

W. G. Ayers  
E. B. Ketchum  
J. J. Rhoady  
Geo Schell  
W. L. Cole  
A. L. Vico  
W. H. Dingemans  
J. A. Bryson  
A. J. Miller  
M. A. O. Kara  
Richard Brown  
John W. Douglas  
P. M. Bussard  
J. S. Burrows  
Jacob P. Stott  
James Douglas  
John Daugherty  
Charles Williams  
George Kauter  
Henry Swinburn  
J. W. Hamley  
J. H. W. W.  
John Saranhart  
Henry Cole  
J. W. W. W. W.  
James K. Wilson  
James J. W. W.  
D. M. Rieger  
Gus & Co. W. W.  
W. W. W. W.  
P. D. Maguire  
James McCoy  
Frank Hoff  
Dennis Cowley  
The Belders

R. J. Hree  
Gerome Will  
A. Daugherty  
J. W. Bryson  
Geo. Elmer  
Samuel Gill  
Wm. Kauter  
Wm. Conner  
Daniel P. Harlin  
Frank K. Stott  
Andrew Dison  
Tom Johnston  
Phillip J. Hoyle  
John Monahan  
W. W. W. W.  
B. H. Burrows  
Silas Decker  
John Lettinger  
Frank Taylor  
Wm. Wharton  
Andrew basal  
Lewis Stephens  
John Fisher  
George W. W. W.  
D. M. W. W.  
John W. W. W.  
Geo. M. W. W.  
Joseph W. W.  
John P. Rhoady  
Alex. W. W.

150 names

W. 6 Mar 1890<sup>rd</sup>  
Petition of Inhabitants  
of Gallitzin Township  
for app<sup>l</sup>. of views  
to view and locate  
the site for a County  
bridge over Clearfield Creek  
where the road from Clear  
Spring to Altoona crosses  
said creek

J. A. Shoemaker  
John S. McLooy  
Andrew Stetmiller  
app<sup>l</sup>. Views

Filed 3 Mar. 1890.

Shoemaker

To the Honorable the Judges of Cambria County  
We your Humble petitioners represent that  
the County Bridge across the Clearfield Creek  
in Gallitzin Township ~~is~~ a public Road  
leading from Chest Springs to Altoona is  
rotten and that the abutments were washed  
out in the many floods and the said Bridge  
is in a dangerous condition beyond repairs  
and the taxes of Gallitzin Township is  
insufficient to build a new bridge

We pray your Honorable Court to appoint  
viewers to locate a suitable place for a  
new bridge  
and we will ever pray

Thos. H. Myers	Geo. Myers
A. B. Smart	E. P. Sager
Harry Norris	Grant Colbert
John M. Watt	John H. Gaines
Bernard Delaney	Luke Delaney
J. Brown	Pat Brown
W. H. Kiser	Jas. Rhoder
John A. McQuinn	

Jas. D. McGuire	Alex. Kelley
Charles A. Miller	Wm. Beaton
James H. McMillin	John Beaton
John Haller	James Patterson
J. H. Wilson	John Gaines
Frank Pinell	John Patterson
James M. Toule	Superior Elect.



In the Matter of the Report of Viewers to  
view a Bridge over Clearfield Creek  
where the road from Cheat Springs to Altoona  
crosses said Creek in Gallitzin Township.

### Exceptions to Confirmation of said Report

1. The damages awarded John Dougherty are entirely inadequate and insufficient to pay him for amount of his loss.
2. The viewers exceeded their authority under the order issued to them in this case.
3. No draft or plot of the proposed new site for Bridge and its approaches, showing courses and distances accompanies said Report.
4. Certain parts of said Bridge and approaches are in Ashville Borough, and the Petitioner and ~~Viewers~~ <sup>order</sup> upon which Viewers acted refer only to Gallitzin Township.
5. It does not appear that Viewers sought to obtain releases from ~~other~~ property holders affected by changing site of Bridge —
6. It does not appear from draft whether block ~~smith~~ of John Dougherty is taken for approach to new Bridge and no damage was allowed for same if intended to be taken.
7. The Report of Viewers is insufficient, and

Not in accordance with law

Jno. P. Lenton

Atty for D. Ouyhart

No 6 Clear Run 1890  
real

In the Matter of the  
Report of Viewers to view  
a Bridge over Clear Run  
except where the title  
from Robert Sprung to  
Almond comes said  
except in Callaghan  
Township

Exceptions to Confirmation  
of said Report

Filed May 1890

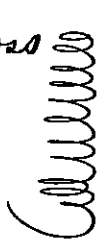
Lenton

To the Petitioner for the Bridge or S. A. Shoemaker their Attorney

TAKE NOTICE, That in pursuance of the above Rule the depositions of witnesses to be read in evidence on the hearing of the above stated matter on part of the Exceptants will be taken at the Office of John Lynch Esq. Washington on Wednesday the 7<sup>th</sup> day of January A. D. 1891, between the hours of 9 o'clock, A. M., and 9 o'clock, P. M., before John Lynch Esq. entering the room in and for said county or by some other person of competent authority, at the time and place aforesaid, when and where you may attend if you think proper.

Geo. P. Linton  
Att. for Exceptants

In Re. Bridge across  
Clearfield Creek in  
Gallitzgen Twp



In the Quarter Session, Cambria Co Pa

N<sup>o</sup> 6. March. Term 1890

Exceptions to report, appraisment of damages &c

An examination of the proceedings had in this case shows that they are so irregular that they cannot stand. The application is to view a site for a bridge, and was evidently intended to come within the 35<sup>th</sup> Sect of the Act of 13<sup>th</sup> June 1836, and not intended as an application view an entirely new site, and abandon the old. The order to view, based upon the petition is wholly defective. It is nothing but the ordinary order to view and lay out a road, so changed by erasures and interlineation as to adapt it to a bridge view, but entirely forgetful of the requirements of the view contemplated in the petition. The order should have required specifically that the viewers inquire into the necessity not only for the bridge, but also, whether or not, it would be too expensive for the adjoining townships to build, and whether or not it should be entered of record as a County bridge.

In truth under the evidence as disclosed, the bridge complained of was and is a county bridge, and so far as the evidence discloses anything material, the proper order to view in this case would have been to view, <sup>and</sup> vacate the old site, and supply it by laying out a new site. In doing this or attempting to do so, the viewers have laid out a new site and left the old one un-vacated and if this report be confirmed the County

unless further action was had, would be compelled to maintain two ~~con~~ bridges across Clearfield Creek within 200 feet of each other. This we think without anything more should require us to withhold our confirmation.

But the new and report is fatally defective in that the location of the site is not fixed in the report with such degree of certainty as the law requires. If the draft attached is referred to, to help out this difficulty, no course, or line or distance or point is settled by it, so that when put into the Supervisors hands in the township or the County authorities they can determine with any precision or certainty they are within the limits of the view intended or not.

It is that the whole proceeding from the petition to the report is so irregular and defective in essential details that we are unwilling to confirm these proceedings. This makes the question of the amount of damages of no consequence at this time.

It is therefore ordered that the exceptions Nos 2, 3, and 4, be sustained and the report is set aside and confirmation absolute refused.

By the Court  
David L. Helber  
J. S. S.

N<sup>o</sup> 6. March. Sep. 1890 Ral.

In the Bridge across Chapin

Creek in Cambridge  
Gallagher Sept

Order containing Chapter

Filed 2 July 1891

Colo. Dr. Amoyatoris to be, deposited  
to witnesses on the 7<sup>th</sup> Jan<sup>y</sup> 1891

Question

1<sup>st</sup> Do you know the date of the  
location of the bridge?

2<sup>nd</sup> Do you know the exact time when  
the building of John Hougherty  
was erected?

3<sup>rd</sup> Can you say positively that the  
building was erected before the bridge  
view?

4<sup>th</sup> Do you not know as a fact that  
the building was not erected at  
the time of the view?

5<sup>th</sup> Don't you know that merely the  
foundation & nothing more was  
done at the time of the view?

6<sup>th</sup> Give the exact date of the view  
and the location of the building.

J. A. Hougherty  
Atty for view

Deposition of witness produced Sworn and examined at the office of John Lynch one of the Justices of the peace in and for the County of Cambria at Cresson on the 7<sup>th</sup> day of January A.D. 1891 between the hours of 9 o'clock A.M. and 9 o'clock P.M. of said day in obedience to the rule of court and notice here to attached to be read in a cause depending in said court in which John Daugherty is Exceptant and In Re Bridge over Clearfield Creek in Getz T.P., In Part Exceptant.

Question

Andrew Basal Sworn

I live a mile from Ashville in Allegheny, T. P. Cambria County. I know where the new bridge near Ashville is located. I was there when the brewers were locating it. I know where Mr. John Daugherty's lot is. The new road goes through his shop. The brewers could have located the bridge without interfering with his property. If the road was located above or between the old bridge and his shop it would be straighter and a better road and could be made with less expense. Mr. Daugherty's buildings were standing at the time of the view. The carpenter shop was not quite finished part of the roof not on and some plank where the doors and windows were to be put. If the road is put where it is located by the brewers it will destroy his buildings. I would say six hundred dollars was a low estimate for the damages to Mr. Daugherty's property.

The cross interrogatory hereto attached

And Presented by J A Shoemaker attorney  
for view. He then asked witness and he  
answered as follows

To 1<sup>st</sup> Question answers no I could not  
Remember that.

2 answer I dont know,

3 answer The building was there

4 answer The building was there

5 answer I know the building was there before  
the view.

6 answer I cant fix any date

Witness John Lynch } Andrew <sup>his</sup> Basel  
mark

Joseph J Hazlet, Sworn, I live in Ashville  
borough, I know the location of the new bridge  
across the Clearfield creek near ashville, and  
also the Blacksmith and Wagon Shop of John  
Daugherty. The location of the road by the new  
view would undoubtedly destroy this building  
I saw the time the view was held but forget  
the date. This Building was erected before  
the view. I would think the damage would  
be about Eight hundred dollars, as his  
property would be virtuly destroyed by said  
road. In my judgement there would be a better  
location for the road and new bridge between  
Mr Daugherty's building and the Old bridge  
it would do less damage and be less  
expence to build.

Cross Interrogatorys permitted

To the 1<sup>st</sup> Witness answers I dont

" 2	"	"	"	I cant tell the exact time
" 3	"	"	"	The Buildings were there
" 4	"	"	"	I know that it was erected
" 5	"	"	"	I dont know that
" 6	"	"	"	I cant

jos J Hazellet

David Trepler Sworen, I live out side of the Asheville Borough line, Hazelton T.P. I was there at the time of the view on the bridge crossing the Clearfield creek, Clearfield, Dean and Hazelton Townships corners near the Bridge I Believe the new Bridge would be one half Hazelton Township and one half in Dean Township, without a survey

The Building on Mrs Daugherty's property was erected at the time of the view and work going on in both departments the day of the view, The wagon maker shop wasnt finished at that time it wanted some windows and doors and part of the roof

The Road as located now by the new view would ruin Mrs Daugherty's Property both as to the lot and the Buildings It would leave narrow strips on both sides of the road hardly fit for a pig pen, I would say that the damage to Mrs Daugherty's <sup>property</sup> would be very low at eight hundred Dollars as he could not get an other location in Asheville as good as the one he has at that price, I would say if the new Bridge was locate between the old Bridge and Mrs Daugherty shop it would be

better and cheaper, because it would take less  
filling, and the Butments of the Old Bridge  
would protect the crew. and would do less  
damage to Mrs Daugherty

Cross Indrogotays, answered as follows

To the 1 <sup>st</sup>	answers	I dont
" 2	"	I dont remember
" 3	"	I do positively say it was
" 4	"	I swear positively it was erected before
" 5	"	I swear positively that building was erected before the view and men working in both shops the day of the view for I was there that day

To the 6<sup>th</sup> answers I cant give that date

David Stresler

John Daugherty sworn. I know the location  
of the new Bridge across the clearfield near ashville  
and the Road approaching that Bridge goes through  
the center of my Buildings. The Blacksmiths  
shop has been erected over two years, the Carpenter  
or wagon maker shop the lumber was on the  
ground last winter, and the build was up  
before the view, and work was going on in both  
shops at the time of the view. If this road goes  
through as now viewed and located it destroys my  
property and leaves me without any thing

It would destroy the buildings and lot also  
 It would not leave me any ground to put any  
 kind of a Building on I consider that I  
 am Damaged to the amount Twelve hundred  
 Dollars as the property is worth that to me

Ques To the 1<sup>st</sup> Answer I cant Remember the date

Ques " 2 " " The Blacksmithshop was  
 built about two years ago and the Carpenter  
 shop was built at least a month before the fire

Ques To the 3 Answer I do

" " 4 answer I do know it was


" " 5 " I do know that the building  
 was up at the time of the fire

Ques To the 6 answer I cant

Johni Naugheety

I certify that the above witnesses were duly  
 qualified and examined at the time and place  
 stated in the caption, and subscribed their  
 depositions in my presence

Witness my hand and seal this the 7<sup>th</sup> day of January  
 A.D., 1891

John Synch J.P. 

J.P. Coet Paid \$2.50  
By John Davenport

Filed 22<sup>nd</sup> Jan 1891

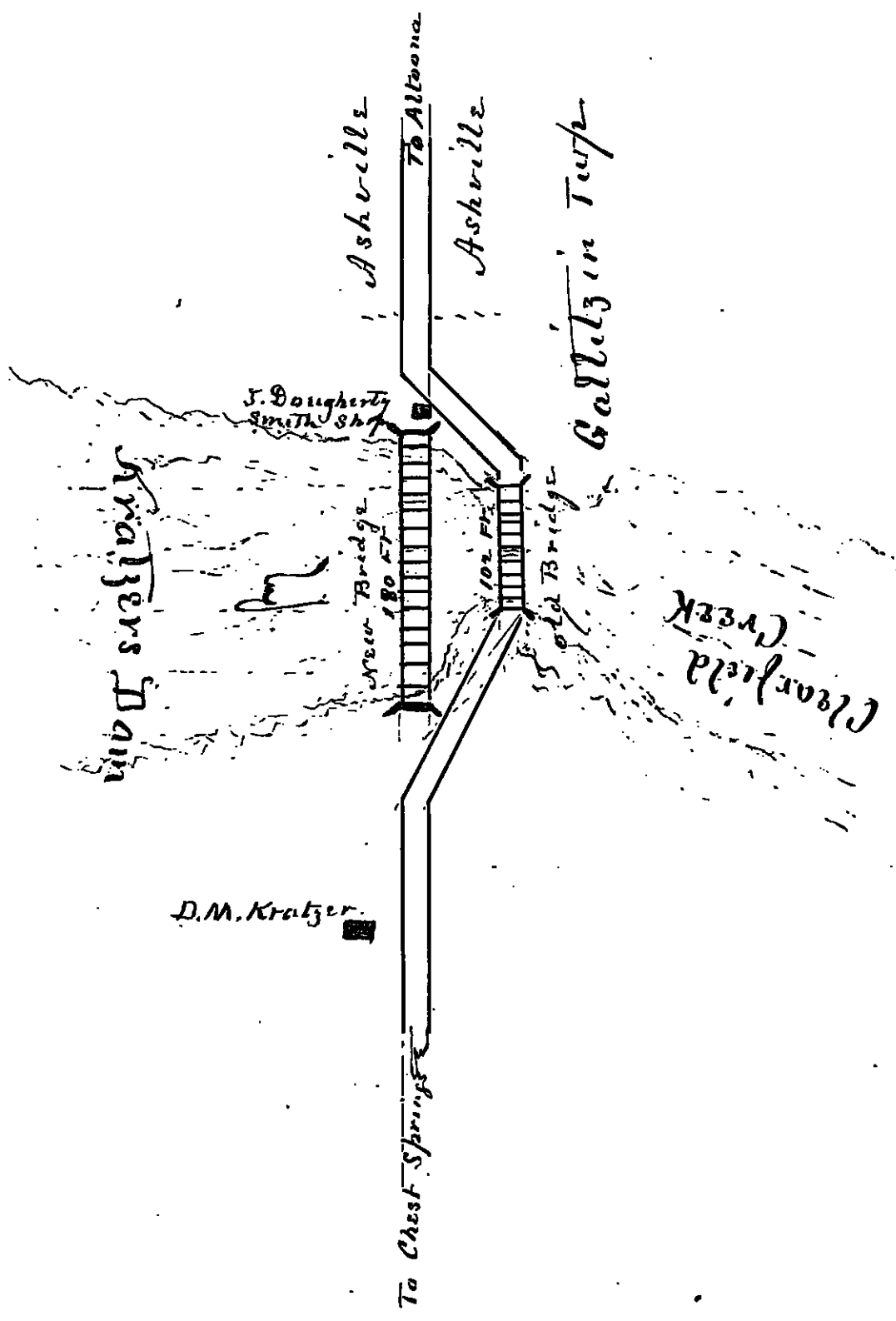
In the Court of <sup>Quaker Session</sup> Common Pleas  
of Cambria County, Pa.  
In re bridge }  
over Clearfield }  
Creek in Gallipolis }  
Pa. } Of Mar Term, A. D., 1890, No. 6  
R.D.

And now, to wit, the Tenth day of December A. D. 1890  
Rule on part of Excerptants to take depositions of  
witnesses to be read on the hearing of the above stated case.

CAMBRIA COUNTY, SS:

Extract from the Record of said Court. Certified  
the 10 of Dec 1890

J. C. Laney Prothonotary.



D.M. Kratzer

Commonwealth of Pennsylvania,  
County of Cambria } ss.

At a Court of Quarter Sessions of the Peace of the County of Cambria  
held at Chesham in the the said County, on the Third day of  
March A. D. 1890, before the Honorable the Judges of the same  
Court: Upon the petition of divers inhabitants of the township of Gallitzin  
in the said County, setting forth that they labor under inconvenience for want of a

~~road or highway, to lead from~~  
~~the County Bridge across the Schickfield Creek in~~  
~~Gallitzin Township on the public road leading from~~  
~~Lehigh Springs to Altoona is rotten and that the~~  
~~abutments were washed out in the May floods and~~  
~~the said bridge is in a dangerous condition beyond repair~~  
~~and the taxes of Gallitzin Township insufficient to build a~~  
~~new bridge~~

and therefore praying the Court to appoint proper persons to <sup>view ~~and lay out~~ the</sup>  
same according to law. The Court upon ~~the~~ <sup>its</sup> consideration ~~had~~ of the premises, do  
order and appoint J. A. Shaeffer SURVEYOR,  
and John S. McCaughey & Andrew Shattuck

<sup>del</sup>  
~~VIEWERS, to~~ view the <sup>del</sup> ground proposed for said  
<sup>Bridge</sup> ~~road,~~ and if they view the same, and shall agree that there is occasion for such  
<sup>Bridge</sup> ~~road,~~ they shall proceed to lay out the same, having respect to the shortest distance  
~~and the best ground for a road, and in such manner as shall do the least injury to~~  
private property, and also be, as far as practicable, agreeable to the desire of the  
petitioners, and that they make a report of their proceedings to the next Court  
of Quarter Sessions to be held for said County, stating particularly whether they  
~~judge the same necessary for a public or private road, together with a plot or draft~~  
~~thereof, and the courses and distances, and references to the improvements through~~  
~~which it may pass.~~

BY THE COURT.

Attest:

J. C. Dunlop

Clerk.

Approved. By

Grand Jurors

June 5<sup>th</sup> 1890

Adam Housha

T. Foreman

No. 6

March Term 1890.

R. D.

Order to view a road

Order to view a road located on the farm of Adam Housha to Adam Housha, owner of the same.

City of Chicago 1890.

Chicago =  
J. W. Housha  
John J. Housha  
Andrew Housha

Filed 2 June 1890.

Wm. Housha  
Adm. Housha

NOTE.—It shall be the duty of all persons appointed in the several counties of this Commonwealth to view and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to endeavor to procure from the persons over whose land such location may be made releases from all claims for damages that might arise from the opening of such road or the building of such bridge; and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof signed by a majority of their number, and return the same, together with all releases obtained, to the Court of Quarter Sessions, and the damages so assessed shall be considered, or may be subject to appeal, review or modification, as may be provided by existing laws in the different counties of this Commonwealth.

"The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desire of the petitioners."

"The viewers, as aforesaid, shall make report, at the next term of said Court, and in the said report shall state particularly: first, who of them were present at the view; second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a public or private road; they shall also annex and return to the Court a plot or draft thereof, showing the courses and distances, and noting briefly the improvements through which it may pass; and, whenever practicable, the viewers shall lay out the said roads at an elevation not exceeding five degrees (except at the crossing of ravines and streams), where, by moderate filling and bridging, the declination of the road may be preserved within that limit."

To The Honorable The Judge of the Court  
of Quarter Sessions of the Peace for Cambria  
Co. June Term 1890

We The undersigned viewers appointed  
by your Honor in The annexed order  
of Court to view Bridge over Clearfield  
Creek where The road from Chest Springs  
to Altoona crosses said Creek, in Gallitzin Twp.  
Do report: That we met at appointed  
time and place, notice of time & place  
of meeting having been given, and having  
been sworn viewed old bridge and  
find it in a very delapidated condition  
and unsafe for travel, we therefore rec-  
ommend The building of a new bridge on  
the site we have this day located -

The Township being unable to bear the burden  
& expense of building a suitable bridge to  
accomodate the travel on this road - We  
therefore recommend The erection of a suitable  
structure by The County

In changing location of Bridge will damage  
property of John Dougherty and we assess  
the damage to him at two hundred  
and fifty dollars  
Witness our hands this 19<sup>th</sup> day of  
May A. D. 1890 -

J. A. Shoemaker }  
Andrew Strickman } Viewers  
John S. McCoy }

Time

J. A. Shoemaker 2 d 42 m

A. Strickman 1 d 42 m

John S. McCoy 1 d 6

Depositions of witnesses produced, sworn and examined  
at the office of the Hon. Judge of our Justices of the Peace  
in and for the County of Cambria Pa at Ebensburg on  
the 3<sup>rd</sup> day of September A.D. 1890. Between the hours of 9 o'clock  
A.M. and 9 o'clock P.M. of said day, after being adjourned  
by consent of attorneys, in obedience to the Rule of Court  
and notice hereto attached, to be read in a cause  
depending in said Court, in regard to Damages

Justice fees \$2.00,  
Rec of J. Dougherty  
16 W. instead of P.

James Hanlan sworn

I live about a mile  
from Ashville <sup>on the</sup> Road leading from  
Ashville to Gettysburg. I know the Location  
proposed of the Bridge over the Clearfield Creek  
near Ashville

Question

How would the making of this  
Bridge and road leading from it  
affect the property of Mr. John Dougherty

Answer

~~It~~ The view would affect  
his Blacksmith Shop

Question

would it not cut the Lot of  
Mr. Dougherty in two pieces

Answer

according to my own best judgement  
where I understood the Review was to be  
it ~~was~~ <sup>would</sup> cut the lot in two pieces.

Question

State in your judgement would  
be the amount of damage done to Mrs  
John Dougherty's property, by making  
this new Bridge and approach to it?

Answer

In my estimation it would  
be about one thousand dollars.

Cross examined by Mr. Shumaker  
What is the size of that Blacksmith  
Shop.

Answer

I would be safe in saying  
46 by 20.

Question by Mr. Shumaker

after making the approach to the  
Bridge would <sup>there</sup> not be sufficient room  
left on the Lot to locate the Blacksmith  
Shop.

Answer

No Sir there would not

Question

At the lot of 50 feet by 150 feet

There would not be sufficient room for the building and Road

Answer

No There would not. A man is not supposed to keep everything inside the shop and would not be supposed to have <sup>sufficient room</sup>. If I understand where this view is there would not be.

Question

How do you estimate the damages and fix the amount at \$1000.00  
answer

I estimate that the damage in the way I seen them working every day, neither an other smith besides himself every day, and they are both busy and in my estimation in a place like that in my estimation ~~it is~~ ~~like that would be~~ worth \$1000.00

Question

What do you value the building at  
answer

I would value that building without the Lot at \$400.00 and the Lot I would value at \$600.00

Question

is there nothing else which  
 in ~~my~~ your opinion, <sup>contributed</sup> ~~contributed~~ in  
 making up the damages at \$1000.00,  
 Answer.

In case of dispossession of the  
 Location would you make up the value,  
 Question

Since you have been sworn  
 have ~~you~~ you not stated other matters  
 which aided in making the damages \$1000.00  
 answer

I said ~~if~~ <sup>well</sup> he had a house & lot  
 there and was located there in Ashville. I  
 was only speaking of the Blacksmith shop which  
 I said the value was \$1000.00

Jas. Scanlin

Thomas Will you sworn

I live handy to  
 Moores Mill  $\frac{3}{4}$  of a mile from ~~Rich~~  
~~Rich~~ ~~Rich~~. I have been long enough  
 there to know the location of ~~the~~  
~~the~~ the new bridge ~~at~~ where John  
 Dougherty's Blacksmith is located  
 by ~~it~~ for the convenience <sup>and</sup> of shop  
 room and yard room. I would say  
 the damages would be about eight hundred  
 dollars (\$800.00)

6  
Crop examined

The New Township Bridge would be in, I cannot say what Township. The Blacksmith Shop I think would be in Dean Township. The Bridge as Located would go very nearly ~~to~~ <sup>through</sup> Dougherty Shop. The New Road leading to the Bridge would go through the Shop; I cannot say what the value of the ground would be, it would be worth a good deal more to Dougherty than it would be to many, or other man.

Question

Would there not be sufficient room on his lot to move the Shop, so as not to interfere with <sup>the</sup> Road to the Bridge

Answer

I think there would be no room on either side to move the Shop

Question

What is the value of the building erected on the lot

Answer

The building now erected on the lot would be worth about \$400.00

Question by Mr. Shumaker

From what you do you make up your estimate of the damage.

Answer

I would make up my estimate of the balance, would be on the lot and convenience and throwing the man idle while the shop would be moved.

Thomas W. Co

Bernard Myers Jr

I live  $\frac{3}{4}$  of a mile or a mile from Ashville in Gullitzen Township. I am a Farmer, as near as I can understand the Road leading up to the Bridge, will go through near about the center of Mr. Dougherty's Shop

Question

What in your judgment would be the damage done to Mr. Dougherty's property by making this new Road to the proposed new Bridge

Answer

I could ~~much~~ not make the damage much less than about nine or ten hundred dollars

Cross Examined

7  
answer

I make up my damages in different ways. one way it will throw him out of employment for a month, at the least calculation, and his trade is worth from 75-10000 dollars per month, and the Location is worth a considerable amount of money to him. The water is worth at least fifty dollars at least that is providing he had to move his location to any other place in town. It would destroy his lot for any purpose at all

Bernard Myers

John S McCoy sworn

I live about two miles from Asville in Allegheny Township, and my business is a Farmer. I know where John Dougherty's Shop is. I know where <sup>the</sup> New Road is located that leads to the Bridge across the Clearfield Creek, I can hardly say what the damages would be done to Mr Dougherty's Shop. I was a viewer in the Location of this Bridge, The amount of Damages awarded by the view, was not sufficient, I thought thought so then ~~when~~ John S McCoy

8  
Peter Daily sworn

I live in Ashville  
and my business is a Coal Miner. I  
know where John Dorshesters shop  
is. I know where the new Road to the  
new Bridge goes through his property  
as near as I can tell. I think the damages  
would be from nine hundred to \$1000.  
Crop examined

Question

fixed that

Have you not  
fixed that amount from what you  
have heard the others say. I have  
not

Question

How do you fix that amount

answer

by the Location of the property  
Peter Daily  
mark

I certify that the above witnesses were duly qualified  
and examined at the time and place stated in the  
Caption after an adjournment of the rule until the 10<sup>th</sup>  
of September Inst, and subscribed their depositions  
in my presence

Before H. Kinhead J.P.  
September 10<sup>th</sup> 1890.

Irre Bridge over  
Clearfield Creek  
where road from  
Chet Springs to above  
Crosses said Creek  
on Gallitzin Tract

In the Court of <sup>Quarto Term</sup> ~~Common Pleas~~  
of Cambria County, Pa.

Of Nov Term, A. D., 1890, No. 6

And now, to wit, the Fifth day of August A. D. 1890

Rule on part of Exceptants to take depositions of  
witnesses to be read on the hearing of the above stated case.

CAMBRIA COUNTY, SS:

Extract from the Record of said Court. Certified  
the Fifth of August 1890

J. C. Hanley Prothonotary.

To Petitioners for above Road or J. A. Shoumaker, Esq,  
their attorney

TAKE NOTICE, That in pursuance of the above Rule the depositions of witnesses to be read  
in evidence on the Argument of the above stated Exceptants on part of  
the Exceptant will be taken at the Office of H. Kintead  
Kintead on Wednesday the  
the 3<sup>rd</sup> day of September A. D. 1890, between the hours  
of 9 o'clock, A. M., and 9 o'clock, P. M., before H. Kintead  
a Justice of the Peace in and for said County  
or by some other person of competent authority, at the time and place aforesaid, when and where  
you may attend if you think proper.

J. P. Lenton  
Atty for Exceptant

No. 6 Allen Lane 1890  
R.D.

Three Redwings over  
Blackford Creek  
when around from Club  
Shanty & all around  
in Saddle Run - Sand across  
River Creek

Seen in Jan 1891

W. G. Woodhouse

Received 15<sup>th</sup> 1890, around the  
within mile on S.A. Howards  
Eggs, removed for Peterson by hand  
-ing; from a man and some  
app. strictly? Albin's  
Larkin

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Continued by consent till Wednesday the  
10<sup>th</sup> day of September between some herons  
Jno. P. Linton  
Atty for Spectator  
G. W. Howards  
Atty for Peterson