

DOCKET No. 5

Number	Term	Year
1	May	1924

Petition to vacate road in

Decatur Ywp

Versus

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

In re vacation of public road leading from)
a public road from the Brick House to Centre;)
thence to the homestead residence of Frank) # Sept. SS. 1924.
Warring all in the Township of Decatur a)
distance of about one mile.)

To the Honorable the President Judge of said Court:

The petition of the undersigned, constituting the board of Supervisors of the Township of Decatur in the County of Clearfield respectfully represents:-

That a certain piece of road situate in Decatur Township about one mile in length, being that portion of public road commencing at a point on the public road leading from the Brick House to Centre at a point on the property of the G. P. Mattern Estate; thence to the homestead residence of Frank Warring, in said township has become useless and burdensome to said township and ought to be vacated.

Wherefore, your petitioners respectfully pray that an order be granted by the Court for the viewing and vacation of said portion of public road.

And they will ever pray, etc.

Paul L. McClaren
for a Petition
P. H. Showers

STATE OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS.

Paul L. McClaren one of the above named petitioners being duly sworn according to law deposes and says that the facts set forthin the above and foregoing petition are true and correct to the best of his knowledge and belief..

Sworn and subscribed before me this

Paul L. McClaren

8th day of April A. D. 1824. }

Geo W Ralston }

Prothonotary

1 MAY 58, 1924

In the vindication of public
officers in the public
service; to the
members of the Legislature
and the public in the
conduct of their duty,
distress and trouble are
caused.

Now May 5, 1824

A. L. Edwards says,
Henry Price says
J. D. Michaels are
affidated members
of the court
of the county
of Jefferson

MAY 5 1924

W. F. MASTON

LAW OFFICES
A. H. WOODWARD
CLEARFIELD, PA.

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

25th day of August, A. D. 1924, 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 30th day of August. A. D., 1924, at 10-30 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 Frank Waring, Edmund Waring, Robert Showers Supr.
Joseph Ashcroft Supr. Harry Reise, G. J. Billy, & A. L. Edwards,
Viewers

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 30th day of August,

A. D. 1924, when the parties interested in the said road were in attendance: Joseph Ashcroft &
Robert Showers, Supervisors in favor of vacating. Wright & Chase representing
the following citizens were opposed to vacating to wit: Frank Waring, Edmund
Waring, Robert Showers, R. H. Mull, Wm. Dague, Frank C. Frazee, A. W. Lee,
Freddie Genger, Charles Mattie, Geo. Captain, Harvey Bock & Wm. Menke &
others who were not called, whose testimony was corroborated by their witnesses.
A. L. Edwards, Harry Reise & J. S. Michaels, members of the

And that after the view and hearing above mentioned, the undersigned Viewers do agree that said

road has not, become useless, inconvenient and burdensome & therefore recommends
that the road herein mentioned shall not be vacated
but shall be kept up as a township road for the reason
that it was testified that this road is the only road be-
tween these points & is a necessity for public travel. It was
also testified to by Wm. Dague, State Trooper, that this road
was very important & necessary to get men over this section
of the country to fight fire.

Re *ms*
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 5th day of May in the year of our Lord, one thousand nine hundred and twenty four

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
certain piece of road situate in Decatur Twp. about one mile in length, being that portion of public road commencing at a point on the public road leading from the Brick House to Centre at a point on the property of the G. P. Mattern Estate; thence to the homestead residence of Frank Warring, in said Twp. has become useless and burdensome to said Twp. and ought to be vacated

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. S. Michaels 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. Palston
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 and vacate a public Road leading from a point on the public road leading from the brick house to Centre at a point on the property of C. P. Mattern Estate

in Decatur Township to the homestead
residence of Frank Laring

in Decatur Township, in the County aforesaid, will meet at the house of at starting point on public road leading from brick house to Centre

in Decatur Township, on Monday
the 25th day of August A. D. 1924, at 12-00 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 upon said view will be held in the arbitration room of Court House, Clearfield, Pa. on Aug. 30, 1924 at 10-30 A.M.

A. L. Edwards

Harry Reese

J. S. Michaels

Viewers

Joe A Ashurst - Pres

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No. 1 May Term 1924

ORDER TO VACATE

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
A. S. Edwards	3	54	25.20
Harry Reece			
Ed Bidotte			
J. S. Nichols			

To view and vacate road situate in the Township of Decatur

Clearfield County.

Now Sept 3rd 1924
read and confirmed Ni. Si.

By the Court.

Now Sept 3rd 1924
confirmed absolute.

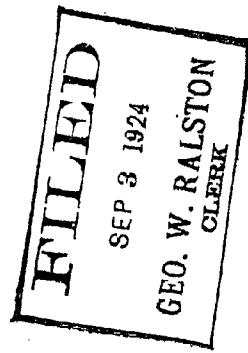
By the Court.

John Moore
John Moore

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 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: none

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 30th day of August, A. D. 1924

J. L. Edwards. [SEAL.]

Kid Reese [SEAL.]

..... *J. S. Michaels* .. [SEAL.]

Viewers.

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in Decatur Township, on Monday the 25th day of August A. D. 1924, at 12-00 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 upon said view will be held in the arbitration room of Court house, Clearfield, Pa. on Aug. 30, 1924 at 10-30 A.M.

A. L. Edwards

Harry Reese

J. S. Michaels

Viewers

August 14th

1924

Now August 20 1924, Service accepted for the
County Commissioners of Clearfield County
Mr. L. C. Brownie Clerk.

