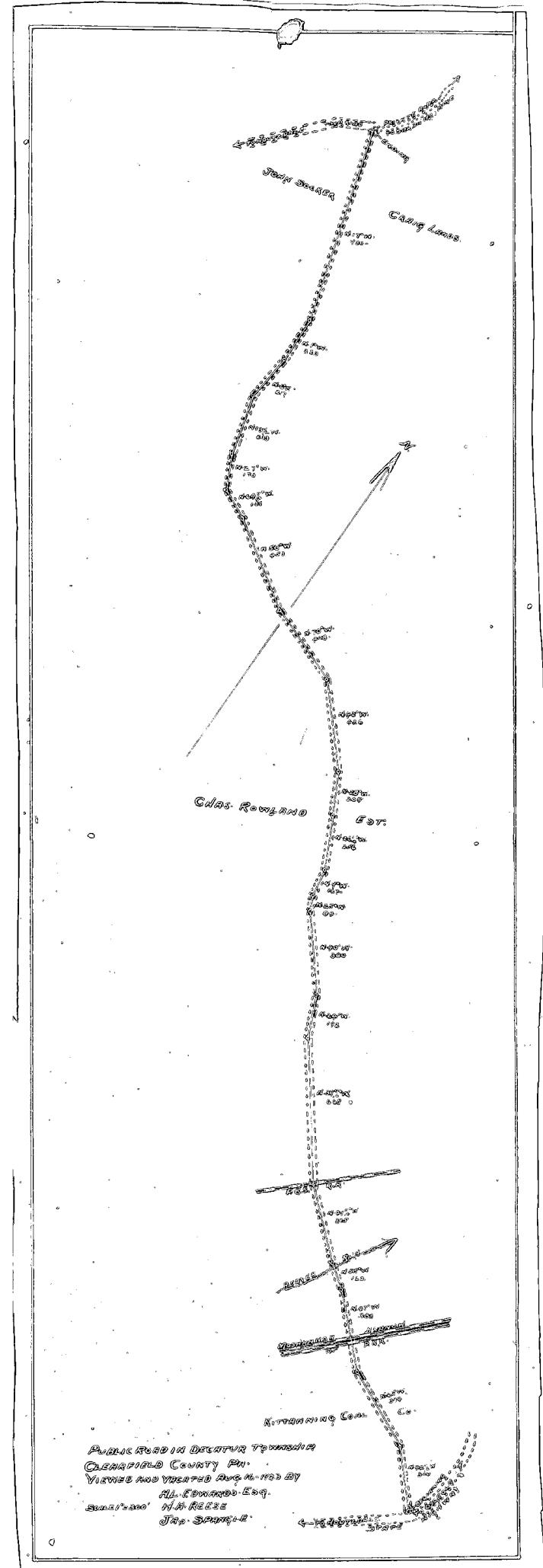
Witness our hands and seals this 17th day of August, A. D. 1923

*A. K. Edwards* [SEAL]

W. A. Reese [SEAL.]

James W. Spangle [SEAL]  
Viewers.





# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view and vacate portion of  
Public Road leading from at or near the residence of Mike Kishlock in or near  
the village of Parsonville

in Decatur Township to State Highway route

No. 234 at or near what was formerly known as Beaverton

in Decatur Township, in the County aforesaid, will meet at the house of Mike Kishlock

in Decatur Township, on Thursday  
the 16th day of August A. D. 1923, at 11.00  
o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid, all parties interested will take

And a hearing on said view will be held in the Arbitration Room of the Court House at Clearfield on August 17th at 11.00 o'clock A. M.

A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

**Viewers**

August 4th 19 23

Now August 4th, 1923 service of the within notice is accepted  
for the Commissioners of Clearfield County.

J. C. O'Farrell  
Clerk.

# ROAD VIEWERS' NOTICE

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And a hearing on said view will be held in the Arbitration Room of the Court House at Clearfield on August 17th at 11.00 o'clock A. M. notice.

A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

**Viewers**

Paul M<sup>g</sup> Gavron Poor

G.S. Test

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