

Road DOCKET No. 5

Number	Term	Year
7	Feb	1923

Vacatione of road in Decatur Twp

Versus

X

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

No. 7 Feb Term 1923

ORDER TO VACATE

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

Now Sept Sessions 1923
read and confirmed Ni. Si.

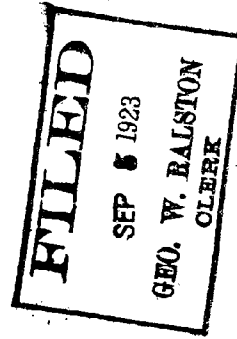
By the Court
Engelstein
Now Dec Sessions 1923

confirmed absolute
By the Court
Engelstein
Now any 11-1923
the viewers are authorized
to Sept Term 1923
By the Court
Engelstein

Filed _____ 19

Atty. A. H. Woodward

Fees \$1.25 paid by



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. H. Edwards [SEAL.]

H. A. Reese [SEAL.]

James W. Spangle [SEAL.]

Viewers.

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

13th 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. Larue Supr. A. L. Edwards, Harry Reese, 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: *A. G. Kizer, Paul M. Larue Supr. A. L. Edwards, Harry Reese, 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)*

11th Aug 13th 1891
17th Aug 1891

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 29th day of Janaury 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 ~~sumday~~
~~xinhabitants~~ of the Township of Decatur, in the County aforesaid setting forth that
a portion of public road in said township commencing at the junction with the
public road leading to Jeffries Post Office at or near the residence of
Isaiah Kephart, and thence leading to a point at or near the residence of
Jacob Stone in Decatur Twp has become burdensome and useless to said Twp.

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 appoint-
ment, 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 trans-
mit 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.

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

IN RE: Vacation of a portion of Public } No. Feb. SS. 1923
Road in Decatur Township beginning at }
Isaiah Kephart's residence at junction }
of public road leading to Jeffries }
Post Office; thence to a point at or }
near residence of Jacob Stone in }
Decatur Township. }

PETITION

To the Honorable the President Judge of said Court:

The petition of the Supervisors of Decatur Township
respectfully represents:

That a portion of public road in said township commencing
at the junction with the public road leading to Jeffries Post
Office at or near the residence of Isaiah Kephart, and thence
leading to a point at or near the residence of Jacob Stone in
Decatur Township has become burdensome and useless to said Township.

They therefore, respectfully pray that an order to view
and vacate said road may be granted and that the same may be
vacated according to law,

And they will ever pray, etc

Paul M. McClarren
.....
H. S. Galt
.....
P. N. Shoups
.....

STATE OF PENNSYLVANIA }
COUNTY OF CLEARFIELD } SS.

Paul McClarren, *President* of the Supervis-
ors of Decatur Township, being duly sworn according to law, deposes
and says that the facts stated 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 M. McClarren
.....

23rd day of January A. D. 1923.

Chas. C. Baird
.....

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

NO. 6 FEB. SS. 1923

IN RE: Vacation of public road in Decatur Township beginning at Isaiah Kephart's residence at junction of public road leading to Jeffries Post Office; thence to a point at or near residence of Jacob Stone in Decatur Township.

P E T I T I O N

*Read Jan 29, 1923, A. R. Edwards & Mary Keene of Decatur an affidavit wherein to Decatur Township by the above named parties
my the Court
Magistrate Jacob*

FILED
H. J. BOOTH
CLERK
JAN 29 1923
GEO. W. BAISTON
CLERK

*Kindly
return
these
copies, as
I am sending
one to the
Court House
for the
file*

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} vacate a portion of
Road leading from a point at the junction of said road with the Public
Road leading to Jeffries Post Office at or near the residence of Isaiah
Kephart.

in Decatur Township to a point at or near the
residence of Jacob Stone.

in Decatur Township, in the County aforesaid, will
meet at the house of *at junction of roads near Isaiah Kephart*
in Decatur Township, on Monday
the 13th 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

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

A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

Viewers

July 31st 1923

Now July 31st, 1923 service of the within notice is accepted
for the Commissioners of Clearfield County.

L. C. Morris

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} vacate a portion of Road leading from a point at the junction of said road with the Public Road leading to Jeffries Post Office at or near the residence of Isaiah Kephart.

in Decatur Township to a point at or near the residence of Jacob Stone.

in Decatur Township, in the County aforesaid, will meet at the house of at junction of Roads near Isaiah Kephart in Decatur Township, on Monday the 13th 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 notice. And a hearing on said view will be held in the Arbitration Room of the Court House at Clearfield on Friday August 17th at 11.00 A. M.

A. L. EDWARDS

HARRY REESE

J. W. SPANGLE

Viewers

July 31st,

1923

P. H. Shoups doc