

In-Re, Petition for a Bridge In the Court of Quarter Sessions
over "Clearfield Creek" at of Cambria County-
Ashville - No. 8 March Sessions 1893

Viewers appointed, and Report filed 5th June 1893
Confirmed Ni-Si- June 7th 1893-

Exceptions to Confirmation Absolute -

To Honorable A.V. Barker, Prest-Judge of said Court-

Your Exceptant, John Dougherty respectfully represents that he is the owner, and occupant of a lot of ground upon which he has erected a Blacksmith shop, with necessary appendages, said lot is triangular in shape, and the whole is necessary for the use of said Shop, that the value of said property is at least \$500.

That the proposed location of the said bridge as returned by said viewers, sixteen feet North of said shop, to centre of bridge - that the approaches thereto will pass over said lot, and greatly damage said lot, and destroy the value of said Shop.

That said viewers did not obtain from exceptant a release for any claim for damages, neither did they assess any damages to him for the same, that he believes that if said bridge is built on said location, his damages would be at least \$300.

He therefore, by his attorney J.F. McKenrick Esq. herewith files the following exceptions, to the confirmation absolute of said report of viewers: - To wit: -

FIRST: - That the viewers did not follow the directions of the order to view, it being their only authority to act in these premises; In that they did not have respect for the shortest distance and the best ground for a bridge, and did not locate the same, in such manner as shall do the least injury to private property, &c -

But on the contrary selected a location, not accessible by the public road, leading from Chest Springs to Altoona, at the crossing of Clearfield Creek, but removed it from the location of the present bridge, with substantial abutments of stone, to a new location 16 feet North of Blacksmith shop, (a distance of about 120 feet) and upon the private property of John Dougherty -

SECOND: - That the viewers neglected to annex and return to this Court, a plat or draft thereof, stating the courses and distances, and noting briefly the improvements of John Dougherty, through which the approaches to said bridge will pass; as required by law, and the order to view -

THIRD: - That the viewers failed in their duty to assess to John Dougherty, the damages that will be occasioned by building said bridge, and the approaches thereto, on the proposed location, the same being on improved private property, and not on a public road -

FOURTH: - That the viewers did not procure, nor endeavor to procure from said John Dougherty, a release from all claim for damages that may arise from the building of said bridge or the approach, on his private property, as required by law -

FIFTH: - That the petition for said bridge discloses the fact, that a bridge, at the crossing of said road and Clearfield Creek, has been erected and maintained for many years, that same is in bad condition of repair, and that the prayer of the petitioners is for a new bridge, on said location, and that the order to view was for that purpose, and not for the purpose of a new location, particularly where the same requires the viewing, vacating and supplying a public road to reach such new location.

And where the abutments of the old bridge, and the approaches can be utilized for the new structure, at a great saving of money to the County, which it is sought to make liable therefor,

Your Exceptant submits that for the reasons named the said Report should not be confirmed absolute.

August 11th 1893

John Dougherty, by his attorney
J. P. McKenrick-

Filed August 11th 1893

Filed 11 Aug. 1893

Application for the Court
in Opposition to the Report of
the Commissioners of the County

of Clearfield Co.

Approved by the Clerk of the Court
this 11th day of August 1893
at Clearfield Pa. Public Road
Department of August 11th 1893

1893

J. P. McKenrick

No. 8 March Sess. 1893 (Q-S-)

Reid
In-Re, Report of viewers of
a Bridge where the Public road
from Chest Springs, to Altoona
crosses the Clearfield-Creek
at Ashville.

EXCEPTIONS to CONFIRMATION
Absolute, by the Court.

Filed..... August 1893

Filed 11 Aug. 1893

John Dougherty, by his atty.
J. P. McKeenrick.

J. P. McKeenrick

John Dougherty, by his attorney

Report should not be confirmed absolute
Your exceptions admit that for the reasons named the said
to the County, which it is subject to make its bridge
can be utilized for the new structure at a less saving of money
and where the supports of the old bridge and the supports
with such supports and bridge road to reach such new location
new location, but where the same requires the widening of
road to also be for that purpose, and not for the purpose of a
the location is not a new bridge, on such location, and that
not have to in any condition of repair, and that the object of
Clearfield-Creek, has been erected and maintained for many years,
that a bridge at the crossing of said road, and
that the location of said bridge is the

*Stone Bridge over
Clearfield Creek
between Clearfield
Townsships*

In the Court of ~~Common Pleas~~ *Quarter Sessions*
of Cambria County, Pa.

Of *March* Term, A. D. 189*3*, No. *8*
R.D.

And now, to wit, the *Fifth* day of *January*, A. D. 189*4*, Rule
on part of *Review* 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

5th of *January* 189*4*
J. C. Darby Prothonotary.
clerk Q. S.

To the Petitioners for View in above stated case, or their
counsel, *F. H. Shoemaker*

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 *Bridge matter* on part of
the *Review* will be taken at the *Attorneys Room in the Court of
House in Ebensburg Pa.* on *Saturday*,
the *thirteenth* day of *January*, A. D. 189*4*, between the hours
of *eight* o'clock A. M., and *11:30* o'clock P. M., before *J. Little Eng-*
Commissions appointed by the Court to take testimony 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.

M. D. Pittell
Attys Review

In re bridge over Clearfield
Creek
at
Ashville, Pa.

In the Court of Quarter Sessions
of Cambria County Pennsylvania.
No. 3 March Sessions 1893.

Depositions of witnesses taken by me this Thirteenth day of January A. D. 1894, between the hours of eight o'clock A. M. and eleven o'clock P. M. by virtue of the annexed Rule of Court and notice thereon endorsed, as also by virtue of the agreement of counsel hereto annexed for the examination of witnesses in the above entitled matter.

F. A. Shoemaker appeared for petitioners.

M. D. Kittell appeared for Review.

And now, January 13th 1894, it is hereby agreed by and between the parties and their counsel that the testimony taken in pursuance of this rule be taken before P. J. Little, and by him taken in shorthand and a transcript made from his notes; said transcript to have the same force and effect as testimony taken in long hand and subscribed by witnesses.

Daniel P. Hanlin called and sworn:

By Mr. Kittell:

Q. Mr. Hanlin, the Clearfield Creek where it passes Ashville flows in a general Northerly direction? A. Yes sir.

Q. Ashville is on the right hand side of the Creek going down the Creek? A. Yes sir.

Q. And Dougherty's shop is on the right hand side? A. Yes sir at the edge of the creek.

Q. Now state please whether the first report of viewers located the site for a bridge further down the stream than the present old bridge? A. Yes sir.

Q. The reviewers located the ^{site} for the bridge at a point between the present bridge and the place located by the first viewers? A. Yes sir.

Q. Which of these bridges as located by the viewers or as located by the reviewers would be the more expensive to construct? A. The view below Dougherty's shop would be the more expensive on the County and Township both.

Q. By the bridge below Dougherty's shop, do you mean the first view of the second view? A. I mean the first view.

Q. What comparative difference would there be in the length of the span of the two bridges? A. One hundred and fifty feet would be long enough, between the bridge and the shop, that is the review, and it would take one hundred and eighty or two hundred feet below the shop on the first view.

Q. Would there be a difference in the cost of construction of the fills or approaches? A. Yes sir; it would cost more to have a fill in the first view.

Q. What difference in your judgment would there be in the cost of constructing the fill from the view as from the review?

A. To the best of my knowledge it would be over three or four hundred dollars.

Q. Is the body of water over which the bridge passes wider at the point where the bridge is located than the ordinary width of the stream? A. There is a dam there, I understand.

Q. The water backs up there from the dam? A. Yes sir.

Q. Is the review located over this backed water from the dam? A. Yes sir.

Q. Is the first view located over the backed water or over the body of the dam? A. It would be over the main part of the dam, I would say.

Q. Is there any public highway leading to the site of the first view from the present public road on the East side of the stream? A. No sir not that I know of.

Cross-examination by Mr. Shoemaker:

Q. You are a supervisor of Gallitzin Township? A. Yes sir.

Q. How much if any of this proposed new bridge would be in Gallitzin Township? A. That is on the first view, there would be none of it, unless it would be made the line of the township.

Q. But as the township line is at present located, the new bridge would not be in Gallitzin Township at all? A. To the best of my knowledge it would not be in it.

Q. Isn't the old bridge, or present bridge over the main body of water where it backs up? A. Yes sir, the water backs up under it.

Q. Then take either the first, view, or the second view, or the old bridge, any one of them would be over the back water? A. I don't know whether this first view would be over the back water or not; it would be over the dam.

Q. It is over still or back water? A. Yes sir.

Q. And they all would be over still or back water? A. Yes sir.

Q. Do you know what would be the length of the span, on either the first or second view? A. It would be one hundred and fifty feet from this review as I said.

Q. Do you know what it is from the first view? A. Only what I said to the best of my knowledge, it would be one hundred and eighty feet or two hundred feet.

Q. Have you made any calculation by which you would determine the respective cost of the two bridges either the first or the second view? A. Only just looking over the ground I made an estimate.

Q. What do you estimate the difference of the cost of the approaches on the Western side? A. I could not answer that.

Q. What would be the difference in the cost of the respective approaches on the Eastern side? A. I could not answer that.

Q. Wouldn't it cost less to build the approaches on the Eastern side to the first view than it would to the second? A. No, I don't think; I think it would take less on the review.

Q. But you haven't made an estimate as to what the actual cost would be of either the erection of the first or second bridge? A. Yes, it would cost three hundred and fifty or four hundred dollars.

Q. Have you got the paper by which you made this calculation?

A. No sir, it was in my head.

Q. Can you tell the difference in the cost of the erecting the abutments in the first or second bridge? A. No, only just make an estimate in my head by looking at the ground.

Q. But you can't tell what either would cost? A. No sir.

Q. Nor could you tell if the abutments were constructed either on the first or second site that the bridge on either would cost? A. No sir.

Q. A new bridge is necessary? A. Yes sir.

M. L. Cupples called and sworn:

By Mr. Kittell:

Q. Mr. Cupples you are one of the Supervisors of Clearfield Township? A. Yes sir.

Q. State please what in your judgment would be the difference in the cost, if any in the constructions of the fills or approaches of the bridge to be located in the view or review? A. The view I don't know anything about, it is on the other end of the township, and I am at the far end; I don't really know much about it.

Q. Have you looked at the ground? A. I was over the day of the review, yes sir.

Q. And did you see the place where the first view located the site? A. I did not.

Q. Then you are not in a position from anything in your knowledge to form any judgment as to the comparative cost? A. No sir I am not.

Q. Do you know the length of the span necessary to construct the bridge located by the first view? A. I do not.

Q. Do you know whether the body of water over which the review is located is narrower or wider than where the first viewers located the bridge? A. From where I understand the first view was below the shop, but I know it is wider below the shop, or even at the shop than where it is at the other bridge.

Cross-examination by Mr. Shoemaker:

Q. How much wider Mr. Cupples? A. I can't say, I didn't measure it.

Q. The width is occasioned by the water going around the abutment on the Western side? A. I think it is the water damming back from the dam, that is the still water.

Q. And the water is forced into the channel from the two abutments? A. You either don't understand me or I don't understand you.

Q. The ground below, or North of the abutments is low? A. Yes sir.

Q. And by reason of being low the water, after passing between the abutments--- A. No sir, I don't think it is that; I think it is the water damming back from the dam that is the cause of it.

Q. Then the old bridge, the view, and the review passes over the still water of the dam? A. Yes, only the old one is wide, and the review is wider, and the view is wider yet.

Celestine Trexler called and sworn:

By Mr. Kittell:

Q. You are one of the Supervisors of Clearfield Township?

A. Yes sir.

Q. Do you have charge of that end of the Township next to Ashville? A. Yes sir.

Q. Do you know the place where the reviewers have located their bridge? A. I know very near the place.

Q. And also the location of the site fixed by the first view?

A. Yes sir.

Q. Please state which of these bridges would necessitate the widest span if constructed? A. Where they had the first view.

Q. What difference is the width of the span? A. There would be about fifty feet.

Q. Would there be a difference in the cost of the approaches or fills as you term them between the two? A. Yes sir.

Q. How much of a difference? A. There would be five hundred dollars.

Q. In favor of which? A. In favor of the last view.

Q. The bridge used at present is on the public highway leading to Altoona? A. Yes sir.

Q. State please whether the first report of viewers located the bridge on any public highway? A. No sir.

Q. State please whether there is any public highway leading from the public road along the east side of the bank of the creek to the point where the first view was fixed? A. No sir.

Cross-examination by Mr. Shoemaker:

Q. Do you pretend to say that ^{the} approaches from the East side

would not connect with one of the streets of Ashville Borough?

A. If you were running a road they would have to connect with it.

Q. The approaches would connect with the street going down
12.3 Hanlin's and 'Squire Myers would it not connect with the
street running with the bridge? A. It would yes.

Q. A new bridge is necessary? A. Yes sir.

Q. Whether they adopt the first or second view? A. yes sir.

Q. Can you give the commissioner the figures by which you
ascertained the difference in the cost of constructing the
bridges located on the first or second view? A. I don't know as
I could.

Q. Can you tell the difference in the cost of the construc-
tion of the approaches on the Eastern or Western side between the
first and second bridge? A. Well it would cost three hundred or
four hundred dollars more.

How much of that difference is on one side and how much on
the other? A. It would be the difference of about two hundred
dollars.

By Mr. Kittell:

Q. On which side? A. It would take that much more on the
West side than on the East side.

By Mr. Shoemaker.

Q. What would be the length of the approach on the first and
second views? A. Well it would be one hundred and fifty feet
along there in the first view.

Q. That would be the length of the approaches on the West
side? A. yes sir, by putting a bridge there of two hundred
feet span.

Q. And what would be the length of the approach to the

second? A. Well I suppose it would be near about the same distance, but it would not cost near the money to put the approach above as it would below ; they have a more solid foundation.

Q. Where is there any solid ground between the approach of the old bridge to a point below the first view? A. You take and put the bridge on the second view and you will find that you land down pretty near the end of the old bridge, , but if you go where the second view was and that is more solid than down in the dam one hundred and fifty feet more, down among the willows there.

Q. Do you not know that there was a road where the bridge on the first view is contemplated? A. No sir, not that I mind.

Q. You never heard of that road? A. No sir, I don't think any body else ever did.

Q. What would be the difference of the construction of the approaches on the Eastern side? A. I have answered it once.

C. C. Platt, called and sworn:

By Mr. Kittell:

Q. You are one of the Supervisors of Gallitzin Township? A. Yes sir.

Q. State if you are familiar with the ground along the Clearfield Creek where it passes Ashville? A. Yes sir I used to work down there.

Q. State please whether in your judgment it would be more expensive or less expensive to built a bridge across the stream below Dougherty's shop or above the shop? A. I suppose a fill from there would cost more to build a bridge below and put the approaches up too.

Q. State please your reasons for saying so? A. It is down nearer the breast of the dam for one reason, the stream is wider, and there has never been a road in there, and the ground is kind of a swamp, and I believe it would have to be filled in with stone where needed; where it was before, there has been travelling and it would not take so much filling in with stone; I am unprepared to say where this bridge is, because I wasn't there at the time of the view or review.

Q. You don't know the exact spot where the first or second view is? A. No, I just heard the men say.

Q. Gallitzin Township has no interest in this matter? A. Well, I don't know as it has a great deal, I suppose it has some.

Q. One of the proposed new bridges would be in Gallitzin Township, right below the present or old bridge? A. I am not prepared to say where the line is; they tell me this bridge is in Gallitzin Township; Mr. Hanlin is in that end, and I have nothing to do with it.

Q. Then you don't know whether the new bridge would be in Gallitzin Township? A. They told me the lower one would not be in Gallitzin Township, I don't know.

Q. You know that the new bridge is necessary? A. Yes sir, there ought to be a new bridge.

STATE OF PENNSYLVANIA |
 | SS.
COUNTY OF CAMBRIA |

I do hereby certify that the foregoing witnesses were duly qualified and examined at the time and place stated in the foregoing Caption, that the same was reduced to writing by me in their presence, and that the foregoing is correctly copied from my notes, taken in pursuance of the foregoing agreement of counsel, hereinbefore recited.

Witness my hand and seal this Seventeenth day of
January A. D. 1894.

P. J. Little 
Commissioner

No 8 March Term 1893
R. S.

In re Bridge over
Clearfield Creek at
Laksville.

Abstractions on part of
Replein

Fein 15 Jan. 1894.

Commissioner's Exp \$300

Paid by M. S. Kittingly,
Clerk.

To The Honorable The Judge of The Court
of Quarter Sessions of The Peace and The
Grand Jurors for Cambria County

June Term A. D. 1893

We the Viewers appointed by Your Honor
in the Annexed order of Court to view site
for Bridge over Clearfield Creek where
road from Chest Springs to Altoona crosses
said Creek. Do report: That legal notice
of the time and place of Meeting having
been given - Two of The Viewers met and
on account of the other failing to meet
we adjourned until June 5th when we
all met, and having been sworn, viewed
The proposed site and finding it very
necessary to have a bridge at that point
and believing ^{it} to be burdensome on the in-
habitants of said Townships to Erect a
suitable structure at that point, would
recommend the building of it by the County.
The location selected close below the Black-
smith shop ^(Center of Bridge 16ft. North of shop)
No access or damage -
Witness our hands ~~at~~ ^{on} the 5th day of June 1893

John J. A. Shoemaker 3 o 30 m

H. Y. Maloy 2 o 10 m

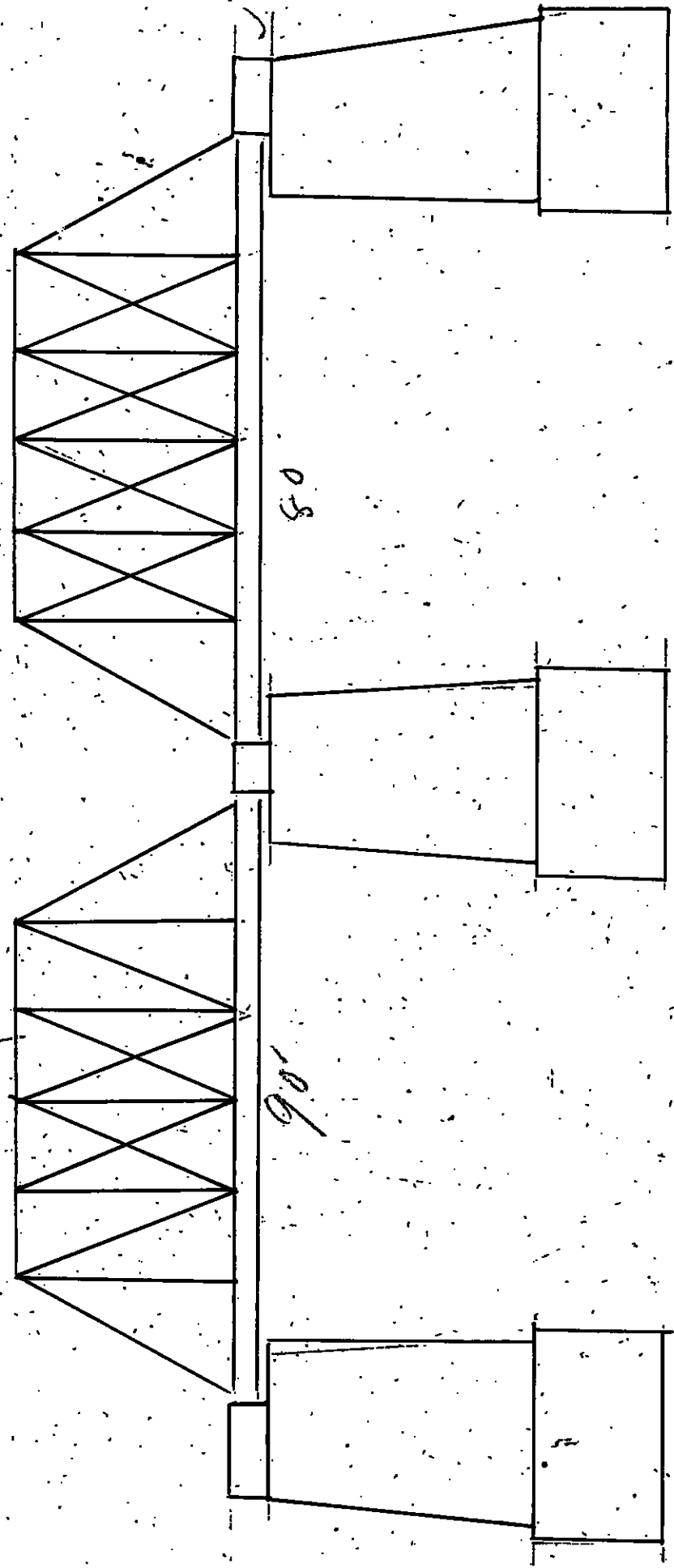
Geo C. Gates 1 o 32 m

Henry Maloy
J. A. Shoemaker
John C. Gates

2

B. 4

100' 0"



80'

100' 0"

Commonwealth of Pennsylvania,
County of Columbia } ss.

At a Court of Quarter Sessions of the Peace of the County of Columbia
held at Greensburg in the the said County, on the Eighth day of
May A. D. 1893, before the Honorable the Judges of the same
Court: Upon the petition of divers inhabitants of the townships of Campbell, Gallipolis, & Allen
in the said County, setting forth that they labor under inconvenience for want of a

~~road or highway, to lead from~~
~~bridge over the Campbell Creek at a point above~~
~~where the Township Road from Chest Springs~~
~~to Alltown crosses said Creek between said~~
~~Townships: That the expense of creating said~~
~~bridge would be too burdensome on the in-~~
~~habitants of said Townships,~~

and therefore praying the Court to appoint proper persons to ^{its site for} view and lay out the
same according to law. The Court upon ~~the~~ consideration had of the premises, do
order and appoint J. N. Shreiner SURVEYOR,
and Geo. C. Latta, & Henry Maloy

^{site}
~~And~~ VIEWERS, to view the ~~ground~~ ^{site} proposed for said
~~road~~, and if they view the same, and shall agree that there is occasion for such
~~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. Harley
Clerk.

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 conclusive, 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, stating 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."

No. *J*
March Term 1893
R.D.

Order to view a road site
for a bridge over the
Helenfield creek at a
point where the same flows
about Spring to Mill
Creek in the town of
Cranford, Gallatin & Blair
Towns.

Viewers
J. H. Hammond
Jos. C. Gates
Henry Kellogg

Filed 5th June 1893

7th June 1893
Confirmed
Per the Court

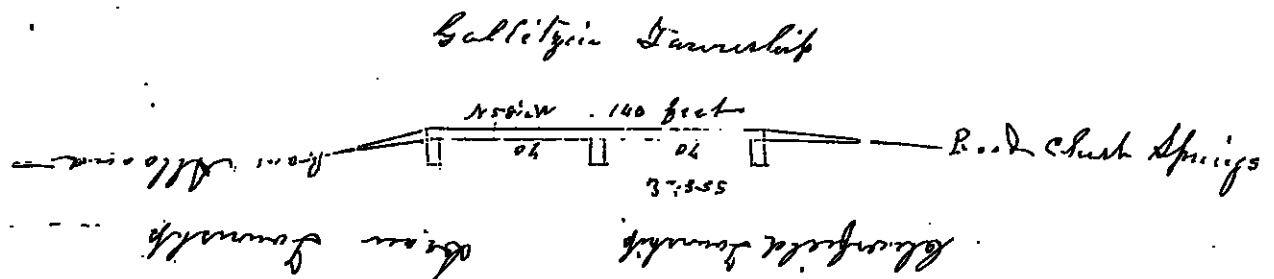
Let Stanley P. by Jack R. 90
Man...

To The Honorable A. W. Barker President Judge
of Court of Quarter Sessions and of the Peace in and
for the County of Cambria at September Term A.D.
1893

We the undersigned persons appointed by the
Court to review the place proposed for a bridge
in the within order mentioned respectfully report
that having given due and timely notice by three
printed written notices posted in three public
places adjacent to said bridge of time and place
of review a copy of said notice is herewith at-
tached and we do further report that having met
at time and place designated by said notices
and after all being sworn and sworn
according to law we proceeded to the duties
of our appointment and did review the
former view and taking in view of the removal
of buildings and ground that would be
occupied by said bridge ^{and east end} as well the fill on
west side of Clearfield would cost in the
neighborhood of sixteen hundred dollars or
thereabouts the ground on sight of bridge be-
ing lower must be raised, therefore we locate
former view and supply same as follows
beginning at a Post north west of old bridge
ten feet below old bridge thence south
fifty eight and one half degrees East
two spans of seventy feet to Crook Clearfield
Creek at the corner of Clearfield town and

Gallitzin Township whose the public road from Chest Springs to Alloua proper said Glenfield Creek, And we also further report to the Court that after proper examination change of location would be an improvement and a saving of expense in the erection of said bridge and that said bridge is necessary to accommodate public travel and that the expense of erecting said bridge would be attended with more expense than is reasonable said Township should bear

Witness our hands this 21st August
 1893.
 Henry Seaman
 J. H. Glasgow
 Joseph Van Orner



Since
 John H. Glasgow 1 day 24 miles circular Reviewer
 Joseph Van Orner 1 " 22 " " "
 Henry Seaman 2 " 20 " " Surgeon

ROAD NOTICE.

NOTICE is hereby given that the viewers appointed by the Court of Quarter Sessions of Cambria County ^{to} view the ground ^{and} site for a Bridge over Clearfield Creek at a point where the road from Chest Springs to Altoona crosses the same between Clearfield Township & Bean Township

will meet at the house of *W. G. Myers*, in the ~~township~~ ^{borough} of *Ashtown* aforesaid, on the *Monday 21st* day of *August* 1873, at 8^o o'clock ~~AM~~ for the purpose of viewing said ground.

August 21st

1873

J. H. Glavin
Wm. Ormer
Henry S. ...

Viewers.

[NEWS PRINT CARROLLTOWN, PA.]

Commonwealth of Pennsylvania, }
County of Cambria, } ss.

At a Court of Quarter Sessions of the Peace of the County of Cambria
held at Elmport, in the the said County, on the 11th day of
August A. D. 1892, before the Honorable the Judges of the same
Court: Upon the petition of divers inhabitants of the township of _____
in the said County, setting forth that they labor under inconvenience for want of

~~road or highway, to lead from~~
~~viewers appointed by your Honor to view the site~~
~~for a bridge over the Clearfield Creek at or near the~~
~~point where the road from Chest Springs to Homer~~
~~crosses said creek between Clearfield and Ballinier~~
~~and Dean Townships have selected and recommended~~
~~the erection of a bridge at a point where there is~~
~~no public highway.~~

and therefore praying the Court to appoint proper persons to ^{decide for} view ~~and lay out~~ the
same according to law. The Court upon due consideration had of the premises, do
order and appoint H. Scudder SURVEYOR,
and J. H. Glasgow for Van Orner

^{site}
VIEWERS, to view the ~~ground~~ proposed for said
^{road} ~~road~~, and if they view the same, and shall agree that there is occasion for such
^{road} ~~road~~, they shall proceed to lay out the same, having respect to the shortest distance
and the best ^{land} 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:

Jas. B. Darby
Clerk.

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 conclusive, 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, stating 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."

No. 8
March Term 1893

Order to view & road site for
bridge over Clearfield Creek
at point where road from what
is known as Clearfield Creek
between Clearfield Hill & ...
Twp.

Approved
J. B. ...
J. B. ...
J. B. ...

Filed 4 Dec. 17 91

19th Feb'y, Report of Reviewers approved.
Respectfully,
The Court

On Mon 9th 1894
The Grand Jury approves of this bridge

J. B. Richardson, Foreman

To the Honorable A. V. Parker, President Judge
of the Court of Quarter Sessions of the Peace in
and for Cambria County, Pennsylvania

The petition of the undersigned, in-
habitants of the Townships of Clearfield, Allegheny,
Gallitzin and Lean in said County respect-
fully represents:

That viewers appointed by your Honor to view
the site for a bridge over the Clearfield Creek
at or near the point where the ^{road from} West Springs to Altoona
crosses said Creek between Clearfield, Gallitzin and
Lean Townships, have selected, and recommended
the erection of a bridge at, a point where there
is no public highway.

Your petitioners, being desirous that the
proposed new bridge be located at the site
of the present bridge crossing said Creek
on the road above described, respectfully
request your Honor to appoint proper
persons to review the same.

And they will etc

M. L. Cuppels
Lewis Dubelt
A. Ryan
Michael ...

George ...
James ...
Richard ...

Edward ...
Ed ...
John ...
Theodore ...
John ...
John ...
Joseph ...

John ...
Thomas ...
Jos ...
S. P. ...

John Taylor
B. ...
Hagle
J. A. ...
L. A. ...
Hugh ...
Jos. J. ...
R. S. ...
Frank ...
Henry ...
Thomas ...
A. ...
J. A. ...

James Howard
Bart. Hobart
Joseph ...
George ...
C. ...
John ...
Maquie ...
J. R. ...
Thos. M. ...
J. J. ...

Bernard ...
Joseph ...
Luke ...
John ...
B. B. ...
Philip ...
S. P. ...
James A. ...
Jos. A. ...
Martin ...
Jos. C. ...
Vincent ...
S. J. ...
Jos. ...
James ...

1108 Marsh, Dec 1893

Petition for appointment of
Receivers in re Bridge over
Clearfield Creek

Filed 1st Aug, 1893

1st Aug, 1893

St. Searles

J. H. Alexander

Jos. New Britain

By James M. Smith

Per the Court,

Smith

Columbia County Pa

To the following persons for measuring
site for Bridge over Clearfield Creek at a point
where the road from Chest Springs to Altoona
crosses Clearfield Creek between Clearfield Township and
Brown Townships

John H. Galloway	1 day	24 miles	circumference	Beaver
Joseph Ross	1 "	22 "	"	"
Army Seaman	2 "	30 "	"	Surveyor

To The Honorable A. V. Barker Pres^t Judge
of the Court of Quarter Sess. of Columbia Co.

The Petition of the undersigned inhabitants
of Clearfield, Gullettsin and Deers Townships
in the said County respectfully sheweth
That a bridge is much wanted over the
Clearfield Creek at a point at or near where
the Township road from Chest Springs to Altam
crosses said creek between said Townships and
That the expense of erecting said bridge
would be too burdensome on the inhabitants
of said Townships. Your Petitioners therefore
pray your Honor to appoint proper persons
to view the premises and to take such action
on the subject as is required and directed by Law.
And they will ever pray &c

D. M. Kruger
S. W. Fairley
Lewis Bechtel
George Will
J. H. Patterson
J. J. Rhody
J. C. Rosensteel
J. H.

Joe Garlin
W. B. Graham

Cornelius Garlin
L. J. Will
J. H. Doyle
Dennis Lawley
L. J. Conrad
Philip Togle
E. J. Parsons
William Gallaher
Andrew Dodson
Andrew Colahan
A. Kuboo

W Mansfield Geo. E. Litzinger
H. G. Hager Ed. Trexler
~~Henry Hager~~ Isaac Davis
Serenee DeFozier Henry Litheris
Rud. Ellingerwald Henry Swankart

~~John W. Hitts~~ John Thrazer
Mt. Dingenfelter S. H. Kouty
H. M. Gallagher Geo. Olevanger
John H. Harty
H. H. Hair
Edward Nagle J. T. T. T. T.
G. D. Burgeon

John McDaniel
G. B. Douglass James W. W. W.
J. A. Winters
E. J. Lanning
P. A. Melhorn
J. M. Melhorn
R. L. Mill
Hugh Boggs Richard J. Tree
W. R. Roddick
A. C. Platt
G. G. Sussmader
Chas. L. Carl
Geoff Myers
W. Douglass

State of Pennsylvania)
County of Cambria 388

Personally appeared before me a Justice
of the Peace in and for said County
James H. Trexler a Citizen of Gallitzin
Township said County, who being duly
Sworn according to law doth depose
and say that in 1891 he was Supervisor
of said Township that he did as such
officer post a notice on the Bridge
across the Clearfield Creek at
Athville notifying the publick that
said Bridge was condemned and
unsafe for travel and that it was
condemned by three sworn viewers
that it is now unsafe and growing
worse that it is only temporarily
propped up with timbers and is
liable to go at any time.
that the Bridge is not sufficient
to haul a heavy load over

J. H. Trexler
Sworn and subscribed
before me this 28th day
of April 1893
W. G. Myers J.P.

W. W. Womerville E. R. D. ...
Thos. L. Linger Gus Perry
Lemur Stevens G. W. Brown
Johna. McGuire
Daniel P. Hartin J. H. R. Cole
Thos. H. Myers E. W. Stoy
Albert Gouard H. G. ...
H. C. Miller ...
Wm. Byron Sharkey Kratzer
John Johnston Edward Dyle
W. K. Douglas M. Ivory
Samuel B. Haupt ...
James A. Treher ...
John H. Feknerud ...
Frank H. Basal ...
Harry Mallett
Bernard J. Delany
Miram McQuirk
Thos. Lamoghe
Edward Glass
Gust Jost
Edward Insey
Jacob P. Slotk
Kennedy E. Nesom
Gloria Will
J. ...

*In re Judge over
clearfield Creek*

In the Court of *Quarter Sessions*
Common Pleas
of Cambria County, Pa.

Of *March* Term, A. D. 189*3*, No. *8*
Rd

And now, to wit, the *Eighth* day of *January*, A. D. 189*4*, 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

5th of *January* 189*4*
J. G. Harty
Prothonotary.
Book 2, p.

To *F. A. Shoemaker Esq*
Atty for Petition

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 *Excerptants* on part of
the *Excerptants* will be taken at the *Attorneys Room in*
Court House at Chambersburg Pa on *Saturday*
the *13th* day of *January*, A. D. 189*4*, between the hours
of *9* o'clock A. M., and *10* o'clock P. M., before *J. Little*
a Commissioner in and for said *Court*

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. G. McKinnis
Atty for Excerptants

Geo. Burdick
New Bedford

Nov. 11th Dec. 1891
P.M.

By me George Owen
Newfield Tenn

(Saturday June 13'94)

RULE ON PART OF
Geo Owen

W. H. Burdick

IN RE BRIDGE | In the court of Quarter sessions
 | |
 | | of Cambria County Pennsylvania.
 | |
Clearfield creek at Ashville | No. 8 March term 1893 R. D.

DEPOSITIONS OF WITNESSES, taken this 13th day of January
A. D. 1894, at the Attorney's Room in the Court House at Ebens-
burg, in pursuance of the foregoing Rule of Court and Notice
thereon endorsed, for the taking of depositions, to be read in
the hearing of the above cause on the part of the Exceptants.

F. A. Shoemaker, Esq., appeared for the Petitioners.

J.F. McKenrick, Esq., appeared for the Exceptants.

And now January 13th 1894, it is hereby agreed by and between the parties and their Counsel, that the depositions taken in pursuance of the foregoing Rule and notice, be taken by the said Commissioner in shorthand, and a transcript made from his notes; said transcript, to have the same force and effect as testimony taken in long hand, read to and subscribed by witnesses.

John Dougherty called and sworn:

By Mr. Mckenrick:

Q. You may state where you live? A. I live in Ashville, Cambria County.

Q. What is your business? A. Blacksmith by trade.

Q. Do you own real estate? A. Yes sir, I do.

Q. State just where the real estate that you own is situate with reference to the location of the bridge view. A. Well, As far as I can understand, my real estate is in Dean Township; I am paying taxes in Dean Township.

Q. How much land is there in the tract you refer to. A. I would not be able to answer that question; it is a very poor piece of ground; unless I had the size and draft of it to make an estimate of it it would be hard for me to answer; it is wide in the center, and the shop sets down to the creek, except the east side of it; I have a little lot of ground there that is my yard room, at the east side of it; but to say the size of it, I would not be able to answer that question.

Q. Does it contain a quarter of an acre? A. No sir, nothing like it; I can safely say nothing like it, nor near it; it is a pretty small piece.

Q. State whether or not it is bound by Clearfield Creek? A/ Well, Clearfield Creek runs right to the back of it; I set it as close to the edge of it as I could to get yard room.

Q. What do you use this piece of ground for? A. I use it for my own individual use.

Q. Do you live on it? A. I erected a blacksmith shop on it.

Q. Do you use it all for the purposes of your blacksmith shop? A. Yes sir, and far more if I had it.

Q. What is the value of your improvements upon the land.

A. I consider the value would be, at the least calculation, \$800.00; I would not like to take less; I consider it, \$800.00 to me.

Q. You are the John D'ugherty, who filed the exceptions to the report of Viewers? Yes sir, I am.

Q. State how the location of the bridge as fixed by the first view, affects your property. A. The first view would run across the only piece of ground that I have, and destroy it completely, and put up a big fill, and throw me down at the side of the fill; then I would have to go in and buy a frontage from the Trexler heirs, which I consider, destroys my property entirely.

Q. Would the filling of the approaches to the bridge, cut off the only means of access which you now have to your shop? A. Why yes, that review would cut it off and destroy my property.

Q. I am referring now, to the first view. A. Yes sir, that I think, the first view, would destroy my property.

Q. Do you mean the view made by Shoemaker, Gates, and Maloy? A. Yes sir, Shoemaker, Gates and Maloy, that is right.

Q. Then you mean the view and location filed 5th June, 1893

A. Yes sir, that would destroy my property.

Q. Were you there at your shop at the time that the Viewers, were on the ground? A. Yes sir, I was.

Q. Did they appraise and assess to you any damages? A. No sir, they did not.

Q. Did they procure from you ^{at} a lease of the land? A. No sir, they did not.

Q. Did you notify them there, of your objections to the location, and the damages that it would be to your land and business? A. Well no, I didn't do that; I will answer you in this

way; I walked out and I says to Mr. Shoemaker and Mr. Gates, I says what are you doing there; they said to me, we are locating a bridge; and I says you get off my property, and I ask them if I didn't make them an offer--didn't make Mr. Shoemaker an offer; he denied me of that, he said no; and him and I had some words and I says, you get off my ground; he says, I have authority to go on your ground; I says show her up, and he pulled out his papers and I said alright and walked away; that is what passed there.

Q. Now, the location of the view, as fixed by those Viewers passes through your ground? A. It entirely strikes through my ground, and then strikes Kratzer's.

Q. How much of the ground there, would be occupied by the road and approaches to the bridge--what portion of your ground.

A. It would not run over twenty feet ^{through} in length.

Q. And would the entire width of the road and approaches be taken off your ground? A. Yes sir, it would ^{be} taken by the view from my ground.

Q. How much of a fill would be required for the bridge? A. I could scarcely be able to answer that; it would be according to the height that they would put the bridge, but I think it would take a pretty large fill to bridge it; it would take a hundred and twenty feet in length.

Q. To what width would the fill be over your land? A. Well, it would be pretty high; it would be near twenty feet, according to the raise of the bridge, it might throw it up ten feet, in that short distance; it would be a high fill there is no mistake in it according to the height; it would be hard to estimate but I would safely say ten feet at most, to the raise.

Q. Mr. Dougherty, would the abutment of the bridge be built on your land? A. Yes sir, altogether.

Q. How far from your shop would the abutment stand? A. Well, it would run against it, about one corner of it.

Q. On the front of it, or rear of it? A. On the end of it like, the east end of it as near as I can recollect.

Q. Would it interfere with your shoeing ground or sheds? A. Yes, it would interfere with my yard, altogether; it would completely destroy all the yard I have.

Q. Do you know the present location of the bridge crossing Clearfield Creek, on the road leading from Chest Springs to Altoona? A. Yes sir.

Q. How far is it from the center of the road to the center of the location of the end of the bridge next to your shop?

A. Well, I would not be able to answer that question; I will answer that in this way; the present bridge is one hundred and one feet long.

Q. Now, how far is it from the present road to the center of the bridge, as they located it on your ground? A. From the edge of the present road to this, would be forty-four feet.

Q. Is the new location, down the creek from the old bridge? A. Down the creek.

Q. How far is it from the present public road, leading across the old bridge to the edge nearest or the center of the bridge, as they located it on your ground? A. Forty four feet.

Q. Do you mean forty four feet from the outer edge on the side next to the new location? A. Forty-four feet from the outskirts of the old road, they are using, it is forty-four feet.

Q. How far would it be, on the opposite side of the creek from the end of the bridge, located by the Viewers, to the edge of the present road; measuring the same, as you did on this side?

A. Well, I would safely say, it would be two hundred feet, from

the old road bed to the approaches.

Q. Is there a public road, leading up to either end of the bridge as located by those Viewers? A. No sir, not without lo-
changing the location of the public road.

Q. Would the new bridge be required to be longer than the old bridge? A. Yes sir.

Q. How much? A. I would safely say it would take fifty or a hundred feet more of a span.

Q. Is the abutments of the old bridge, on solid Lank?

A. Yes sir, there is two of them as solid as the day they were put there; they will never give away; there is one at the far end that is the one that is giving way; some of them call the fill and the wing wall the abutment, but I could see that I could not testify to that.

Cross examination, by Mr. S^{oemaker}:

Q. What improvements have you upon the lot? A. I have a blacksmith shop erected upon it.

Q. What is the size of it? A. It is 20x46 feet as near as I can recollect.

Q. What did it cost? A. Well, I would be unable to answer you that question. I haven't figured it down. I suppose I could answer it if I figured it

Q. About what did it cost? A. I would be unable to answer that question.

Q. Please give us an approxiamte valuation of the cost. A. well I would safely say, it cost me over \$250.00 at the least calculation.

Q. What did you pay for the lot? A. I paid Mr. Kratzer

\$50.00 for it, I was to pay him \$60.00, I don't know if I have it paid or not.

Q. Sixty dollars is the price? A. Sixty dollars is what he asked for it; I don't know what I paid him, I paid him fifty dollars.

Q. If the center of the proposed new bridge is sixteen feet north of your shop, how much of your lot would it take? A. Now I would consider it would take all, which it would; from the centre of the bridge north to the shop it would take all.

Q. If the center of the proposed new bridge, is sixteen feet north of your shop, how much would the erection of this bridge take off your lot? A. I say, it don't take any off, it goes through.

Q. Can you give the dimensions of the lot you have? A. No, I would not be able to give it, I guess Mr. Kratzer, can give it, he sold the ground to me.

Q. Can you give approxiamtely, the dimensions? A. I would be able to answer it, if I had measured it.

Q. The western boundary is on the Clearfield Creek? A. Yes sir; I suppose the western boundary would be on Clear field Creek.

Q. And would forty feet by eighty feet be the approximate size of the lot? A. I would be unable to answer that; I have got the draft and everything, but I havn't got it with me.

Q. Which is the long way of the lot, from the creek towards Ashville? A. The long way would extend up and down the creek, and the short way would be in the middle.

Q. East and west from the creek toward Ashville? A. Yes sir

Q. How far does your building extend towards the eastern boundary? A. About seven or eight feet from the boundary; not over that

Q. And what would be the extent of the ground, outside of your building, on the eastern side? A. There would be a portion on the eastern side, yes, that is right; seven or eight feet would not be an average, it would be the distance from the centre.

Q. What is the width at each end? A. It runs to a point, I can't tell you how narrow it is, maybe not a foot wide, that is on the east side, and twenty feet on the north.

Q. Do you occupy any other ground, than your own, for the purpose of standing wagons, luggies, etc. that have been brought there for the purpose of repair. A. I have to occupy the public road sometimes; I have to do it; I hain't room enough, I must go on to the public.

Q. Who owns the ground on the north, east and south of you? A. I would be unable to answer that question; I suppose David Kratzer and David Trexler's heirs as near as I can tell.

Q. David Trexler's heirs would be on the south? A. No sir, not as I know of, they would be in front of me on the east. they may run to the south, I dont know their lands, but they are in front of me, right in front of my door.

Q. The Township road being the division line, who would own the property on the south? A. As near as I can answer, that question, it would be David Kratzer, John Dougherty, and Trexler's heirs.

Q. You say that it would require about one hundred feet more of a span for a new bridge, than for the old one; have you measured any of the distances? A. No, I havn't measured any distances.

Q. Then you don't know how much additional span it would take to erect a new bridge? A. Certainly I know it will take a longer span for a new one than for the old one, I haint measured it though. I don't base it on heresay.

Q. Nor the measurement? A. No sir, I don't.

Q. Do you occupy any other ground than your own, than the Township Road that you have already testified to, for your wagons, buggies etc. A. No sir, I don't; I admit that the public road runs past there and there is wagons standing there on the public highway.

Q. Then you don't occupy any other ground than your own than the highway? A. No sir.

Q. Has the height of the approaches that would be required to the new bridge on the eastern side been ascertained by any engineer? A. Yes sir it has.

Q. By whom? A. Henry Scanlan.

Q. And does he report anything, as to the height of the bridge? A. I don't know what he reported, that a'n't my business.

Q. Was it from him that you got the idea that the approaches would be ten feet high as required? A. No sir, I didn't ask any one, I didn't base it on hearsay; I take it from my own estimate.

Q. How do you know that he estimated the approaches? A. I didn't say so.

Q. I asked you, whether or not the height of the approaches had been ascertained by any engineer? A. I misunderstood you on that; I should say no.

Q. Do you pretend to say that if the centre of the bridge is sixteen feet North of your shop, that the bridge would occupy all your lot? A. The approaches will occupy my lot, and will destroy my property entirely.

Q. I asked you if it will take all your lot? A. No sir, it will not take it all, but it will damage it until it a'n't worth anything at all.

Q. Is the entrance to your shop on the north or on the east

A. On the east sir.

Q. Would not a road, extending west from the end of the proposed new bridge, connect with the township road in front of David Kratzer's house. A. It would, but they would have to change the location to make it straight; they would have to come through the center of my shop to make it straight.

Q. Where is the new road which you speak of, that would connect with the new bridge? A. That was the road leading out to Mike Willis property and the Dry Gap Road connected with it.

Q. Does that road come out east or west of Kratzer's house?

A. It would come out east.

Re-direct examination, by Mr. McKenrick:

Q. When you say that the approaches to the bridge would take all of your lot, do you mean that all of your ground would be covered by the bridge? A. I certainly do.

Q. Would the filling up of the approaches, interfere with the use of your shop. A. It certainly would

Q. What amount of damages do you claim, the construction of the approaches, and the change of the road there would amount to? A. I would consider it worth nothing at all to me.

Q. What is the damage to you? A. I consider it would destroy the property; it is worth \$800.00 to me if it is worth anything.

Q. And you do claim that amount of damages, if the bridge is located on that proposed site? A. I would consider that it would destroy that property entirely.

Re- Cross Examination by Mr. Shoemaker

Q. If your lot extends eighty feet in length along the creek, and the centre of the proposed new bridge is sixteen feet from the shop, how could the bridge cover your whole lot?

A. Well I han't basing that on hearsay, like Mr. Kratzer, he heard it from witnesses; I have got it from where the men stood.

Q. If your lot extends along the creek eighty feet and the centre of the bridge is sixteen feet from your shop, how would the approaches cover your whole lot? A. It must run through mine before it strikes Kratzer's.

Q. How would it cover your whole lot? A. I don't say it covered my whole lot, it destroys my whole lot, and the fill injures me, and the Trekler's cut me off in front.

Can you have an entrance on the East or South side of your shop, uninterfered with the approaches to ~~to~~ the new bridge? A.

I don't understand that; I don't know how I could get out; there could be an entrance on the upper side of my shop, but it would run through my property.

Q. I am talking about your individual property, you say this would destroy it on account of this fill; now then, can there be an entrance to your shop on the East or South, without being interfered with by the approaches? A. There can be no entrance; when it touches my ground it would be graded to the fill, unless they would run it below Kratzer's dam, or get above my property; they could do that.

Don't you know Mr. Dougherty that an entrance can be had on the East side of your lot so that you can keep your premises without being interfered with in any way by the approaches to the new bridge? A Not at all.

Daniel P. Hanlin, called and sworn.

By Mr. McKenrick:

Q. Where do you live? A. Gallitzin Township.

Q. What is your business? A. Supervisor of Gallitzin Township.

Q. Are you acquainted with the proposed location of a bridge across Clearfield Creek on the road leading from Chest Springs to Altoona, as returned by Snoemaker, Gates, and Maloy? A. Yes sir I was there at the view.

Q. Do you know the location of the blacksmith shop of John Dougherty? A. yes sir.

Q. How does its location affect the lot of Dougherty? A. All I know is hearsay.

Q. Have you been on the ground? A. Yes I have.

Q. Do you know where the shop is? A. Yes sir.

Q. Do you know where the view passes? A. Yes sir, only, I am not acquainted with his lines only what he told me.

Q. Do you know where the approaches of the bridge are located? A. No sir, I wasn't there, only what I was told.

Q. Do you say you don't know where it was located? A. Only what I was told.

Q. Is it located on the public road leading from Chest Springs to Altoona? A. The approaches would go out on to that public road.

Q. I mean is the bridge that is located---- A. Well it would be moved considerably down from the old bridge.

Q. How far? A. One hundred and sixty or one hundred and eighty feet as near as I can tell.

Q. Below the old bridge? A. Yes sir, that is from the centre.

Q. Is the land from the creek to Dougherty's shop steep or is it flat? A. Well it is steep from Dougherty's shop down to the creek.

Q. How much descent is there? A. I would hardly be able to answer that; it is a good fall; I would not know what fall to set on that.

Q. The public road leading from Chest Springs to Altoona crosses the creek at the old bridge? A. It crosses at the present bridge.

Q. Did you help make measurements from the present bridge down to the proposed site of the new bridge? A. No, we didn't measure that far; I helped to measure it from the approaches to John Dougherty's shop, and that is thirty-five feet, and we made another measurement, but I can't remember that now.

Q. Now, you understand that the proposed bridge is beyond the shop sixteen feet? A. Sixteen feet.

Q. That is the distance from the corner of his shop? A. Yes sir.

Q. And sixteen feet further would make thirty-two feet? A. Yes sir.

Q. Then about what distance is it from the approaches of the old bridge to the proposed site of the new bridge? A. I think I answered that before; one hundred and sixty or one hundred and eighty feet.

Q. Is that on the side the shop is on or is that on the opposite side of the creek? A. That is from the old bridge down to the sixteen feet below the shop.

Q. Does the public road leading from Chest Springs to Altoona cross the creek where this new bridge is located? A. No sir.

Q. From what you know of the location of Dougherty's blacksmith shop, and the proposed site of the new bridge, would it damage his property to construct the road and bridges on it? A. I would not be able to answer that question; just as I said before, it is only hearsay that I know how much ground he owns there.

Q. To build the road and approaches to the new bridge sixteen feet north of his shop, would it require a fill? A. Yes sir.

Q. Would that fill injure his property? A. If he owns the property that he told me he does, it certainly would.

Q. Would the fill and bank be right up against the corner of his shop? A. I don't know.

Q. What is the width of the public road where fills are made? A. I don't know about fills; thirty-three feet is the width of the road.

Q. If the centre of the bridge is sixteen feet north of the shop, and the public road is made thirty-three feet wide, the fill would extend beyond the line of his shop would it not? A. I don't know the width of the approach.

Cross examination by Mr. Shoemaker:

Q. Then as I understand it the approaches from the East and West would connect with the main road on the Eastern side and on the Western side to the new bridge? A. The approaches, yes sir.

Q. They would run out to the public road? A. Yes sir.

Q. You don't know anything about the extent of the ground owned by Mr. Dougherty, except your hearsay? A. That is all.

Re-direct Examination by Mr. McKenrick:

Q. You have just testified in your cross examination to the approaches from both ends of the bridge running out to the public road; do you mean that that in order to construct the necessary fill leading to the proposed new bridge that these approaches or fills would have to be run back far enough to reach the public highway to properly construct them? A. They would on the East side to the best of my knowledge.

STATE OF PENNSYLVANIA |
 | SS.
COUNTY OF CAMBRIA |

I do hereby certify that the foregoing witnesses were duly examined at the time and place stated in the foregoing caption, that the same was reduced to writing by me in their presence and that the foregoing is a correct transcript taken from my notes in accordance with the terms of the agreement between counsel.

Witness my hand and seal this Seventeenth day of January
A. D. one thousand eight hundred and ninety-three.

P. J. Little 
Commissioner

No 8 March Term 1898
R. D.

In re Bridge over
Eberfield Creek at
Ashville.

Deportations on part of
Scriphtants

Fein 21 July, 1898

Commissioner's Fee \$4.50
Paid by J. S. M. Stewart
P. J. Little

*June bridge over
Bearfield Creek*

In the Court of ^{Quarter Sess.} ~~Common Pleas~~
of Cambria County, Pa.

Of _____ Term, A. D. 189 _____, No. _____

And now, to wit, the *third* day of *Jan^r*, A. D. 189 *4*, Rule
on part of *petitioners* 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

3rd of *Jan^r* 189 *4*
J. B. Darby Prothonotary.

To *M. P. Bittel, esq., & J. F. McKendrick, esq.*

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 *rule* on part of
the *petitioners* will be taken at the *office of S. Myers*
esq. in Ashville, Pa on *Friday*
the *twelfth* day of *January*, A. D. 189*4*, between the hours
of *10* o'clock A. M., and *twelve* o'clock P. M., before *A. J. Little, esq.*
Commissioner 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.

F. A. Spornaker
Atty. for petitioners

170
Dear Sir
I have the pleasure
to inform you
that your
order for
100
dozen
of
your
order
has
been
filled
and
is
now
being
shipped
to
you
by
the
next
train
and
will
reach
you
in
about
three
days
time
I
am
very
truly
yours
J. H. [unclear]

RULE ON PART OF

John H. [unclear]

Answered on July 4th 1894
on Friday 5th Jan 94 by giving him
a true copy of the
[unclear]
Printed at [unclear]

Shrewsbury

IN RE BRIDGE. | In the Court of Quarter sessions
 |
 | of Cambria County Pennsylvania.
 |
Clearfield Creek at Ashville | No. of Term 189

DEPOSITIONS OF WITNESSES, taken this 12th day of January
A. D. 1894, at the office of D. G. Myers Esq., at Ashville Pa.
in pursuance of the foregoing rule of court for the taking of depos-
itions to be read in the hearing of the above stated matter on the
part of the petitioners.

No counsel appeared for either Petitioners, or Except-
ants.

D. R. Moore called and sworn.

Q. By D. M. Kratzer;

Q. Where do you live? A. I live in Altoona.

Q. Where is your present business location. A. It is mostly in Gallitzin Township.

Q. What is your business? A. Lumbering, coal and stone.

Q. You have been over the ground where the proposed bridge is to be located? A. Yes sir.

Q. You are acquainted with the location of the present bridge over Clearfield Creek? A. Yes sir.

Q. Whose property is the bridge which is proposed to be built be erected on? A. I cannot say that; I think mostly on D. M. Kratzer's .

Q. What is the value of the property which will be utilized in building the bridge? A. I could not answer that, I don't know how much you are going to utilize; I don't know how much ground you are going to use; I can't answer that.

Q. In your opinion , is the location that has been selected for a bridge, the best location for a bridge across Clearfield Creek at that place. A. No, I think the old one is the best; where the old bridge is, is the best location that can be got; It is the best bridge for the least money and easily kept up.

Q. Will the public road running from Chest Springs to Altoona be changed to any great extent by constructing the bridge at the point proposed by the viewers? A. No, it would not be changed to any great extent.

Q. Would it straighten the public road? A. I dont think it would; so little, that it would not be noticeable.

Q. Is the public road at the present location straight; A. No, there is a curve.

Q. Which way is the curve? A. This would be on the inside of the curve; this would take a portion of the curve out.

Q. Will the road when changed to make the approaches to the proposed new bridge, pass over valuable private property? A. No, I think not.

Q. From your knowledge of the location, do you consider that it is beneficial to the public that the new bridge should be erected at the place selected by the Viewers? A. Well now that is a question that is very hard to answer; It would be beneficial to the public to build a new bridge, but as to changing the location, I don't think it would benefit the public any; I would answer that this way: That it would n't benefit the public to change the location.

Q. In building the bridge, would it be any interest to the County? A. No, it would cost as much to build it one place as another.

Q. It would straighten the road to a certain extent to build it on the proposed plan? Q. It would straighten it a little, but the public would not gain anything on that; there would be no gain in that.

Q. The old bridge is too short for the amount of water that comes down? A. Yes, the old bridge is too short for the amount of water; the new bridge would have to be lengthened if you want a permanent bridge.

Q. What length would be sufficient for the water flow? A. It ought to be thirty or forty feet longer at least; it ought to be one hundred or one hundred and fifty feet.

Q. Then the new location in that respect is better than the old in making it longer? A. No, there is nothing in that.

Dr. H. Somerville, called and sworn.

By D. M. Kratzer:

Q. Where do you live? A. Chest Springs.

Q. What is your business? A. Physician.

Q. Do you travel much over the road leading through here?

A. Very frequently.

Q. You have been over the ground where the proposed bridge is to be erected? A. I have.

Q. You are acquainted with the location of the present bridge over Clearfield Creek? A. I am.

Q. Whose property will the bridge which is proposed to be built be located on? A. Well I think partly on D. M. Kratzer's and partly on John Dougherty's.

Q. What is the value of the property which will be utilized in building the bridge and approaches? A. I am unable to make an estimate.

Q. In your opinion is the location that had been selected for a new bridge the best location for a bridge across Clearfield Creek at that place? A. It will make the best bridge at that point.

Q. Why? A. It will be straighter, and you can see across the bridge from both approaches.

Q. Is there any other reason why it should be there? A. Well it will give you a wider water way; where the present bridge stands, the water course is too narrow, and on the new site it would be much better.

Q. Will the public road running from Chest Springs to Altoona be changed by the erection of the proposed new bridge? A. It will be straightened some.

Q. Would that be an advantage? A. Yes sir.

Q. Will the road when changed to make the approaches to the proposed new bridge, pass over valuable private property? A. I don't know the value of the property there; of course, the property is worth something there.

Q. Will the road, if it were changed, to connect with the bridge at the new location occupy much private property? A. Not a great deal; they would use part of the old road until they would reach that.

Q. How much new road would have to be made to reach that? A. On this side of the bridge, there would have to be, I suppose, one hundred and fifty or two hundred feet, and on the other side possibly three hundred feet.

Q. Who owns the property on the other side? A. I think David Kratzer.

Q. From your knowledge of the location, do you consider that it is beneficial to the public that a new bridge should be erected at the place selected by the Viewers? A. I do.

Q. Why do you think so? A. Well I did answer that before; that location will make a much better bridge and will straighten the road, and get a clear view of the bridge from both approaches and make a wider water course; which is badly needed; as it is, I have had to wait for nearly half an hour for the water to go down before I could cross the bridge.

Cross examination by John Dougherty.

Q. Which does it run through Kratzer's property or mine? A. This lower view as I understand, runs through both of you.

Q. Does it not damage my property by this view there? A. It takes some of your property, and by utilizing it for bridge purposes, it would certainly damage you.

Harry Marrett, called and sworn.

By D. M. Kratzer:

Q. Where do you live? A. I live in Dean Township.

Q. What is your occupation? A. I am a farmer.

Q. Do you frequently travel over the road where the bridge is proposed? A. Yes, sir.

Q. Do you know where the proposed site of the new bridge is located? A. Yes sir.

Q. Do you know the location of the old bridge? A. Yes sir.

Q. You have been over the ground where the proposed bridge is to be located? A. Yes sir.

Q. Whose property will the bridge which is proposed to be built be located on? A. On Mr. Kratzer's on the west side, and Mr. Dougherty's and Mr. Kratzer on the East side.

Q. What is the value of the property which will be utilized the bridge in building and approaches in your opinion, as the location has been selected. A. I could not make an estimate.

Q. Is the location that has been selected for a new bridge the best location for a bridge across Clearfield Creek at that place? A. I think it is the best location; it makes the road straighter; it takes some of Dougherty's property, and he should be recompensed for that property; it would be a damage to him.

Q. Is there any other reason, why it would be the best location? A. It would make the road straighter, and it would be better; it would make more space for the water to go through.

Q. Would the road be changed much from the old location to the new location? A. Not much on each side; I suppose about a hundred feet from stepping it.

Q. What is your opinion, in regard to the length of the old bridge as to the water way. A. It is not long enough and high enough.

Q. Could a longer bridge be built on that location? A. It could be built without much expense.

Q. Do you know of any other benefits that the public would have that you havn't named, by the construction of the new bridge on the proposed site of the new location? A. Nothing more than it would make a better bridge, and better location; it would be higher, and then you would go straight across, and could see a man coming on the other side, and if you go across the bridge on the present location, sometimes, you could not see one coming on the other side of the bridge.

Q. Do you know the value of the property in this town?
A. I could not state that, I dont know,

Samuel Kelly, called and sworn.

By D. M. Kratzer:

Q. Where do you live Mr. Kelly? A. Chest Springs.

Q. What is your business? A. I am not doing anything at the present.

Q. Have you traveled over the road from Chest Springs to Ashville? A. Yes sir.

Q. Have you traveled it frequently? A. I would average about twice a month.

Q. Do you know the location of the proposed bridge over Clearfield creek? A. I know only what you fellows showed me, I didn't see the view of it.

Q. The location is sixteen feet north of Dougherty's blacksmith shop. A. I know that location.

Q. Do you know the location of the bridge that is there at the present time? A. Yes sir.

Q. What is the value of the property which will be utilized in building the bridge and abutments, in your opinion? A. I could not say, I don't know what property is worth here.

Q. In your judgement, which location do you consider the best, the new location or the old? A. I don't consider either one of them in the proper place.

Q. Is the new location superior to the location of the old bridge? A. They both would make a crook in the road; it would not be straightened or be any benefit.

Q. Would the new location straighten it to a certain extent? A. It would a little, but not very much, I don't think.

Q. Will the public road running from Chest Springs to Altoona be changed to any great extent by the proposed new bridge? A. Not very much; I suppose, it would be one hundred and fifteen or one hundred and twenty feet.

Q. Would there be any benefit derived by having a bridge built at that point? A. There should be a bridge built there.

Q. What is your opinion of the old bridge, in regard to the water? A. Well the bridge is too short, and too low, a little low; it should be forty or fifty feet longer for the water to go through.

Q. Would the proposed new bridge remedy that? A. If they build it right.

Q. Is the location such, that they could build a bridge and remedy that? A. Yes sir.

Q. Have you seen the water when you could not cross the old bridge? A. I never saw it so high that you could not cross, but I saw it so high that a horse had to wade; you could not tell whether you were on the road or not; I mean on the west side of the bridge, you would not know whether you were on the bridge or off it.

C. H. Perry, called and sworn.

BY D. M. Kratzer:

Q. Where do you live Mr. Perry? Chest Springs, Pa.

Q. What is your business? A. Doing a little lumbering and store-keeping.

Q. You have traveled the road frequently, leading from here to Chest Springs? A. Yes sir.

Q. You have been over the ground where the proposed bridge is located? A. I was over what they said was the place, but I never saw any draft, and wasn't there when they viewed it; they told me it was the place.

Q. It was the ground, some sixteen feet below the blacksmith shop that you saw wasn't it? A. Yes sir, they showed me a place there.

Q. You are acquainted with the location of the present bridge over Clearfield Creek? A. Yes sir.

Q. Whose property, will the bridge, which is proposed to be built, be located on? A. I guess, on Mr. Dougherty's and Kratzer's.

Q. What is the value of the property, which is utilized in building a bridge and the abutments? A. I could not tell.

Q. Do you consider the new location, superior to the old location? A. Well, I suppose, that it would make it better than the old, but I would not favor either one of them, if I were put on a view of bridge.

Q. Why do you consider it superior to the old? A. One thing it would make it a little straighter, it will cost a terrible sight more though.

Q. Would the road be changed to any great extent by changing

1
... ..
the location? A. Yes, it would change it some, I could not say how much; I didn't measure, I suppose, one hundred and twenty-five or a hundred and fifty feet out of its present location.

Q. Would that be on valuable property? A. Well, according to the way it was showed there, it would be on some property of Mr. Dougherty's; he considers it worth considerable to him, the way he is situated.

Q. What is your opinion about the old bridge, with regard to the water way? A. It is not a long enough bridge, for the water way there.

Q. Would one built on the proposed location remedy that in length? A. If it would be long enough it would.

Q. Have they facilities on the proposed location to lengthen the bridge? A. Yes sir.

Cross Examination by Mr. Dougherty:

Q. Would it not injure my property, where the proposed bridge is located? A. It would take off your land, through part of your land, I suppose, it would use all you have below the shop; as I understand it, it would take all you have below the shop.

W. K. Douglass, called and sworn.

By D. M. Kratzer:

Q. Where do you live Mr. Douglass? A. Allegheny Township.

Q. What is your occupation? A. Farming when I do anything.

Q. You have been over the ground where the proposed bridge is to be located? A. I have.

Q. You are acquainted with the location of the present bridge over Clearfield Creek. A. Yes sir.

Q. Whose property will the bridge which is proposed to be built be erected on? A. The most of it on David Kratzer's.

Q. What other ground will it be on? A. On John Dougherty's.

Q. What ^{do} you consider the Dougherty ground will be worth? A. The whole thing of Dougherty's property, that's middling hard to answer; the way the thing is located now, I suppose one hundred dollars would be the value of that ground; that would be compensating the cutting him off his yard.

Q. In your opinion, is the location, the best location over Clearfield Creek, at that place? A. It is the best of the two locations, but I would not consider it the right location at all.

Q. What two locations do you mean? A. The one between the bridge and the shop, and the one at the lower end of the shop.

Q. Would the public road leading from Chest Springs to Altoona be changed to any great extent? A. It would be changed some little and made straighter than it is at the present time.

Q. Will the road when changed to make the approaches to the proposed new bridge pass over valuable private property? A. No.

Q. From your knowledge of the location, do you consider that it is beneficial to the public that the new bridge should be erected at the place selected by the Viewers. A. Well, it would be the best location, and it would be beneficial to the public of course.

Q. Why? A. It straightens the road and you could see from one side of the bridge to the other, which makes it better than any other location on the present site; I have driven onto the bridge and would have to back off; you could not see teams coming on at all; the shop is in the road and the turn in the road before the shop was there, and would have to back off.

Q. What about the water way? A. The old bridge is not high enough, has not space enough for the water to go through.

Q. What is your knowledge to the travel over this road? A. It is the main thoroughfare from Carrolltown-- and you might say, from this portion of the County to Altoona.

Q. Is it used as much as other roads? A. I consider it used more than any of our other roads across the country.

Cross examination by Mr. Dougherty.

Q. Which would be the cheapest location, above or below, for the county? A. You could put a bridge above cheaper than you could below, but it would not be heading with the road at all; if you just look to the finances of the affair the other would be the cheapest.

Dennis Caully, called and sworn.

By D. M. Kratzer:

Q. Where do you live Mr. Caully? A. Ashville.

Q. What is your occupation? A. Merchant.

Q. You have been over the ground where the proposed bridge is to be located? A. Yes sir.

Q. You are acquainted with the location of the present bridge over Clearfield Creek? A. Yes sir.

Q. Whose property will the bridge, which is proposed to be built be located on? A. Dougherty's and Kratzer's I understand.

Q. What is the value of the property that will be utilized in building the bridge and approaches? A. I could not say what the value would be.

Q. Give an estimate? A. Well, I could hardly tell; of course that is all the yard John Dougherty has; it would be quite valuable to him.

Q. In your opinion, is the location situated and selected for a new bridge the best location for a bridge across the Creek at this place. A. Well, I think not.

Q. What is the distance between it and the other location? A. I think the other one would be less expensive, both to the Township and County; I think it would be a better location.

Q. What other one do you mean? A. The one above the shop.

Q. Will the public road be changed much running from Chest Springs to Altoona? A. Yes, it will be changed some.

Q. Will the road when changed, make the approaches to the proposed new bridge pass over valuable private property? A. No, I don't suppose it is very valuable.

Q. How much ground do you suppose the approaches will take up

A. I suppose it would take an acre of ground.

Q. From your knowledge of the location, do you consider that it is beneficial to the public that a new bridge should be erected at the place selected by the Viewers? A. There should be a bridge erected, but I think the other location is the best according to my knowledge and my opinion.

Q. The one viewed above the shop? A. Yes sir.

Q. The one proposed, would it be better than the one on the old site? A. Yes, on account of the one on the old site is too short a span to leave the water through.

Q. Would a bridge erected on the new site remedy that? A. Yes, I don't know what length of a bridge was petitioned for, if it was thirty or forty feet longer it would remedy it.

Q. Does the site proposed afford facilities for a longer bridge? A. Yes, I think so.

Q. Are there any other advantages in having the bridge built on the site proposed? A. I don't know as there are, any more than it would make the road a little straighter, it would straighten the road more.

Q. What is your opinion about straightening it; so that you could see a team coming? A. I think I could see a team coming either site.

Q. What is your knowledge about travel on this road? A. There is a good deal of travel on it; I suppose more so than any other road crossing the mountain.

Q. Where does it lead from and where to? A. It leads to Altoona.

Q. From where? A. From all points north and west of here

1
O O C
carrolltown, Lorretto, and Chest Springs.

Q. Is it much traveled? A. Yes sir.

Q. By whom? A. By farmers, and other parties that is traveling; all travelers and farmers hauling there produce to Altoona etc.

Peter McKenzie, called and sworn.

By D. M. Kratzer:

Q. Where do you live Mr. McKenzie? A. In Allegheny Township.

Q. What is your occupation? A. Farming a little.

Q. Have you traveled over the old road and bridge. A. Yes sir, I have frequently.

Q. You are acquainted with the present bridge over Clearfield creek? A. I was over it to-day, what they told me was the present location.

Q. Did you notice the location sixteen feet below the shop of John Dougherty? A. Yes sir.

Q. Whose property will the bridge which is proposed to be built be located on? A. Kratzer's and Mr. Dougherty's, so I am told.

Q. What is the value of the property, which is utilized in building the bridge and approaches? A. I cannot say.

Q. Give an estimate of it? A. I could not; if you and Mr. Dougherty were to make me a deed for an acre of ground in there, I would not give ten dollars-- I would not give five; and it is hard for me to tell what the value would be for the public.

Q. In your opinion is the location as selected for a new bridge the best location? A. I don't like either of them for my part; I would be in favor of straightening the road as near straight as possible, I would consider it is a better location than the old one, on account of being straighter.

Q. Are there any other advantages? A. Why it would give the public to see each other on meeting on it, I think considerable advantage.

Q. Have you ever been caught on the bridge with a team?

A. No, I wasn't , I was never caught on it.

Q. Would the public road running from Chest Springs to Altoona be changed to any great extent by the erection of the proposed new bridge? A. Not a great deal, it would be made a little straighter.

Q. Will the road when changed to make the approaches to the proposed new bridge, pass over valuable private property? A. I would say not very much.

Q. What amount of land would it take to make the change and make the approaches? A. I suppose, from three quarters of an acre to an acre would take it in.

Q. Is the land worth any more than what you said? A. It would not be to me.

Q. From your knowledge of the location, do you consider that it is beneficial to the public that the new bridge should be erected at the place selected by the Viewers? A. Well, if they would put the bridge there they would have a chance to make the bridge longer and let the water under it, and of course, make the road straighter, and I would consider that a benefit to the public.

Q. What is your knowledge of the travel on the road? A. There is a great deal of travel on the road?

Q. Who travels the road and what is it mostly frequented for? A. It is traveled by farmers, hucksters, peddlers, and all manner and kind of travel.

Q. From where does it lead and to where? A. From Indiana County to Altoona.

Q. Is it the great highway and most public way for farmers to get to market? A. Yes sir.

Cross examination,

By John Dougherty:

Q. How much wider is the creek from ^{where} the old bridge stands than it is where the review is? A. I think it is as wide again, and maybe it is more I dont know.

Q. Are you not running across Mr. Kratzer's dam with your bridge? A. I gues. we are running it very close; the upper end of it.

By Mr. Kratzer:

Q. Is the old location over the dam? A. Well, I think it is, what might be called over the dam; dont the water dam up there that runs out at the far end; if I know anything about the thing, I would call that, on the dam too.

By Mr. Dougherty:

Q. Would it not be nearer the head of it? A. Certainly it would.

Q. It would not take near as wide a span? A. No sir, and I dont think it would cost half as much money to build the bridge and put in the fill.

By Mr. Kratzer:

Q. Is the old bridge sufficient in length? A. I don't think it is; I don't think it would have swam off so near if it had been forty feet longer; I dont think it is long enough and high enough.

Q. Why do you say it would cost so much more to make it longer? A. The span is that much longer, and the ground for

1
O . .

..O ..

C . . .

filling is longer, and it would take so much more than that, and
it is not solid.

William Moran, called and sworn.

By Mr. Kratzer:

Where do you live? A. IN Allegheny Township.

Q. What is your occupation? A. I would be called a farmer but I have to build wagon ladders to live, and blacksmith a little too.

Q. You have been over the ground, where the proposed bridge is to be located? A. I have been over the ground where they told me there had been a view; one above and one below, I wasn't present at the time of the view; I don't suppose any Viewers were present, when they showed me.

Q. Was it the location, sixteen feet below the shop? A. They claimed that the one view, and between the shop and the old bridge, the other view.

Q. You are acquainted with the ^{location of the} present bridge over the creek
A. Yes sir.

Q. Whose property will the bridge which is proposed to be built be located on? A. Mr. Dougherty and Mr. Kratzer where we were shown.

Q. What is the value of the property which will be utilized in building the approach to the bridge. A. I don't feel able to put a value on it; of course, as Mr. McKenzie said, the far side would be no use to me, and I would if I was in Mr. Dougherty's business, I would set considerable value on what little ground I owned in front of the shop.

Q. Why would you set a value on it? A. For the simple reason I would want yard room, if a vehicle would come, I would have no room to work on.

Q. Can you put a price on it? A. I dont feel like putting an estimate on it.

Q. In your opinion, is the location that has been selected for a new bridge, a better location than the one there now? A. Better than the old bridge, yes sir. I believe the ground above the shop to be as good a location, if not better, with the exception of the curve or crook in the approach; I believe it to be more solid footing on both sides of the stream, and I believe that a shorter bridge will answer the purpose, with regard to water; a shorter bridge on the upper location, than a lower one, you could not have a bridge there to be sufficient in time of ice gorges, without it was remarkably high.

Q. Will the road when changed to make approaches for the new proposed bridge pass over valuable private property? A. I have almost made that remark, that it will pass over, on the other side the ground would not be any use at all to me unless I was a mechanic and in Dougherty's business, I could not set a value on that; the height of the bridge should be made known to the man answering this question so that they would know what the fill would be like at the ends; we have no specifications of the bridge here to go by.

Q. What is your knowledge of the travel over the road? A. There is considerable travel over the road; not near as much as there used to be though.

Q. Who does the traveling? A. Well few Peddlers, farmers selling produce; there is very little lumber.

Q. Where does the road ^{lead} from and lead to. A. It leads from Indiana to Blair County.

Cross examination, by Mr. Dougherty.

Q. Would not this location be across Kratzer's dam? A. The location of the bridge lower down stream would certainly be across the dam.

By Mr. Kratzer:

Q. Is the old bridge across the dam? A. The water backs up under the old bridge; I believe it would be called stagnant water.

Daniel T. Hanlin Jr., called and sworn.

Q. Where do you live? A. Gallitzin Township.

Q. What is your occupation? A. Coal mining is what I
Had been doing last.

Q. You have looked over this proposed location? A. I have
looked over both views.

Q. The one sixteen feet north of the shop? A. Yes sir.

Q. Whose property will the bridge which is proposed to be
built be located on? A. David Kratzer and John Dougherty, I was
told.

Q. You are acquainted with the present location over the
creek? A. Yes sir.

Q. What is the value of the property which will be utilized
in building the bridges and approaches? A. I would not be able
to answer that.

Q. In your opinion, is the location of the proposed bridge
the best location? A. If we would get a new bridge up it would
be better than the one that is there at present.

Q. Would the public road be changed much? A. Not a great
deal, I don't know what distance exactly.

Q. Would the road when changed to make the approaches
to the proposed new bridge pass over valuable private property?
I don't know that; I don't know what you and Dougherty value your
property at.

Q. From your knowledge of the location, do you consider
that it is beneficial to the public, that a new bridge should be
erected at the place selected by the Viewers? A. Not much more,
because all the difference is, it would straighten the road; I
don't see any other difference.

Q. Are you acquainted with the travel of the road? A. Yes,
there is a heap of travel, as much as any other road--more than
any other road I am acquainted with.

John Gibbons, called and sworn.

By D. M. Kratzer:

Where do you live? A. Clearfield Township.

Q. What is your occupation? A. Farmer.

Q. You have been over the ground where the proposed bridge is to be located. A. Yes I have seen it.

Q. You are acquainted with the location of the present bridge over Clearfield creek? A. Yes sir.

Q. Whose property will the proposed bridge be located on?

A. Kratzer's and Dougherty's.

Q. What is the value of the property that will be utilized in building the bridges and approaches? A. I would not know that; I would not know how much it would take off Dougherty; It might take a good deal and it might take very little.

Q. In your opinion, is the location that has been selected for a new bridge a better location than the one that is there now?

A. Yes sir, it is.

Q. What is your knowledge of the travel on the road? A. It is more than any other road I know of in the County.

Q. What is mostly taken over the road? A. Produce and merchandise of different kinds, and business men.

By Mr. Dougherty.

Q. So you say the view at the north end of the bridge is much better than the one at the south. A. Well, I would say below would be the best.

Q. Would it not take a great deal more span to make a bridge there? A. It would take more span, but if a thing is worth doing, it is worth doing right.

1
O C
Q. Would it not be across Mr. Kratzer's dam there? A. It
would be across the dam, but it is across the dam at any rate.

D. M. Kratzer, called and sworn.

My residence is Clearfield Township; I farm and lumber; I live within four hundred feet of the bridge and have lived there since about '57, and I own the land- almost all the land where the proposed bridge is located, sixteen feet north of Dougherty's shop; I sold Mr. Dougherty the ground, and the way I remember the dimensions of the ground; the bridge going sixteen feet from the shop would take very little ground off me; he would have to have it surveyed to tell exactly; in my opinion, it would not take a strip over eight feet wide, and maybe twenty feet long, near twenty-five; I could not tell what it was, without it was measured; then the balance of the view would be on my property, and I don't ask any damages. I don't think at the farthest, the valuation of the property taken from Mr. Dougherty, would be worth over one hundred dollars; it would cross the dam about one hundred and thirty feet below the old bridge, and the old bridge crosses the dam; the dam backs the water up some five hundred yards; with regard to changing the road, the road would be changed some at the ends of the bridge; at the west end they have been using the commons there to drive to different places over it; it would make the road straighter, and you could see two teams, one could see the other coming; I think it would be a benefit to the public, that it would be straightened; we need a bridge very badly; one abutment of the old bridge was knocked down three years ago, that was on the west side; on the east side, the stone is falling down; it is very necessary to have a good bridge; it is very necessary to the general public; the bridge now, you can't go over it safely with a two horse team and load; I made an offer the time of the first view to John Dougherty, of what ground would come lack to me by vacating the old bridge; that I would give to him, and the Viewers agreed to give

him twenty-five dollars for the ground and I would give the ground to him and let the shop be run up stream.

By Mr. Dougherty:

Q. That ground you made this offer for how much was it?

A. I wouldn't be certain, but my idea is it is some twenty feet wide.

Q. Where, in the creek? A. No, out on the bank there.

Q. Was it the abutment or wing wall that gave away. A. ^ISaid the abutment.

Q. Why did you object to this review before? A. I never objected to it.

Q. Didn't you go with me to St. Augustine, to Martin Thomas, and 'Squire Dunegan, to get a remonstrance against this view.

A. I don't mind that; that was the first view, I may have went the first view; I thought you meant this last view.

Q. Well I said they could go through above my shop. A. I say they can go through below your shop.

STATE OF PENNSYLVANIA |
 | SS.
COUNTY OF CAMBRIA |

I do hereby certify that the foregoing witnesses were duly qualified and examined at the time and place stated in the foregoing Caption, that the same was reduced to writing by me in their presence, and that the foregoing is a correct transcript made from my notes.

Witness my hand and Notarial seal this Sixteenth day of January A. D. one thousand eight hundred and ninety-four.

P. J. Little 
Commissioner

To S. M. S. See ~~1794~~
Feb.

In. r. u. Bridge.

over

Clearfield Creek at
Ashville

Feid 20th Jan 1894

Depositions on part of
Petitioners

Commissioner's Ser. Exp. \$ 17.⁴²