

DOCKET No.5

Number	Term	Year
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1		
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	May	
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		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 } No. May SS. 1923
road in Decatur Township leading from }
at or near the residence of Mike Kish }
lock 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. }

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 hear 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
G. S. Jell
P. N. Shuman 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 *Paul McClarren* 21st. day of February A. D. 1923

Geo. W. Ralston
Clerk

IN THE COURT OF QUARTER
SESSIONS OF CLATSOP COUNTY

NO. 1 May SS. 1923

IN RE: Vacation of a por-
tion of public road in
Decatur Township leading
from at or near the residence
of Mike Kishlock 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

*May 21, 1923. A. F. Stenrod,
Harry Reese, and J. W. Sample
as applicants petition for
protection of the
road to the vicinity of the
house, by the County
Engineer, J. W. Sample.*

FILED
CLERK'S OFFICES
A. H. WOODWARD
MAR 21 1923
CLATSOP COUNTY, OREGON
W. W. RALSTON

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

16th 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 *17th* 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. Laven Supr. A. L. Edwards, Harry Rice, 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 *17th* day of *August*, A. D. 192³, when the parties interested in the said road were in attendance: *Paul M. Laven, Supr. of Decatur Twp. A. G. Kizer, A. L. Edwards, Harry Rice & 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.

Geo. 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 vacation 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. L. Edwards..... [SEAL.]

H. A. Reese..... [SEAL.]

James W. Spangle..... [SEAL.]

Viewers.

No. 1 May Term 1923

ORDER TO VACATE

portion of
To view and vacate road situate
in the Township of Decatur
Clearfield County.

Now Sept Sessions 1923
read and confirmed Ni. Si.

By the Court.

Ingelun
Now Dec Sessions 1923

confirmed absolute

By the Court.
Ingelun

Now Aug 11th 1923
9 members are included to
Sept Term 1923
By the Court
Ingelun

Filed 19

Atty.

Fees \$1.25 paid by

A. H. Woodward, Atty.

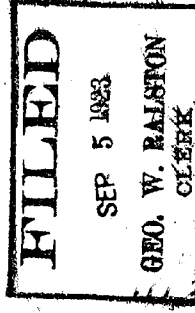
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

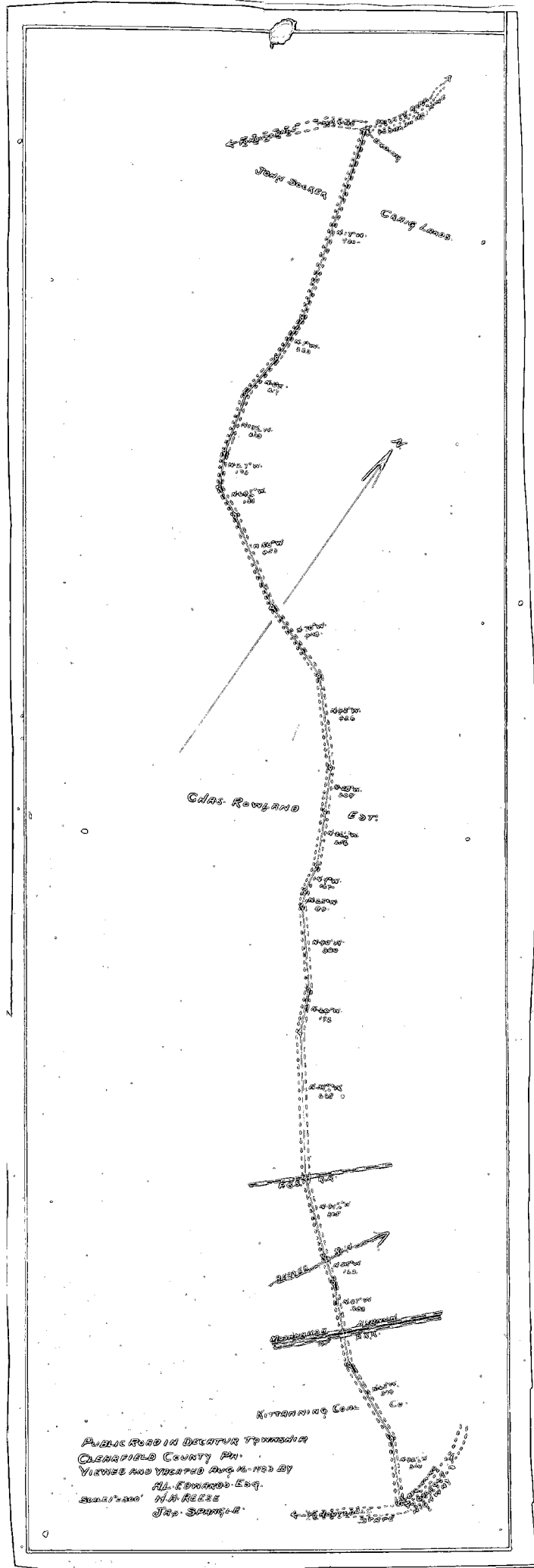
Also, viewers will carefully note the number of days employed and set the amount out at the foot of their return.

Reviewers cannot interfere with the 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 road, they will report to that effect.

Days	Miles	Am't





PUBLIC ROAD IN DECATUR TOWNSHIP
CLEARFIELD COUNTY PA.
VIEWED AND MEASURED AUG. 16-1882 BY
AL. F. BARNARD, Esq.
Surveyed by H. H. KELCE
J. W. SPRINGFIELD

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 Kishlok 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
notice. 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 1923

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

X. C. Harris
Clerk.

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view ^{Public} and vacate portion of 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 3

Paul M^e Lawrence Pass
G.S. Test

R N Shoult Ice