

No. S J 46 Sep Term, 1880

versus

Deposition

of witness on part of

Remonstrators

Fees for taking Deposition, \$

100

Filed

18

Prothonotary.

Attorney.

Rule to Take Depositions.

Clearfield County, ss.
 In the Court of ~~Common Pleas~~ ^{Quarter Sessions}
 View to vacate & sup-
 ply public Road
 in Woodward
 Township
 VERSUS

In the Court of ~~Common Pleas~~ ^{Quarter Sessions} of
 Clearfield County, Pennsylvania.

No. 6 Sep 1888 Term 1889.

AND NOW, to wit, the Thirteenth day of April, in the year of our
 Lord one thousand eight hundred and eighty-nine
 the Remonstrators do enter a Rule to take the
 Depositions of ancient, infirm and going witnesses,
 to be read in evidence on the Acquisition of
 this case. Ex parte Rule of Remonstrators on
five days' notice.

Am. Beeson
 Prothonotary.

To Wm H Patterson, Esq.:

Atty for Petitioners

You will please take notice that, in pursuance of the foregoing Rule,
 depositions will be taken before Geo B. McGee or some other
 person authorized to administer an oath or affirmation in Pennsylvania in
 and for the county of Clemens, at the office of W. S. Shaw
 in the Box of Houffdale, in the county of Allegheny
 and State of Pennsylvania, on the sixth day of April A. D.
 1889, between the hours of 9 o'clock A. M. and 9 o'clock P. M.,
 when and where you may attend and cross-examine.

Clearfield, Pa., April 1st, 1889 W. S. Shaw
Atty for Remonstrators
Am. Beeson
Atty for Remonstrators

Rule to Take Depositions.

Clearfield County, ss.

Dr. R.
View to vacate Pub
lic wagon work
ward Township

VERSUS

In the Court of *Quarter Sess*
~~Common Pleas~~ of
Clearfield County, Pennsylvania.

No. *5 Sept. Sess.* ~~Term~~ 1888.

AND NOW, to wit, the *first* day of *April*, in the year of our
Lord one thousand eight hundred and eighty-*nine*
the *Administrators* etc. enter a Rule to take the
Depositions of ancient, infirm and going witnesses,
to be read in evidence on the *argument* of
this case. Ex parte Rule of *Administrators*
five days' notice.

J. M. Cloon
Prothonotary.

To *Wm. B. Patterson*, Esq.:

attly for Petitioners

You will please take notice that, in pursuance of the foregoing Rule,
depositions will be taken before *J. B. McQuill Esq.*, or some other
person authorized to administer an oath or affirmation in Pennsylvania, in
and for the county of *Clearfield*, at the office of *W. S. Shaw*
in the *Box* of *Henry Dale*, in the county of *Clearfield*
and State of Pennsylvania, on the *Sixth* day of *April* A. D.
1889, between the hours of *7* o'clock A. M. and *7* o'clock P. M.,
when and where you may attend and cross-examine.

Clearfield, Pa., *April 1st*, 1889.

W. S. Shaw
attly for Respondents

Sumis accepted this 1 April 89
J. B. McQuill
attly for Petitioners

In Re Petition to view
to vacate & supply public
road in Woodford Twp.

VERSUS

In the Court of Quarter Sessions
of the County of Clearfield
of Sept. Term, 1888
57
No. 6.

DEPOSITION of witness taken before me this sixth day of
April, A. D. 1889, at the Office of
W. J. Shaw, Esq. in the boro of Houpsdale
Clearfield Co. Pa., between the hours of 7 o'clock A. M.
and 7 o'clock P. M., by virtue of the annexed Rule of Court and notice thereon
endorsed, for the examination of witnesses in a certain cause there pending, wherein
In re: Petition to view to vacate and
supply public road in Woodford
Township.

Defendant.

Henry Schwin being produced, sworn and examined
on the part of the Remonstrators, doth depose and say:

My name is Henry Schwin; am 41 years of age;

I live in Houpsdale, Pa. - I am acquainted
with the locality between South End of
Dou st. in the Boro of Houpsdale, and
Whiteside Mines, where the 'slope' goes in; I am
acquainted with the locality from Good st.
in Houpsdale to the Race Course; I consider
that from the end of Dou Street to Whiteside
mines, would make the cheapest and
best road; I know the location of the last
view of road from Good st. up to
the Park; A road built from the South
end of Good Street to the village of
Woodan and Park the Park will
cost more than one from the End

"The deposition should be in the handwriting of the person before whom it is taken, or the witness, but never in the handwriting of the attorneys, or parties, or their agents. The person before whom the deposition is taken has no power to adjourn without consent and notice; the hours between which they are to be taken are generally named, and they cannot legally be taken at any other time except by consent, all of which must appear. Leading interrogations should be objected to whom they are put, otherwise an exception will not in general be sustained."

of Don Street; For persons who would
drive the Don Street road would ac-
comodate the greatest number, but
persons who walk generally take
the shortest way; I don't mean to
say that the road from Goodst.
is the shortest, but people coming
on foot generally take the path,

I know Thomas Reynon; J. J. Wigham
Louis York; W. Heninger; William Barnes;
~~Geo~~ F. C. Noble; A. P. Samburg; Ed. Dill;
Geo. J. Thompson; James Grosham; J. W.
Miller; Nelson Knapp; J. C. Smith; - All
these parties whose names have been
stated live up the Township road in
around Grosham's mines;

I think there is great need of a road
from Haysdale Bon. to Village of
Moran. I know people who
haul goods to Whiteside Run mines

I saw Emka Supply Co's team
and G. W. Dickes team come down
by way of Don St. because they
could not get up the hill at Brosnan
St. I have seen a good many
wagons coming by way of
Don St. and going to Whiteside
Run; I know Ben Hess; I do
not know whether he is interested
in the Driving Park or not. I
have seen him there,

Prose Examined by W. H. Patterson
atly - — when I speak

Schwin

If the necessity of a road from Hout-
dale to Moran, I only speak of
from Houtdale to the 'Slope'

I don't know where Moran is,
& I don't know whether there is any
necessity for a road from Whiteside
'Slope' to Moran. I do believe how-
ever that there is necessity for a
road from Whiteside Slope to
Houtdale, - I have been over
the route as laid out from Dou-
glas to Whiteside Slope, and
also over the route as laid out
from Good Shut as far as the
Driving Park, the balance of
the route I know nothing about.

I do know that there are people
living around Eureka No 10, on
Van Dusen's mines. - It is not
very far from Driving Park to
Van Dusen's mines (Eureka No 10).

I have no idea what the cost
of a road would be by either
route, but I know a road from
Dou St. would not cost very much.

I don't know how much
per road it would cost to build
that road or any part of it.
I don't know which route by Dou St.
or by good St is the longer,
There is a road leading from

1 Houtzdale to Whiteside Run Mines.
2 From Don St and Brislin Street
3 The main road is from
4 Franklin Mines and from
5 Brislin Street but the road is
6 not always in good condition.
7 Don Street from the Centre of Houtz-
8 dale - is across the creek and across the
9 Franklin siding, - Taking Robert
10 Jennings Cooper as a starting place
11 to get to the terminus of the Don Street
12 you have to go down Hannah Street
13 to Charles Street, and then south on
14 Charles Street to Don Street, and then
15 out Don Street to terminus.
16 When you go to Don St. you do not
17 have to go down the steep embank-
18 ments to get on to Charles Street
19 There is some grade there but
20 not very much. I can't tell how
21 much, it is not steep, - After you
22 go down this grade, you cross the
23 Railroad, then you cross a bridge
24 and then across Franklin siding, and
25 then you go to Don St. - They have Don
26 Street opened, a man can drive
27 it now, but it can be made a
28 great deal better, they pulled ~~down~~
29 the stump last year, The people
30 of whom I have testified are
31 residents of Woodward Township.

and I believe most of them
own real estate, I live in
Hannah St. Houghtale, - I own
some Real estate, across the
Creek on Don St, on the other
side of Franklin Piding

I do not know whether the
building of a road from Don
St would increase the value
of my property or not - there
would be a little more travel
there, -

Per Ex.

I know that there is a road
from Houghtale to Whiteside but
I don't think it is a Township
road. - I don't know.

Sig.

Henry Schurim

William Pollock being produced
from on part of the Remonstrance
deposed as follows.

My name is William Pollock
I am 45 yrs of age I live in
the Town of Houghtale, I know
where the Village of Morgan is situated
- I am acquainted with the locality

between Don St. and the Village
of Moran - - I don't know the
location of ^{the} ~~the~~ ¹⁸⁸⁵ ~~1885~~, all the way
to Moran, but I do know its
past White Side - within three-
quarters of a mile of Village of
Moran, I know the lay of
the land from South end of
Good Street to Village of
Moran, In my opinion
it will cost more to cross the
Franklin track at Good Street,
than will take the road to the
Boro limits the other way.

There is not a ~~Forward~~ ^{High} Road
at present, leading from
White Side Run ~~run~~ ^{runs} to
Houtzdale. The Road that is
there Pap Moran cut for
his own convenience and Ben
Ward White to intersect for
their convenience - There is
a good deal of traffic between
the Village of Moran and
Houtzdale. I think the Road
would accommodate the same
number of people no matter
where it was taken from the
Borough - that is either Good St.
or Don Street - The Road
from Don Street would be

the Cheapest and easiest made
by far, because it takes in the
old road that Pap. Moran cut
for his own convenience, and the
one made by Berwind Whitcomb
for their convenience - and a
new road can be made cheaper
~~than~~ over an old one, than a
new road over new territory.
The road from Don St.
can be made with the best
grade. As to the solidity
of the surface the Don Street
locality is the best. On the
Don Street road there is a very
small portion of the outcrop of
the Coal, while on the Good
Street road there is a large
portion of Coal with small
cover. ~~that~~ I am testifying now
as to both inside the Barr limit.
They both routes are alike
solid outside the Barr line.

My business or occupation
is Barr at Franklin Mines
at present - I have had
occasion to travel between the
Village of Moran, & Whitcomb
Ran. frequently - I explored
that Country for Coal - and
rode a mile over all these roads

Boiled

In order to reach the village of Moran from Good Street it will be necessary to pass over a large territory that is undermined - it will be necessary to pass over territory that is undermined on both routes - In starting from Franklin tracks, on South end of Good Street, to the village of Moran, you will pass over more territory that will fall in, than you will by starting at Franklin tracks, on Don Street - It is inside the limits of 1880. - ~~In the townships, I think~~ The south end of Good Street will be all torn up by 'cave in' within a month or so. - There will be no cave in on Don St, because it has already fallen in, - As to the solidity of the surface outside the Barr. Since there is very little difference in the routes - the cover is so thick that I don't think the surface on either route will ever be affected - ~~The Heavens~~ ~~of 1880, to date~~ The cheapest way for the people to get a road in to the village of Moran from

Houpsdale is by way of Don St.
If you want to accommodate
the people of N. S. Eureka, ^{Exclusively} ~~to~~ to
come around by millers, - by
the way of the Ginters settlement
is the cheapest. I know
Thos. Baynon, J. P., Louis Reabalt,
B. M. Hers, John Meagher, James
McMahon, J. C. Smith, Alf Sam-
berg, Ed. Dill, W. E. Meek, ~~to~~ John
Hoverson, Ch. Hall, Rich. Goss,
Thomas Henderson; none of them
reside in the vicinity of either
of these roads. I know Thomas
D. Forsythe, he lives at Whiteside
Run - Robt Forsythe, he lives on the
Route of Don St. in Houpsdale Boro.
I know John Johnson, he lives just
outside of Boro limits and just east
of Don St. road route. I know Alex.
Monteith he did live in the village
of Moran, but now lives in Houpsdale.
James Monteith lives in
village of Moran. I know David
Gerrill, he lives at No. 8.
I know Ellis Dixon, he lives at
Whiteside, Thos. George lives at
Whiteside. Thomas Rooney lives
in Houpsdale and works at
Whiteside. David Magee lives
at Whiteside, J. H. Marney lives

1 in Hardsdale and roads
2 at Whiteside, John Cameron
3 lives at Whiteside - Alex Roberts
4 lives at Whiteside, John Gallagher
5 lives in the Borough, he lived
6 at Whiteside until 1st of April,
7 Robt Russell lives in Whiteside,
8 ~~Peter~~ James Winters, lives in Mahan
9 has been there for a year - I
10 don't know that he is the one
11 who signed petition. Granville
12 Kirk lives at Whiteside Run.
13 Joseph Easton used to live at
14 Whiteside Run, I think he is
15 down in Union County now.
16 Peter Zelinsky lives at Whiteside
17 Run. Joseph Gallow, lives at
18 Whiteside, John Knox, lives just
19 outside the poor limits on the south
20 end of Good St. W^m W. Putnam
21 I don't know where he lives.
22 I think that a road from the south
23 end of Don St. to the Village of
24 Moran would serve the public
25 interests better than a road from
26 south end of Good St., viz, that
27 it can be built cheaper and for
28 that reason would serve the public
29 interests better.
30 Question - If this statement is in
31 a petition against road from

1 Boush, b Village of Moran
2 "your petitioners would further
3 represent, that they are of the
4 opinion that the aforesaid road
5 was laid over the present route
6 in order to serve the private in-
7 terests of certain individuals
8 residing in the Boro of Houghton
9 "and not for the interests
10 of the tax payers of Woodward
11 Township" - do you believe
12 that statement is correct?

13 Answer - "I believe it is
14 not correct," - The English
15 of that question as I understand
16 it, is "Is that ~~the~~ road ~~in~~ of more
17 for the benefit of people of Hough-
18 ton Boro, than the citizens
19 of Woodward Twp.?" I say
20 it is not - it is more for the
21 interest of the tax payers of
22 the Township - while the
23 petitioners are trying to in-
24 form on the Council that these
25 men want that road for
26 personal ends - which is in
27 true. I don't think a road
28 leading to the park the driving
29 Park would any benefit any
30 body - I don't think the Driving
31 Park is of much benefit.

1 to any body at this season
2 of the year.

3 Cross Examined by J. W. Patterson

4 I live in the Town of Houghdale

5 I live on southern part of Bridge St.

6 I do not own any property in
7 Whiteside nor in Woodward Twp.

8 The first list of names of whom
9 I spoke of in my direct testimony
10 commencing with Thomas Payton
11 and ending with Thomas

12 Henderson are names of citi-
13 zens of Woodward Twp. - I think

14 they are all citizens of Woodward
15 Twp. and all I know on that

16 list have voted and are tax
17 payers - As to the second list

18 commencing with Thomas
19 Foreyth and ending with
20 William McDuttyre, - ~~and~~

21 there are a number of them who
22 live in Town of Houghdale.

23 Nearly all of them are married
24 men, there are a few single

25 men among them, I am speaking
26 of those living in Woodward Twp.

27 Peter Zelinsky is a Poleander,

28 I cannot tell whether a majority
29 of these people are renters or
30 owners of property - I think

they are about equally divided
I did not take this petition
around to have it signed
I there were seven families lived
at Moran three years ago but
I think there are eight now, - I have
not been there for 2 years -

It is about a quarter of a mile from Moran
to Whiteside, - There is at present a
road leading from Hotchkiss, to
the village of Moran - The people
travel this road, they have never
had any other - I do not
know the grade of either route
or said out, from either Don
Street or Good Street - I have
never been over the route ex-
actly as they have laid it, as
I always travel the old road
to Whiteside which is a few
feet from the location of the
road - I can't say that there
would be any difference in
the distance by either route.

Taking a point at Robt Fleming
Hardware Store I don't see that
there would be any difference
in length of the route to White-
side or Village of Moran.
I do not consider the Don St
Route a round about way

to get there. I consider the ground
in the townships equally solid
from the bottom of the Ross
line on both routes.

I do know that there is a large
number of people residing
in and around Eureka No 16
or Van Dusen siding - a road
leading from the Good Street
route would not leave them
out, and would be of no service
to them. - The hill is so high
that a man would sooner
go the old road than climb it.

There is no township road, but
a road opened by the people in
there for their own accommodation.
I know part of the signers of
the petition for Don St road.

Question by M. H. Patterson.

Do you know who the signers of
the Remonstrance to Don St road
are. - ~~are~~ - objected to for the reason
that it is not cross examination
and irrelevant, there never hav-
ing been a Remonstrance to a Don
St route. - Answer. "I presume
I do - and supposed that Mr. Shaw
had read that list." I do not
know who were the petitioners nor
what prompted them to present the

Petition (a portion of which was read
in my presence) to the Court -
I mean by that, that I don't
know who the movers of that
petition were, but I do know
a good many of the signers
and what prompted them to
sign it - - I made the allegation
because it would seem ^{from} ~~my~~ ^{petition} that
~~the~~ movers of petition had some
personal ends in view, and resided
in Houghton Boro, and I had no
other reason why that I believed the
Don St. route to be the Cheapest
route,

P. E. Examinr.

The people of Whitton have
had to pass the road for the
past six years and there has
never been a cent of tax laid
on it. It is a very bad
road - which I state that I
know a number of signers
~~of~~ the petition and the motives
that prompted them to sign, I
refer to the Petitioners for the
Don St. road, and the Resolu-
tion against the Good Street
Road.

~~But~~ I have heard a number of

men on the petition in favor of the
Don Sh road, express themselves
that that was the cheapest road
for both the Township and Bros.
(This answer objected to because
it is secondary - if those witnesses
are living they can be produced)

I live about half way
between these roads

I have ~~subse~~

Cross Ex. by

I have subscribed ~~and~~ paid
away money to this proceeding,
I am only interested as a citizen
sirs W^m Pollock

Robert Roxby being produced and
~~examined~~ examined on the part
of respondents, deposed as follows
my name Robt Roxby. I
am 57 years of age. I live in
Whiteside Rev., Woodward Twp
I don't know where the Village
of Moran is, - I saw them
surveying the road from
Whiteside to the street that

Goed out at White Hall

About three hundred people live
in the neighborhood of Whiteside
& Moran. I think it is a
very poor road from Hordale
to Whiteside. - I carried around
a petition for a road about Whiteside
and found I didn't have quite
a clear understanding about whether
it came in on the Strick of Mordern
or at the White Hall Street. -

The people were entirely against the road going by No 10. Eunka (Von Dams) and they would not sign for that road at all.

I did not miss getting any
one at Whiteside to sign this pe-
tition with the exception of three
or four - they all signed it
sent them or four - There is
a good many out there, - that
if the road goes by ~~at~~ 10
it will cut them entirely out.

The road coming out from
the White Hall Street, will be
the best grade in my opinion
and the highest (nearest) to
Whiteside.

I don't know that the road
from White Hall Street will accom-
modate more people than the good old
road - I got the petition from Jack & Ben

1 I signed the petition myself.

2
3 Cross Ex.

4 A good lot of the signers
5 of the Petition I came around
6 are Hungarians, Poles and
7 ~~Dutch~~ - I did not go into
8 any - only a few Hungarians ^{& Poles}
9 who had not property - There
10 are a few unmarried men
11 among them - I had a
12 Pole named Peter Zetisky
13 to go with me to the Poles
14 - I went into one of the houses
15 where the Hungarians 'batch' and
16 got one of the Hungarians there
17 to explain for me, and I
18 got six or eight names
19 there - I had a Frenchman
20 with me when I went to
21 the French - I know that
22 among the Scotch and English
23 I did not ask any single man.

24
25
26 Redrigh

27 The majority of those
28 who I got to sign are Scotch,
29 Irish, & English, I did
30 not go into any Frenchman's
31 houses only those who lived
in their own houses and owned
them.

Roxby

I am sure there is great need
of a Road from Whiteside Run
to Houghdale Cross, or else I would
not put myself to any bother
about it. — The people, I think
the whole of them that is out
that petition are opposed to
having the road go to No 10.

I found three or four over there
who would not sign because
they thought it was for the
road by No 10. — Every one
I got to sign lived in Woodward
Parish.

Re Cross Ex.

The ~~reason~~ the people
are opposed to the road by No 10,
because it is farther to White-
side from Houghdale, that
way — than the other way.
and because I can go
from Houghdale to Whiteside
while I am going from Hough-
dale to No 10. — almost as
soon — and because the road
by No 10 — would cut some
people out almost a mile

Robert ^{his} Roxby
mark

1 John Johnston, being produced sworn
2 and examined on the part of
3 Remonstrators, deposes as follows,
4 My name is John Johnston.
5 I am 46 yrs of age, I live in
6 Houghdale - but in Woodward
7 Twp. - just outside of Port Leno,
8 I know where the old road
9 is that comes from Whiteside to
10 Houghdale - the road that is
11 traveled now, - I had the petition
12 and got Ole Hanson, John Lindsten,
13 John Olsen, Charley Johnson, Ole
14 Johnson, A. P. Skagberg, the names
15 I have mentioned are married
16 men and reside in Woodward Twp.
17 John Johnston

22 Thos. L. Adelsperger, being produced
23 sworn and examined on the
24 part of Remonstrators deposes
25 as follows.
26 My name is Thos. L. Adelsperger,
27 I am 27 yrs of age.
28 I live in the Port. of Houghdale,
29 I am a Team driver,
30 I have traveled the road be-

1 From Starzdale & Whiteside River
2 ~~long~~ right along almost every
3 day for past four years,
4 There is great need for
5 a road between Whiteside
6 and Starzdale River, it
7 needs it more than any
8 other place I know of around
9 here. The road is almost
10 impassable and not fit for
11 wagon on at all. - At the
12 present time there is no
13 Township road there.
14 I have never known of any
15 expenses put on the road by
16 the Township. - I don't think
17 a road can be built from
18 Whiteside River to South end
19 of Good St. as cheaply as
20 from Whiteside River to
21 South end of Don St.

22 ~~The~~ I don't just know
23 the line but I know the lay
24 of the land and I believe a
25 better grade can be had
26 to the Don St. road, than
27 on the Good Street road.

28 I do not know the location
29 of the Good Street road, but
30 I know the country generally

31 Don Brown

Adm

Cross Exam

I don't know the distance
between Houghdale and Whiteside
Run - I believe it can be
built cheap ^(the old road) - I do not
know that there is any differ-
ence in the distance in the
two routes - I can't tell
what the cost will be
to build a road by either
route.

L. L. Delberger

John Orlan being produced on and
examined, on the part of
the reconstituted depositions as
follows: -

My name is John C. Orlan
I am 35 years of age, I live
in Houghdale Br., I am
an Locomotive Engineer by
occupation.

I never was in Moran.
I have been in Whiteside
Run and know all the
country between here (Houghdale)
and there. In my opinion
a road between Houghdale and
Whiteside can be built cheap
by the old route, for the reason
that it takes in the old road

Solan

that has already been traveled
with the exception of cutting
of carves - I don't know
the exact time of the Good
Street road, but I know
of the beginning and the
ending of it. It begins
at good Street and ends
at White Oak Street
where it connects with the
former road.

There is as much
need of a road between
Whiteside Mines and North-
dale Barr, as any place I
know of - There is no Foreign
ship road today between the
two places that I know of.
I know Thos. Beynour, Nelson
Knapp, Wm Barnes, Pat Davages,
Michl Carter, J. D. Maffit, Michl
Ward, Ch. Cupples, J. E. Grappas,
John Burke, Peter Huppert,
Eli Senef, none of these men
live in the vicinity of the road.
They all live up at Moshaman
with the exception of Maffit;
Maffit lives at Stirling.
The new Street road will be
for the convenience of a greater
number of people than the Good St

road, because it passes through
the place where the people live
while the other road doesn't. While
one house after it leaves No 10
and until it gets to Whiteside
I suppose it is about a quarter
of a mile from No 10 to the
Bor. line - It is about farther
to Moran than Horsdale than
to Whiteside - It is about 1 ³/₄
miles from the Bor. line at
Doubt St, to Whitesides - it is
not quite that far - I don't
know how far it is from
Whiteside to Moran.

Cross Examined by W. H. Cotton,
My occupation is locomotive
Engineer. I am engaged
by Bernard White & Co at all
the Callings. Have been run-
ning a locomotive engine
up until 6 months ago.

I live on Doubt St at the end
of Spring, in Horsdale -
I live nearly 2000 feet from
the Borough line. There are
about 17 houses on Doubt St
between mine, and the Bor.
line - Doubt St. is partly
opened up to the Bor. line

the stumps have been pulled.
All the improvements that has
been done on Dou St, or about
all from my house to the
P.O. line is the pulling
of the stumps. I have
taken a very active interest
in getting this road laid
out from Dou St. to White
side, - I done it with a view
of getting a road to Whiteside.
I can't say that I did it
for purpose of improving my
property and making it more
valuable, but in case it did it
is alright, - I was looking for
a road, and found that the
road had been decided and
decided in our favor - and I
lifted the order, - The super-
visor refused to build the road
and our people down there, ap-
pointed me a committee to look
after the road - I have paid
money out my own pocket
for the advancement of this
road, I took around a sub-
scription to raise money to pay the
expenses, I do not own a
horse or vehicle - I am employed
nearly every day about my business

as an Engineer, I am paid by
the month. There is a kind
of a road now between North-
dale and Whiteside. Rem-
ark of that road has been
in use longer than 16 yrs. I
know it that long. I know
that some of the ^{South side of} Good Street
has "caved in" within the limits
of the Barr. - -

Re direct-

Don Street is improved. path
my house, the road for
about 350 ft from my house
is in as good condition as it
is in front of my house -
on beyond that it is not
so well improved - it has
'caved in' in one or two places
in. There are not enough
holes in it to make it
an impassable street.

I have been under Good
Street, in the Mine, and they
are taking all the coal out
the surface ^{always} falls in when
the coal is out. John L. Dolan

STATE OF PENNSYLVANIA, }

Charlized County. } ss.

I DO HEREBY CERTIFY, That the above witness *were* duly
qualified and examined at the time and place stated in the above Caption;
that the same was reduced to writing by me, in the presence of said witness
and having been first read over to *them* subscribed *their*
names thereto in my presence.

Witness my hand and *seal.*

James M. [Signature]

No. *346* Sep Term, 18*89*

versus

Deposition

of witness on part of

Remondobate

Fees for taking Deposition, \$

87.00

Filed

18

Prothonotary.

Attorney.