



JAMES A. MILLER, called sworn and examined as follows:

Direct examination by James A. McClain, Esq.

Q. Will you please state, Mr. Miller where you reside? A.  
In Barr Township.

Q. Near the town of Spangler? A. Yes sir.

Q. In the town of Spangler? A. Yes sir.

Q. Are you acquainted with the road commonly called the  
Hopper Road? A. Yes sir.

Q. State whether or not between where you live and Bigler  
Avenue whether there is a bridge crossing the East Branch of  
the Susquehanna River on the Hopper Road? A. There is a bridge  
there.

Q. Will you please state with vacation of that portion of  
the Hopper Road to South Ninth Street in the Village of Spangler  
whether or not a bridge is a necessity over the River? A. There  
is a necessity of a bridge over the river, to take the place of  
the Bridge already there.

Q. State whether or not your house is located on the Hopper  
Road? A. Yes sir.

Q. Is there a very considerable amount of travel over this  
road? A. Yes sir there is very considerable travel on this Hopper  
Road.

Q. Mr. Miller have the travel largely increased over this  
road recently? A. Yes sir.

Q. Has there been considerable improvements in your neighbor  
hood in the line of this road? A. Yes sir.

Q. Will you please state whether or not in your opinion a  
bridge on the Hopper Road on South Ninth Street is an absolute  
necessity? A. Of course we would have to have a bridge there,  
we could not cross without.

Q. Mr. Miller will you please state the ~~condition of the~~  
present condition of the bridge on the Hopper Road at Spangler?

A. The one corner of the bridge is just about gone; it is washed  
out under.

Q. The bridge generally is in a dilapidated condition? A.

Yes sir.

*J. C. Little* A.P.

*James A. Miller*  
his  
Mark

CROSS EXAMINATION by J. C. Easley, Esq.

Q. You have stated in your testimony in chief that the  
bridge connecting with the Hopper Road is in a dilapidated  
condition, state if you are acquainted with the bridge at the  
central part of town across the Susquehanna and if so, what its  
condition is? A. I couldn't tell you; I have not been across it  
since last fall.

Q. What was its condition then? A. I didn't examine it  
any it was better then than this we have up here.

Q. Did you know of it having fallen down last fall? A. Yes  
sir.

Q. Did you see it since it was rebuilt? A. I crossed it,  
after it was built.

Q. State whether it was merely repaired or a new bridge? A.  
It was repaired out of old timber.

Q. If the bridge now crossing the stream to the Hopper Road  
was in good condition, would there be a necessity for another  
bridge to take its place? A. Yes there would be a necessity of  
it.

Q. Can you state for what reasons? A. It would cut the  
hill off and make the grade better.

Q. You have stated that there have been considerable improvement in your neighborhood in the line of this road, state whether these improvements are within the Village of Spangler? A. Yes sir.

*Witness*  
*P. J. Little*

*James* *his*  
*A. X. Miller*  
*Mark*

D. C. SULLIVAN, called, sworn and examined as follows.

Direct examination by James A. McClain, Esq.

Q. Will you please state where you reside? A. In Spangler

Q. How long? A. It will be a year about the tenth of this month.

Q. Are you acquainted with the road commonly called the Hopper Valley Road? A. Yes I know the location.

Q. Will you please state where this Hopper Valley Road enters into the Ebensburg and Cherry Tree Plank Road in the Village of Spangler? A. Between <sup>South</sup> Ninth and <sup>South</sup> Tenth Streets.

Q. Are you acquainted with the Bridge crossing the River on the Hopper Road in the Village of Spangler and what is its present condition? A. It is in a bad condition--dilapidated.

Q. Unsafe for travelling? A. Yes.

Q. Mr. Sullivan has the portion of the Hopper Valley Road in the Village of Spangler been vacated and South Ninth Street supplied in its stead? A. I am not aware of the fact that it was vacated.

Q. You know that there was proceedings on it? A. Yes sir I know that there was proceedings on it.

Q. Since you have resided at Spangler has there been a very considerable amount of travel and hauling over the Hopper Road? A. Yes sir there has been a good bit of travel on the Road.

Q. With the vacation of the present Hopper Road in the Village of Spangler to South Ninth Street will a bridge across the River be an absolute necessity? A. Undoubtedly it would.

Q. Will you please state in your opinion the length of bridge that will be necessary to span the river on South Ninth Street? A. If I were putting a bridge there for my own use, I

would put a span there one hundred feet.

Q. Would the building of a bridge of sufficient capacity to admit of the free flow of water in the River be an excessive burden on the tax payers of the vicinity and should not the County build the same? A. Yes I think it is too much for the tax payers to build it, that the county ought to build it.

Q. Will you please state what you know with referencē to the opening up of mines along the Hopper Road and whether or not considerable building and improvements have been made in the Hopper Valley? A. Yes sir I am acquainted with it; there has been very extensive improvements on it.

Q. Mr. Sullivan are these improvements and the contemplated improvements that you are aware of, of such a character as to require a good public road through the Hopper Vally? A. Yes sir I know that it is a public necessity to have a good road and a good bridge.

Q. Will you please state how near to this Hopper Road do you reside? A. About a hundred feet, it is not a hundred feet I guess about seventy five or a hundred feet in that neighborhood.

CROSS EXAMINATION BY James C. Easley Esq.

Q. What is your business? A. I am hotel proprietor and Post Master.

Q. You have stated that the bridge crossing the river on the Hopper road in the Village of Spangler was in a bad and dilapidated condition, please state if you know the condition of what is called the lower bridge across the Susquehanna River? A. I wasn't over that bridge only once since last fall one time that Mr. McClain and I went over it this winter, and I didn't notice it then, I made a remark to my wife that it was a disgrace to have

such a bridge as that.

Q. Then in your opinion the bridge just spoken of is not any better than the one connecting with the Hopper Road? A. I don't know now, it wasn't then.

Q. You have been asked as to the vacation of a portion of the Hopper Valley Road and its being supplied by south Ninth Street in its stead, state if that road since its vacation and being supplied has been opened for travel? A. No sir, not that I know of.

Q. You have stated that with the vacation of the Hopper Road in the Village of Spangler a bridge at South Ninth Street would be necessary, state if it would be necessary in case no road was opened or made to South Ninth Street? A. Of course, if there is no road opened, there is no bridge required.

Q. State whether you ever travelled over the Hopper Road? A. I have yes.

Q. In your testimony in chief, you state the bridge at South Ninth Street if you were building it for your own use that you would put the span at one hundred feet, state if in your judgment to make a good bridge it would require a span of one hundred feet? A. I think it would.

Q. You have stated that considerable building and improvement have resulted from the opening of mines along the Hopper Road, please state whether or not as yet these improvements have resulted in any large increase of population? A. Yes I should say it has.

Q. Principally I suppose of miners? A. Yes.

*D. C. Sullivan*

LAWRENCE WYLAND called, sworn and examined as follows:

Direct examination by Mr. McClain.

Q. Will you please state where you reside? A. In Susquehanna Township.

Q. Will you please state how long you have resided in the present place of residence? A. I think since the year 1865.

Q. Will you please state where you reside with reference to the Hopper Valley Road? A. I think it is about a quarter of a mile, it may be a little over.

Q. Will you please state what the name of the Valley is leading from Spangler up toward the tunnel? A. It was always called the Hopper Valley.

Q. Will you please state how long there has been a public road running through the Hopper Valley connecting with the Ebensburg and Cherry Tree Plank Road near where you reside? Since ever the time I have been here, since 1865 I mind of that road.

Q. Will you please state whether there is a bridge across East Branch of the Susquehanna River on the Hopper Road near the Ebensburg and Cherry Tree Plank Road? A. There is a bridge there, but it is not safe.

Q. Have you examined this bridge lately? A. I have crossed frequently and I have always looked at it and one of these first raises of water to take the opposite side; it is undermined.

Q. Has this bridge been of a sufficient capacity to admit all the water in the River to pass through without overflowing the banks? A. It has not; the span is not long enough.

Q. Will you please state whether or not that portion of the Hopper Valley Road between the Ebensburg and Chery Tree Plank

Road to a point near the Gerringer building in the Village of Spangler has been vacated? A. Yes sir, so far as I know it has been.

Q. Will you please state whether a new location has been provided for the portion vacated, and where located? A. There has been a location I think it where is called South Ninth Street.

Q. Will you please state what length a bridge should be to span the River at South Ninth Street? A. I think in case of a flood a bridge a hundred feet long is needed; I have seen the banks over flown on both sides.

Q. In your opinion, would the building of this bridge be an excessive burden on the tax payers of Susquehanna and Barr Township and should not the County build the same? A. Yes sir I think the county should build it, it would be too costly for the tax payers.

Q. Were you with the viewers the day they vacated and supplied a portion of the Hopper Road in the Village of Spangler? A. Yes sir, I was there.

Q. Will you please state whether an over head bridge crossing the railroad at the "Y" is at all necessary? A. I don't know that it is, I think it can be graded without an overhead bridge.

Q. What is the distance from the river on South Ninth Street to the Railroad track of the "Y"? A. That is pretty hard for me to answer; I suppose it would be from twelve to fifteen rods, it may be farther, I paid no attention to the distance.

Q. The building of an overhead bridge over the railroad tracks at the "Y" and the building of a bridge across the East Branch of the Susquehanna River at South Ninth Street would have no connection? A. No sir.

Q. Will you please state whether you or not you are well acquainted in the Hopper Valley? A. I am.

Q. Will you please state how many coal operations there are located in this valley? A. Four that I know of, and I think there is another one going to work now.

Q. Will you please state whether or not there are still considerable undeveloped coal lands in the Hopper Valley? A. Yes sir there is.

Q. Will you please state how many more operations will likely be started in the Hopper Valley A. I think there is sufficient coal lands laying there and some of this bought up for that purpose, I think from eight to ten more.

Q. Will you please state whether or not there has been considerable improvements and houses built in the Hopper Valley lately? A. There have been.

Q. Will you please state whether this Hopper Valley Road is largely used by the inhabitants of Susquehanna, Barr and Carroll Townships? A. Yes sir, it is.

Q. Would you please state in your opinion whether or not a bridge at South Ninth Street is an absolute necessity? A. Yes sir I think it is.

Q. Will you please state whether the people of Nicktown and vicinity travel the road past Michael Kersch's to the Hopper Valley Road to Spangler? A. Yes sir they do, lots of them come across from that side on the road.

Q. Will you please state whether or not this road as a rule becomes impassible during the winter from snow drifts? A. Not any more than other roads.

Mr. Wyland, is the road leading from the Nicktown road past Michael Kersch's to the Hopper Road equally as good a road as the road leading from Nicktown to Spangler, below Knisely? A. It is more a more solid road than coming down from Mich. Kersch down gets very near impassible through the soft rainy spell of the year, the other one is a higher road.

Q. In your opinion does the Hopper Valley Road not only afford accommodations to the people of the Hopper Valley, but as well to the people of Nicktown and vicinity to reach the Southern end of the Village of Spangler? A. Yes, because starting in at John Nagle's coming in past Peter Beck's and Joe. Kersch and Mich Kersch and Lantzy's from there it is the direct course to the upper end of the town.

Q. Mr. Wyland if you were at Nicktown and desired to come direct home, how would you come? A. I always come in from above and start from above, and always come back that way from Nicktown unless my business calls me the other way.

Cross examination by J. C. Easley, Esq.

Q. Mr. Wyland, you have been asked in a general way about the Hopper Road; will you please state to what places the Hopper Road leads from Spangler? A. It leads from here to Nicktown; another road goes up past Mike Kersch and John Nagle towards Ebensburg which I have travelled frequently to Ebensburg; another up past Charles Cain's, comes out at the South end of Carrolltown; and another branch of the same road comes out in Carrolltown; and another branch of the same road leading up towards Fred Arbles, towards St. Joseph's Church from there.

Q. Now state at about what distance from Spangler does the

road you speak of cease to be known as the Hopper Road? A. I generally count it about three miles and a half to Nicktown, along there some where, and then the others by Hagle's by that road there near about the same distance, and Carrolltown, I suppose about five miles.

Q. Is the road from Spangler by way of the Hopper Valley to Carrolltown known as the Hopper Road to Carrolltown? A. We call it the Hopper Road.

Q. State if you know of any road or branch of the Hopper Road continuing to the Tunnel on the Railroad? A. The one comes out on the left hand side of the Tunnel, North-East of the Tunnel.

Q. At near what point? A. Well near Andy Strittmatters, I think it comes up at the side of Andy Strittmatter's and John C. Bearer's place.

Q. What course does that road take coming towards the Hopper Valley proper from the Tunnel? A. I would start from the Tunnel towards Carrolltown at John C. Bearer's place and then come down the Hopper Valley or start by Carrolltown to Spangler.

Q. If then you would come to Spangler either by Carrolltown or by John Bearer's place, where would you reach the Hopper Road? A. I would leave the Hopper Road right there and come by Carrolltown.

Q. Could you start at the Tunnel, near Andrew Strittmatters and come to Spangler and be on the Hopper road from the time you start to you get to Spangler? A. Yes I can start from that point and come to Spangler on the Hopper road.

Q. On that road or coming that way, would you pass Charley Cains? A. I would leave Charley Cains lay to the right and come

down the Valley.

Q. Where and when did you first hear of the road from Andrew Strittmatter's passing Charley Cain's to the right called the Hopper Road from that point? A. I heard it frequently but when and where I cannot tell; I have always known it as that.

Q. Then according to your answer the Hopper Road ceases to be the Hopper Road at Andy Strittmatters near the Tunnel? A. There is one of the Branches comes out at John C. Bearer's near Andy Strittmatter's.

Q. Does it cease to be the Hopper Road? A. I don't know which of the branches you would call the Hopper Road; that is these branches leaving the main road; I would call any of them down the Hopper Valley road.

Q. Then the Hopper Valley road as you would call it does not extend South of the Tunnel, or towards Ebensburg? A. Well there is another one, you would start up the Hopper Valley here and strike over towards Mike Kersch and come out by John Hagles; you can also leave at Mike Korsche's and go towards Nicktown on the same road.

Q. Then are the roads you just named all in the Hopper Valley? A. They leave the Hopper Valley at Lantzy's, that is these two roads as you go over toward Nicktown.

Q. Then do you say that the Hopper valley, known as such continues from Spangler to the Tunnel? A. I never said to the Tunnel, towards the Tunnel.

Q. You were asked about the bridge; now and for many years past crossing the stream connecting with the Hopper Road near South Tenth Street in Spangler; state if you remember how long

that bridge has been built? A. Why that bridge has been rebuilt more or less every year or two there has been trouble with that bridge, either the water would take it or undermine the butments. There has been a bridge there ever since I can mind, unless the water had taken it away.

Q. State then, whether or not the population using this bridge is greater to-day than it was twenty years ago? A. Yes sir it is.

Q. State if the bridge has heretofore been maintained by the Townships? A. Yes sir, the Townships kept it up.

Q. You stated I believe that you were with the viewers when they vacated and supplied the Hopper Road? A. I recalled that that I was mistaken in that; it was the bridge viewers I saw there.

Q. You were present when the viewers located the Bridge or proposed bridge at South Ninth Street; will you please state as near as you can when that was? A. It was sometime last fall, I don't remember.

Q. State if you remember whether it was before or after the vacation of the Hopper Road and supplying the same? A. I don't know when the other view was on; I heard of it being on, but I don't know when it was.

Q. State whether or not the road vacated and supplied to the location of the Bridge at South Ninth Street has ever been opened to your knowledge? A. Not as I know of.

Q. State if you know whether the Hopper Road as supplied by the change made by the recent view crosses the Railroad "Y" some distance from the location of the bridge? Yes sir, it crosses some distance from where it is said to be wanting.

Q. State if the road as now laid out crosses the stem of the "Y" or the branches of the "Y"? A. I never paid particular attention to where it crosses here.

Q. State if the stream over which the proposed bridge at South Ninth Street is to be made is known as the Susquehanna River or only a tributary? A. Well We used to call it the Susquehanna River and the other one the Hopper Valley, now of late years they got to calling this branch the East end of the River Road.

Q. You have stated that there are four coal operations in the Hopper Valley, and also prospects of more coal operations; state now if these operations already started and in prospect will not increase the population and enhance the ability of the districts in the vicinity of this bridge to provide a bridge at their own expense, if developed as anticipated? A. No, I don't think they should; I wouldn't think so that they should provide one at their own expense; I think the County should provide one. I think the County should place a bridge there.

Q. You have stated that there are some four coal operations in the Hopper Valley, and that these occasion the building of a number of houses; state whether or not these houses are occupied?

A. I don't know, but I think they are, so far as I know.

Q. If occupied, are they occupied by miners? A. I don't know whether they are.

Q. You have stated that there is a prospect of eight or ten additional openings in the Hopper Valley and vicinity; if these were realized and improvements made in accordance would it not greatly increase the population and the number of persons who would use this bridge? A. Yes sir it certainly would a big amount.

Q. Then do you think it is not the part of prudence to wait until a demand of the public require increased facilities for crossing this stream but to go ahead now? I think there is population now more then ever was to use that road; that road is as much as used ~~more than~~ any other road to Spangler.

Q. Is there any other County bridge leading into Spangler?

A. Not that I know of.

Q. In your judgment, would there not be a demand for the convenience of the public for a bridge both at North Second Street or near it and at South Ninth Street? A. There is also a bridge needed there.

*Loeans Wyland*

Colonel J. I. Spangler resident of Bellefonte, called and sworn.

My present occupation is the management of coal mines. I am general manager of the Sterling Coal Company, whose office is 419 Walnut Street Philadelphia, and its coal operations are principally at Houtzdale, Clearfield County and Hastings, and Spangler in Cambria County. I am also connected with the Elubaker Coal Company, whose lands are in Cambria County, I am also connected with the Spangler Improvement Company. I consider the proposed bridge at South Ninth Street in Spangler as a public necessity. I do not think that the Townships of Barr and Susquehanna are able at the present time to construct a bridge at their cost at that point. The necessity for a bridge at that point is owing to the fact that five coal operations have been located in the Hopper Valley within the last six months, and the consequent improvements that will be made in that section, will require the building of a first class bridge. Three of these operations are shipping coal now, and two more will commence to ship about May First. Within a year, these five operations will be able to ship twenty-five cars each, making one hundred and twenty-five cars per day, or at least twenty-five hundred tons daily. This will give employment to fully one thousand miners. This will necessitate the building of houses for their use. These houses will be mostly built in and about Spangler, some on the Susquehanna side, some on the Barr side, and others at the mines. So far, there have been built thirty houses, and the others will have to be built for the use of the miners this summer and fall. This bridge will be used to deliver supplies from the Railroad Station at Spangler principally, and the dealings with the mines

will be chiefly with the town of Spangler. This means a large traffic backward and forward over this bridge for a long time to come. This is a traffic all in addition to the ordinary traffic among farmers and the people of the neighborhood. The necessity for this bridge is urgent and immediate, because these mines will develop in capacity very rapidly in the next four months. I consider the change of this bridge to South Ninth Street as necessary in order to conform the public road to the plan and plot of Spangler. The Spangler Improvement Company who own about six hundred and fifty acres of land composing the plot of Spangler gave instructions to Mr. James A. McClain to commence proceeding for a bridge at this point as early as possible: Also the vacation and supply of the road. On account of the unusual developments and improvements which would take place in the Hopper Valley. The Spangler Improvement Company, as a Company consider this bridge as very important to the interests of the town as well as to the surrounding neighborhood. Although not at issue in this proceeding consider a bridge at North Second Street as a public necessity for the convenience of the public on both sides of the River. The Spangler Improvement Company are very largely interested in both these bridges and the necessity for them is beyond question. The necessity for both these bridges is very urgent at this time, for the reason that both the old bridges are in a dilapidated condition, which makes them actually dangerous for use by the public and in case of serious accident, would render the townships legally liable for damages.

J. L. Spangler

STATE OF PENNSYLVANIA |  
                                  | SS.  
COUNTY OF CAMBRIA |

I do hereby certify that the above named witnesses were duly qualified and examined at the time and place stated in the above caption; that the same was reduced to writing by me, in the presence of said witnesses, and having been read over to them, was duly subscribed thereto.

Witness my hand and Notarial seal this Seventh day of April A. D. 1893.

*P. J. Little*  
Notary Public.

*Jure Judge*  
vs  
*Seaquehanna Twp*

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

Of *Sept* Term, A. D. 1892, No. *7 RD*

And now, to wit, the *Fifth* day of *April*, A. D. 1893, 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

*12th* of *April* 1893  
*J. C. Barclay*, Prothonotary.

To the respondents in above stated case, or their counsel  
*F. A. Shoemaker 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 *case* on part of  
the *petitioners* will be taken at the *office of the Sprangler*  
*Improvement* *Sprangler, in Seaquehanna Township in said County of Cambria*  
*Conispaug, in the Village of* on *Thursday*  
the *fifth* day of *April*, A. D. 1893, between the hours  
of *eight* o'clock A. M., and *11 1/2* o'clock P. M., before *P. J. Little, Esq.*  
*a Notary Public residing at Ebensburg* in and for said *County and State*  
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. Kittell*  
*Atty for Petitioners*

Apr. 7<sup>th</sup> 1893  
real

In re Jewell's

will  
In re Jewell's Estate

RULE ON PART OF  
Petitioner

Wittell

Served a copy of within Rule and notice on E. d. Thorneker, Esq., this first day  
of April, 1893.  
Wittell

10  
1893

No. 7 September Term 1892.  
R.D.

In re Bridge

in

Susquehanna Twp.

DEPOSITIONS.

on the part of

PETITIONERS.

*Filed as act. 1895.*

To The Honorable The Pres. Judge of The Court of  
 Quarter Sessions of Cambria County

We citizens of Bass and Squigachawnee Townships  
 Remonstrate against the erection of a bridge as proposed  
 for from S. 9<sup>th</sup> St. in Spangler for the following reasons -

- 1<sup>st</sup> That a bridge at that point is unnecessary for  
 the inhabitants of either Township
- 2<sup>nd</sup> That the proposed bridge is not as stated in the  
 petition, and the Squigachawnee River, but over a  
 small stream or tributary of the Squigachawnee River
- 3<sup>rd</sup> That a bridge from the point of location would be useless  
 to the inhabitants and would not connect with the main  
 road on the South side of the stream -

We therefore pray you Honor not to confirm said  
 report & we will ever pray &c

John S. Drum	P. Lieb
Henry Duman	C. C. Adams
Samuel Gage	Albert W. Cornbee
George F. Fresh	James Miller
W. A. Aubour	Thomas Miller
Alex. Brawley	Joseph J. Miller
Geo. A. Horick	Alonso S. Elliott
Richard Williams	A. F. Kromenke
L. W. Parckley	Henry J. McDermott
Emanuel Stiles	John Spillense
John Schilling	Frank St. L.
Samuel Stiles	John Ragley
Michael Strong	Henry Stiles
Michael Mohler	Sherman M. Larned
Andrew S. Herth	Joseph J. Miller Sr
Andrew Grubel	John Primmer
Jo. Stoltz	Michael Spurr
D. H. C. Lee	John McCombe
	George Stuby

Jacob Schirf	Edward Sherry
Frank Peters	J. E. Munglin
John Bitters	Hudson Trout
J. D. Sherry	Simon P. Kirck
Andrew Peters	John Dodge
Henry Beech	Andrew S. Kirsch
John Schirf	Peter G. Bell
Uriah Marsh	David Edwards
Edwin Byrne	Henry Baugher
John B. Kline	Henry S. Adams
Joseph W. Kirsch	Henry Kery
Harry L. Ciger	John Priest
John W. Williams	Anthony Steffy
John Frank	Adam Fleck
Henry D. Brawley	Lewis Lombard
W. W. McCombe	H. Beare
James Dumm	Thomas P. Dumm
<del>John P. ...</del>	<del>Charles ...</del>
A. W. Ansel	George W. Hammond
Charles Hoque	Doctor Miller
H. S. Dumm	Peter Wyland
J. Farbaugh	Melvin Gammerton
Bob. Suther	Harry Edmiston
A. S. Sherry	Thomas Edmiston
J. R. Williams	<del>D. S. ...</del>
Henry Ridding	Andrew Buterbaugh
Alex Long	W. P. ...
John Long	John ...
E. S. Long	Thomas Perry
J. N. Butler	Edward H. ...
Samuel Gray	Chas. S. ...
John ...	Thomson ...
Frank Peter	H. Co. Suther
Frank ...	<del>...</del>
Night ...	A. E. Hammond
...	Beat ...
Richard ...	John D. ...
J. ...	Philip ...
...	Joseph ...
...	Wm ...
...	E. M. Binder
...	J. J. ...
...	A. S. ...
...	G. ...
...	Harvey Platt

Wm. J. ...  
G. J. ...  
Peter ...  
St. ...

James ...  
Harry Platt  
L. ...  
H. J. ...

Andrew ...  
George ...  
Joseph ...  
William ...  
Michael ...  
St. ...

No. 7 Dept. Dec. 1892

Remonance & against

The Commission of the Court of  
Revenue appointed to view the  
breakers for a bridge over the bridge  
over the 19th of April in  
London from 2nd

Stein & Hall 1893

Stein & Hall

To the Honourable, A. V. Barker, President Judge of the  
Court of Quarter Sessions of Cambria County Pa.

The petition of the undersigned, inhabitants of the  
Townships of Susquehanna, <sup>Barr</sup> in said County, respectfully represents:

That a bridge is much wanted over the Susquehanna  
River at South Ninth Street in the village of Spangler in said  
Township, and that the expense of erecting said bridge  
would be too burdensome upon the inhabitants of said  
Township.

Your petitioners therefore pray your Honor to appoint proper  
persons to view the premises, and to take such order on  
the subject as is required and directed by law.

And they will, etc.

Joseph Lantz Jr  
Joseph Lantz  
D. C. Sullivan  
D. H. Dale  
Lorans Myland  
Alexander Long  
James Simpson

No 7 September bearings 1892.

Portion of subdivisions of the lower  
side of Sauguehemia for the  
appropriation of money to run  
the site for a bridge over the  
Sauguehemia River at both  
Smith street in the village of  
Sprawley in Sauguehemia city.

24th Oct, 1892

Paul Zahner -

Archibald Farwell -

and John P. Kissel

Applicants

By McQuinn.

Filed 24 Oct 1892

Attest.

Depositions of witnesses produced, sworn  
and examined at the office of Mr. C.  
Schmidt in Hamiltown Borough Cambria Co  
Pa. on the 5<sup>th</sup> day of April A.D. 1893 between  
the hours of 8 o'clock A.M. and 12 o'clock  
P.M. by virtue of the annexed rule of Court  
and notice hereto attached, for the examination  
of witnesses in a certain cause depending  
in said Court wherein the matter  
of a bridge in Susquehanna township and  
a monument against the same  
is for argument. to No 7 Sept Sessions  
1892. H.D. on the part of the monument

Alexander Long produced and sworn  
- I live in Susquehanna township  
- I lived there about 8 years  
- I do not know exactly where the new  
bridge is located.  
- I signed a petition for a bridge to be located  
below the station  
- This bridge would not connect any road  
there.  
I do not think it would be necessary  
now.  
I was not present at the view

Cross-examination

~~I could not say wither~~

Question. did you sign a petition for a bridge over  
a river at north 2<sup>d</sup> St.

I do not know, I was told it was to be built  
across the river near the station at Richard  
Magles

Question did you sign a petition for a bridge at  
any place over the Susquehanna river -

Question objected to - the petition and view being  
in the hands of the opposite side is requested  
to produce the same to the witness before he  
is bound to answer

Answer. Yes I signed a petition for bridge over  
2<sup>d</sup> St. near John G. & Beamer house

Question Do you know where the road connecting  
south 9<sup>th</sup> Street crosses the east branch  
of the Susquehanna river

Ans - No sir, - I do not

Question - Do you know what public road crosses  
the east branch of the ~~Susquehanna~~ river  
at south 9<sup>th</sup> St.

Ans - I do not know

Question - Are there not markers up at all of  
the cross streets in the village of Spangler

Ans - I do not know

Question asked by Mr McClure

Question - At the time you signed the petition  
for this bridge who was present.

Ans - I do not know

Ques - Please state whether or not the petition for bridge was made to you before signing

Ans - No I do not think it was, but I remember the petition for the road was made ~~made~~ from Chas Miller

Question Was there a station at Spangler at the time you signed this petition

Ans - I do not if there was a house up ~~at~~ the time

Question Do you not know that the station was built this last winter

Ans - I guess it was built some time this last fall

Ques - Do you not know the location of South 9th St.

Ans - I do not know

Ques Please state whether you know where the old ~~public road~~ <sup>public road</sup> leading to the Herffler from Spangler is located

Ans - At Foxes Living Stable

Ques - Do you not know that there is a bridge on that road in the village of Spangler

Ans - Yes sir.

Ques - If with an abandonment <sup>and a new location supplied</sup> of that road will the bridge not be necessary for the use of the inhabitants of the township of Barr and Susequahanna

Ans - If it is abundant a bridge would be necessary Alexander Long

Archie Farrell Swann,

- I live in Barr township
- I have lived there about 14 years
- I was one of the owners
- The notice that was served on me was to view a location for a bridge across the Susquehanna creek.
- We viewed and located a bridge across a branch of the Susquehanna commonly called Weakland run
- Was notified to meet at Radcliffe at Spangler
- The road that must be driven during the winter time on account of drifts is better about 3/4 mile near John Beams residence
- Where we viewed the bridge, is two streets above the Susquehanna
- Could not say that the bridge on the Weakland run is sufficient for the travel
- It is not a safe bridge
- The bridge where the most traveled crosses between center and 2<sup>d</sup> street
- The bridge is not safe
- The majority of travel between Indiana county Blacklick and Barr township is over this road or bridge
- During the winter season this is the only road fit for travel -
- You could not cross the 9<sup>th</sup> Street Bridge during the winter. The bridge is continuing

Answer - Yes Sir

Question - Please state how you came to sign  
this remonstrance

Ans. - If that heading was the same as it is  
now I signed it as a petition for a  
bridge at North 2<sup>d</sup> Street

Ques - Did you know that it was a remonstrance  
against a bridge at North 9<sup>th</sup> Street

Ans - I did not know it was a remonstrance

Ques - Who asked you to sign this paper

Ans. - John G. to Bramm

Ques - What representations did he make to you  
at the time as to the contents of the paper

Ans - I can not tell.

Ques -

indirect.

Ques - Whether or not you signed both the  
remonstrance and petition for the  
bridge at North 2<sup>d</sup> St.

Ans - I did not

Ques - Would a bridge at North 2<sup>d</sup> Street  
- be necessary

Ans - Yes sir absolutely necessary

Ques - State if there has not been a County  
bridge near that point for a number  
of years

Ans - There has been, a good many years  
ago, since it has been washed away  
and the County has rebuilt it on each  
end

## Cross Examination

- Ques - You were one of the owners who located the bridge at South 9<sup>th</sup> St
- Ans - I was
- Ques - The stream at that <sup>point</sup> is known as the east branch of the Susquehanna
- Ans - It is known as weakland creek a branch of the Susquehanna
- Ques - Do you know wither a public road leading from Hopper Valley ~~leading~~ to Spangler was it crosses this stream near South 10<sup>th</sup> Street was vacated and supplied by a new part of road at South 9<sup>th</sup> St
- Ans - I do not know
- Ques - Was there not a public road crossing the stream near South 10<sup>th</sup> St
- Ans - There was
- Ques - Is there not a bridge over the stream at that point
- Ans - There is
- Ques - What is the condition of that bridge
- Ans - It is not good
- Ques - Is that bridge in fit condition to accommodate the public travel at that point
- Ans - Not without repair
- Ques - Is not the bridge located at South 9<sup>th</sup> Street intended to take the place of the present bridge at South 10<sup>th</sup> Street
- Ans - I believe that was the understanding

Ques - If the road crossing at South 10<sup>th</sup> Street has been vacated and replaced by a new part of a road crossing at South 9<sup>th</sup> Street, will a bridge at South 9<sup>th</sup> Street be necessary

Ans - If it is vacated it would be absolutely necessary

Ques - The road crossing over the present bridge is located is not exactly at South 10<sup>th</sup> Street but at a point between South 10<sup>th</sup> Street and South 9<sup>th</sup> Street, is it not ~~The crossing is located~~

Ans - The old bridge is closer to 10<sup>th</sup> Street than to 9<sup>th</sup> Street

Ques - Is not the old bridge a frame bridge

Ans - It is a wooden bridge

Ques - How long has the old bridge been standing there

Ans - I can not answer that correctly as it has been washed away several times since I lived there, and rebuilt

Ques - Can the old bridge be <sup>safely</sup> moved from its present location to the crossing at South 9<sup>th</sup> St.

Ans - If the timbers were sound, it could be

Ques - The <sup>former</sup> traveling from Indiana Co or from Picktown to Spangler would not have occasion to cross the Bridge at South 9<sup>th</sup> St.

Ans - Unless they wished to - during the winter I do not think they could

Ques - Travellers from these points would be better accommodated by a bridge further down the stream ~~between~~ North 2<sup>d</sup> St.

Ans - Yes, between <sup>1<sup>st</sup></sup> Centre and 2<sup>d</sup> Street

Ques - Have not viewers been appointed to view a site for a bridge across the river between North 1<sup>st</sup> and North 2<sup>d</sup> Street

Ans - Not to my knowledge, there is a petition out for that purpose

Ques - The persons who have occasion to travel towards Spangler on the Keffer Valley road would be better suited by a bridge at South 9<sup>th</sup> St. than at North 2<sup>d</sup> St.

Would they not?

Ans - on the Keffer Valley road they would be

Ques - Did you sign a remonstrance asking the Court not to approve and confirm the Bridge which you as one of the viewers located at South 9<sup>th</sup> St.

Ans - I don't know as I did, as I thought I signed for a bridge on North 2<sup>d</sup> St.

— Remonstrance against the confirmation of the report of viewers locating a bridge at South 9<sup>th</sup> Street which remonstrance was filed on the 6<sup>th</sup> of March 1893 to Geo T of Sept. Sessions 1892 shown to witness and he is asked to state whether the name of A. Farley signed to the same is in his handwriting.

Ques - State if the great majority of travel <sup>is not</sup> over that bridge

Ans - ~~have~~ Yes from Indiana to. Wicktown and Blacklick is across that bridge

Ques - State whether the north 2<sup>d</sup> Street Bridge is not the only way to reach Spangler from the south side in the winter time

Ans - Yes sir, the only way I know.

Ques - Whether or not the majority of timber with lumber and shingles from Indiana to Blacklick & Barr townships going to Hastings do not travel over that bridge

Ans - Yes

A Jewell

Casper Lib Sworn

Ques - Where do you live ~~and~~ how long have you lived there

Ans - I live at St Nicholas - have lived there about 26 years

Ques - Do you frequently <sup>travel</sup> from there to Spangler

Ans - Yes I have been for the last year

Ques - Do you know where the proposed bridge is to be located near south 10<sup>th</sup> Street

Ans - I do not know exactly, but know the neighborhood

Ques - State whether or not a bridge spoken of would be over the Musquehannah river or only a tributary

Ans-- Over a branch

Ques State whether or not it would connect with any public road on the south side of the stream, If so- what road

Ans-- Connects with the Kopper Valley road

Ques State whether or not there is any considerable travel over that Kopper road to Spangler

Ans-- Not from our part

Ques State if you know where the bridge was located over the Suquehanna on the farm of John Brann

Ans-- Yes-- that is the road we travel all the time

Ques How far is that below this proposed new bridge

Ans-- Could not tell exactly, It is from  $\frac{3}{4}$  to 1 mile

Ques State whether or not the lower bridge connects with ~~any~~ public road and if so what road, and to and from what point

Ans-- Connects with the road leading to Carrollton Hastings - Indiana Co, & Dicktown

Ques State whether it connects with <sup>the</sup> main traveled road from Dicktown to Hastings

Ans-- Yes sir, with all main hauling

Ques State had there been no bridge, would the one just spoken of be could you have traveled from Dicktown or points from that direction to Carrollton or Spangler, via of the south 10<sup>th</sup> street

bridges had them built over them as proposed - This last winter

Ans - I never traveled it during the winter  
could not say

Ques - Could you haul a heavy load over  
that road

Ans - No Sir, we always drive the lower roads  
with a load

Ques - Is the proposed bridge near South  
9<sup>th</sup> Street necessary for public travel

Ans - I suppose it is necessary for parties  
from the Hopper road

Ques - Would there be near the amount of travel  
over the South 9<sup>th</sup> Street bridge, that is  
over the lower bridge

Ans - No Sir there would not

#### Cross examination

Ques - Are you acquainted in the Hopper Valley

Ans - Yes Sir, I have traveled over it

Ques - Do you know how many Coal operations  
there are in the Hopper Valley

Ans - No Sir

Ques - You do know that there are some Coal  
operations in the Hopper Valley

Ans - I know of them

Ques - Will not these three Coal operations promote  
a great deal of building along the  
Hopper Valley

Ans - I think they would

Ques - With the improvements along the Hoopfer  
Cally would it not be necessary  
to have a public road

Ans - Yes Sir, it would

Ques - Do you know that part of the road  
was vacated

Ans - I do not

Casper Dick

Henry Luther sworn

Ques - Where do you live and how long have  
you lived there

Ans - At Nicholas - about 5 years

Ques - Do you frequently go to Carrolltown  
and Spangler

Ans - I have this last year back

Q - Do you know where this proposed bridge  
is to be located at with 9<sup>th</sup> St,

Ans - I know where the old one is, it is  
handy to that one

Q - State whether you could of traveled this  
last winter to either Carrolltown or  
Spangler by the road leading to that  
proposed bridge

Ans - I do not know as I never traveled  
that road this winter

Q. State whether or not you traveled the  
road by the Beam bridge because you  
knew it was always passable and  
usually traveled

Ans - Yes Sir

Ques - State if you keep a Hotel at Nicktown

Ans - I do

Ques - State if the travel from Indianawab and from ~~Indianawab~~ your neighborhood all pass over that road to Spangler Hastings and Carrolltown by the Beaver Bridge

Ans - Yes in the winter time, and to Hastings and Spangler in the summer

Ques - State if you know the distance between the bridge near north 2<sup>nd</sup> St and the proposed bridge near north 9<sup>th</sup> St.

Ans - as near as I can tell it would be  $\frac{3}{4}$  mile

Ques - State as between the two bridges which would be more necessary for the public

Ans - as far as I know the lower one near north 2<sup>nd</sup> St

#### Cross Examination

Ques - Do you know the exact location of the Keffer road leading out from Spangler

Ans - I know it: do not know it by the streets

Ques - Is a bridge necessary ~~at~~ the Keffer road crossing the east branch of the Musquahannah river in the village of Spangler

Ans - It is

— indirect —

Ques Can you state near about the present population of the Hooper Valley

Ans - I could not

Ques Would it reach 10 families

Ans - I do not know

H. A. Luther

John P. Kirsch sworn

Ques - Where do you live

Ans - Blacklick Township

Q - Were you a viewer on this case

Ans - I was

Ques State what was said if any thing to you at or about the time of the view and by whom as to locating the bridge at the point where located by the viewers

Ans - M. C. Lane showed us where the location was. M. C. Lane told us very likely the Company would put an overhead bridge below the oil station on South Ninth Street. also that the Company would make the filling at the overhead bridge

Ques - Did any person other than Mr. M. C. Lane talk to you on the subject of locating the bridge at that time

Ans. - Saw Myland came there but do not think he interfered.

Q - State whether or not it was mainly the representations of Mrs McLane that induced you to sign a favorable report for the bridge ~~report~~ of

Ans - It was not

Ques - State whether or not the proposed bridge connects with any public road, and if so the road, to what points

Ans - If the <sup>road is made to the</sup> proposed bridge ~~is built~~ it will connect with Carrolltown and Hasting road and Chrymer road.

Ques - State near about at what point on the Carrolltown and Hasting road it would connect

Ans - About what they call South 9<sup>th</sup> Street

Ques - Will this bridge if made be over the Susquehanna river or over a stream leading into it

Ans - over a stream leading into it

Ques - If the work mentioned by Mrs McLane to road and bridge has to be done by the County without aid from the Company will it not be very expensive

Ans - It would

Ques - Could you of hauled a load of lumber during the past winter to this bridge if built

Ans - I hardly think I could

Cross Examination

Ques - Mr. Hinch, you went on the ground to view a site for the bridge in question in pursuance of an order from Court

Ans - Yes Sir

Ques - Did you read the notice ~~and said~~

Ans - I did

Ques - Did not the notice you received instruct you to view a site for a bridge over the east branch of the Susquehanna <sup>on south of 9th Street</sup> near <sup>in</sup> the village of Spangler

- Objected to the notice is the best evidence

Ans - I could not say as it called over any branch think it was over the river

Ques - Did not Mr. Zahner on the day of the view say to you that under the order of Court that the viewers were confined to the south <sup>9th</sup> Street location for the location of the bridge

Ans - ~~I don't positively remember~~

Ans - I think he did

Ques - Did you not in pursuance of the instruction received from Judge Zahner proceed to view the site for a bridge without reference to any thing that Mr. McLaw may have said with reference to the location of the bridge

Ans - I did

Ques - Would you please state what the distance is from the Ebensburg and Cherry tree plank road to the east branch of the Susquehanna river

Ans - Couldnt say but is 4 or 5 hundred feet or more

Ques Please state the length of the span that you reported as necessary to cross the river

Objec<sup>t</sup> to - as the report would be the best evidence

Ans - I do not remember think 40 to 50 feet

Ques Please state the distance from the south side of the river to the railroad tracks of the Y

Ans - I do not know, probably 25 to 30 rods

Ques - With the building of the public road from the Lehigh and Ebensburg plank road through South 9<sup>th</sup> street to connect with the Hoffer Valley road on top of the hills near the miners house recently built require a bridge across the east branch of the Susquehanna river to accommodate the inhabitants of the townships of Susquehanna and Barr.

Ans - at that location it would

Ques Would not the building of this bridge be to great a burden for the taxpayers of Susquehanna and Barr townships

Ans - It would

Ques - Will you sign a paper purporting to be  
a remonstrance against the bridge in  
question

— Objection - as this is no cross examination —

Ans - I did. it was under the understanding  
that the county would only build 1 bridge

Ques - When you signed this paper did you mean  
to remonstrate against the bridge because  
you did not think it was necessary or  
because the representations made to you  
that only one bridge could be secured  
at Spangler

(Same Objection)

Ans - I did very near answer that  
question before

Ques - As a matter of fact did you not sign  
the remonstrance upon the representation  
that only one bridge could be had  
at Spangler

Ans - I did.

Q - Do you know anything of the Coal  
developments in the Hopper Valley

A - I know of several operations

Q - Will not in your opinion the opening  
up of mines in the Hopper Valley greatly  
increase the importance of the Hopper  
Valley road

Ans = It will.

John P. Firock

Thomas Peack sworn

Ques - State whether you live in Suoquehanah township in this County and how long about and whether close to what is now called Spangler

Ans - I lived in Suoquehanah township 31 years

Ques - What is your business at the present time

Ans - Livestockman for over 7 years

Ques - State if you know the road mainly traveled from the Canneltown & Cherry road through Spangler when it crosses the bridge over the Suoquehanah river near Spangler and where it crosses

Ans - It crosses at what is John G. L. Beare farm

Ques - State if the road leading to Indiana Williams Strongtown and places in that direction crossing the bridge you just spoke of has been the main traveled road to the places named since you first knew it

Ans - No Sir

Ques - Please state which is the <sup>now</sup> main road in the direction named and where does it cross the Suoquehanah river

Ans - Just across by John G. L. Beare

Ques - Do you know the location of the bridge near South 9<sup>th</sup> Street in Spangler and if you do does it cross the river on a stream leading to the river

Ans - I do not know the location

Cross Examination

Ques - Are you familiar with the public road at Spangler commonly known as the old Hopper road

Ans - Yes I am

Ques - How long has this been a public road

Ans - I suppose 30 years

Ques - Do you know the location of the bridge on the Hopper road crossing the east branch of the Susquehanna river

Ans - Yes.

Ques - In your opinion is the bridge a necessity

( Objected to as it is no cross examination )

Ans - It is necessary

Ques - In the event of a vacation of the Hopper Valley road from a point on the Eberly and Chryton plant's road to a point in the Hopper road on the top of the hill near the building on the Krammer farm to a location in South 9<sup>th</sup> Street would a bridge be necessary for the use of the inhabitants of the Townships of Susquehanna Barr and Carroll

Objected as it is no cross examination and it hypothetical question could only be asked an expert testifying as such and cannot be asked our witness on a cross examination

Ans - Yes sir

(Redirect)

Ques In the event of but one bridge being across the Susquehanna over at Spangler would a bridge at south 9<sup>th</sup> Street or a bridge near John G to Beavers about now it is now be more necessary

Ans - As near as I can tell it would be more necessary at John G to Beavers

Wm's Peach

Barney McQueen sword

Ques - Where do you live

Ans. - At Spangler now

Ques - Where did you reside previous to

Ans - 3 miles west of Pickettown

Ques - Which was the main road from where you lived to Spangler

Ans - The lower road or bridge across between 1<sup>st</sup> & 2<sup>nd</sup> Street

Ques - Could you haul a load and cross the proposed bridge on 9<sup>th</sup> Street

Ans - Could not answer that this winter

Ques - Which road was the main road from where you lived in Barr township from Indiana Co. and from Pickettown to Spangler Hartings & Canolltown

Ans - The lower road from where I lived

Ques - Do you mean by the lower road the road that crosses at the bridge near John G to Beavers

Ans. Yes that is the road

Ques. From the amount of travel across the river at this point is a bridge there absolutely necessary

Ans. Yes

Ques. Could you drive with a loaded team in the winter time to the proposed bridge at south gate St. from Dicktown and from points in that section

Ans. Not very handy is a road too steep

Ques. Besides being steep does that road not drift badly in winter

Ans. Yes it was shut up this winter pretty bad

Ques. Did it not also drift badly other winters

Ans. I could not say for that

Ques.

### Cross examination

Ques. In your opinion is not a bridge necessary crossing the east branch of the Susquehanna river necessary

Ans. It would not be any benefit to our side It would be a benefit to the folks living above if there are any

Ques. Are there any people living in the Copper Valley

Ans. None that I know of unless Sancy

Ques. Cant you travel the road leading from Jackson road across by Michael Karshes to the Hopper road and haul a load and is the grade on this road any greater than at places on the road leading from the Ebeneburg & Cherrytree plank road to Hastings

Ans. You can haul more down the hill than you can up  
That is the worst grade on the road from Springsdown to Spangler

D. M. C. S.

Henry Krummholzer Sworn

Ques. Where do you live

Ans. Barrtownship

Ques. State whether or not you done considerable hauling of lumber to Spangler and Hastings during the last year

Ans. I have

Ques. State whether you hauled the road leading to the John Beaser bridge near N. second St. in Spangler and if so why you went that road

Ans. I hauld that road in the winter mostly not always because the lower road was broke the best

Ques. Ans. Because I hauled it to ~~Baker~~ <sup>Griffey's</sup> planing mill

Ques. State what other road you did or could haul and which road you could haul the best load on with the greatest advantage to your team

Ans. In the winter time I prefer the lower road and in summer I have used the upper road

Ques. State whether what is called the upper road would not be much shorter for you than the lower road

Ans. It would be some shorter

Ques. State if the main travel from Nicktown and west of there from Indiana Co. does not pass over the lower road particularly in winter

Ans. It does in winter I suppose

Ques. State whether a bridge where the road crosses the Susquehanna near John Bearers in Spangler's is necessary for the use of the public

Ans. Yes both bridges are absolutely necessary

Ques. If one of the bridges you refer to were to be built to the exclusion of the other which in your judgement would be the more necessary

Ans. The lower would be the most necessary in winter  
The upper in the summer

## Cross Examination

Ques. Were you one of the viewers appointed by the court to vacate a portion of the Hopper road in the village of Spangler and to supply a new location for the portion vacated.

Ans. Yes I was

Ques - Will you state what portion of the Hopper road <sup>in</sup> the village of Spangler was vacated by the viewers of which you were one.

Objected to that this is no cross examination and that the report of viewers to vacate and supply the road named is on file and is part of the record of the court which this witness or nobody else can add to or diminish or effect.

Ans. From below or near the Geringer barn to Bigler Ave.

Ques - State whether on that portion vacated there was a bridge across the east branch of the Susquehanna river and what the condition you found the bridge in.

~~Ans.~~ Same objection.

Ans. There was a bridge there.

The bridge was in a very bad condition.

Ques State why you supplied S. 9th St. as a new location for the portion of the

Ques. road vacated

Ans. Because of my personal knowledge of the bridge they could not build a bridge so stand I have been called several times by the supervisor to work there we found that the abutment towards the Geringer property always washed out and that during times of high water the water ran around on the side towards Spangler

Ques. State what the condition of the river banks at S. 9th St. are with reference to the building of a bridge across the river at that point

Ans. I think there is a better location for a bridge at S. 9th St.

Ques. State the distance from Bigler Ave. to the bank of the river at S. 9th St.

Ans. Objected to that it is no cross examination

Ans. Don't remember

Ques. State your opinion what would be the length of a bridge necessary to span the river at S. 9th St.

Objected to that the report of bridge shows that

Ans. We measured but I think it could be made shorter than from one bank to the other. To let the amt. of water through and if the bridge was high

enough the bridge might be made somewhat shorter than from bank to bank the distance probably would be forty or fifty feet

Ques — In view of the expected improvements at Spangler and large increase of population would it not be <sup>judicious</sup> part of wisdom in the construction of this bridge to provide for the free passage of the water in the river, so as not to cause blockades from debris and endanger the lives of the inhabitants of Spangler

(Objected to the question is totally irrelevant and immaterial and in the opinion of Council for remonstrance such questions are only asked to consume the time allowed remonstrance on their side, and they protest to the Court that it deprives them of their rights)

Ans — It would

Q. — Please state if this bridge properly constructed would not be to great a burden on the tax payers of Barr and Sanguinawak township

Ans — Yes I think it would

Ques — Please state after having made a very careful examination of the whole territory in making the new location at South 9<sup>th</sup> Street, whether or not the location adopted was the natural location for the road

(Objected to as it is no cross examination)

Ans - It was the natural and best in my opinion

Q - Are you acquainted with the developments of the mines up through the Keffer Valley  
(Objected to that it is no cross-examination and that the question as to development of minerals or no other development cannot make an illegal question legal, and this is done for the sole purpose of taking up time for the remonstrance men, and they cannot deny it.)

Ans. - I am I have been at all of them I think

Q - What did you find at the different mines in the nature of improvements and increase of population

(Objected to that the answer in this question cannot be evidence for any purpose but to take up time)

Ans - I saw a good many houses and people

Ques. - Will not the Keffer Valley road in the very near future become very important to accommodate the inhabitants of the townships of Susquehanna Barr & Carroll and the Village of Spangler, and will not a bridge across the east branch of the Susquehanna at South 9<sup>th</sup> Street in the Village of Spangler become an absolute necessity

Objected to that remote possibilities were if well founded are no evidence for the guidance of the Court -

Ans - It is an absolute necessity now to have the bridge built now

Ques - Please state whether you signed a ~~monstrance~~ <sup>petition</sup> against the building by the County of the South 9<sup>th</sup> Street bridge in the village of Spangler

Ans - I signed what I thought was to get a bridge below at 2<sup>d</sup> Street, I thought the County should build both Bridges

Ques - You never signed any <sup>paper</sup> intending to protest or monstrate against the building of a bridge at South 9<sup>th</sup> Street in the village of Spangler

Objection to the monstrance being on file and being on record in this case and speaks for itself and cannot be changed by false testimony

Ans - No - when I signed the paper I did not read it and thought it was a petition for a bridge at North 2<sup>d</sup> Street, and after I had signed I was told it was a monstrance by H. J. Hopper who was there at the place, and I stated then that I wanted my name off if they would leave it that way, and I was told that they would change it and have a petition for below

Ques - You signed this paper wholly upon the representations made to you that its purpose was to petition the Court for

a bridge across the Susquehanna  
river at north 2<sup>d</sup> Street in the Village  
of Spangler and not for the purpose of  
appearing as a monument against  
the building of a bridge across the east  
branch of the river at South 9<sup>th</sup> Street  
in the former Village

Objec<sup>t</sup>ions to - it is the third time the question  
has been asked the same witness and it is  
manifestly done to take up the time of the  
Commission of this rule

Ans - I was simply asked to sign that  
for a bridge below, as I had understood  
the upper one had been granted

Q - Who asked you to sign that Petition

Ans - John G. C. Brown

Ques - Will Mr Brown say to you that the  
paper was a petition for bridge at north  
2<sup>d</sup> Street

(Objec<sup>t</sup>ions to that the question in that shape is  
a piece of Brown's impudence  
and is an cross examination)

Ans - Mr Brown said you did not sign this  
paper yet for a bridge below, and  
he showed it, and I signed it for a  
bridge below

(Retreat)

Ques - You were a witness to vacate and  
supply a portion of the Heffer road  
embracing the bridge near South  
10<sup>th</sup> Street. State at what time you

Vacated that road.

Ans - I did not make a note of the time  
could tell if I was at home.

I think it was about the 2<sup>d</sup> day of Sept/1892

Ques - State whether or not that it was before  
or after the view locating the bridge  
near Smith 9<sup>th</sup> street.

Ans - The road was viewed before to the best of  
my knowledge

Ques - State whether then the bridge view locating  
the bridge on the 1<sup>st</sup> of Dec 1892 was  
not had before any road was confirmed  
absolutely to the proposed new bridge

Ans - I could not tell

H. J. Krummacker

Albert Roeler

Ques. Where do you live

Ans. Carrolltown

Ques. How long have you lived in Carrolltown

Ans. Since last Nov. two years

Ques. State if before you came <sup>to</sup> Carrolltown you  
lived for a long time you lived in  
Carrolltownship and how long

Ans. About forty six or forty seven years

Ques. State if during a great part of that  
time you knew what is called the  
Hopper valley and if you know it yet

Ans. Yes

Ques. You were present to day when the question  
came up as to the population of the Hopper  
Valley

Please state from your best knowledge what that population is

Ans. What you call the Copper Valley proper is only what belongs to the Benedictine Order eight or nine hundred acres unincorporated as far as I know

### Cross Examination

Ques. What do you designate the territory lying between the two ridges through which a branch of the Susquehanna river flows and the Copper Valley road runs through and what is the distance from the village of Spangler to the source of the river

Ans. About six miles

Ques. If you don't know the name of the <sup>territory mentioned</sup> Copper Valley is there not a continuous valley <sup>from Spangler</sup> to the source of the Susquehanna river

Ans. Undoubtedly there is a valley clear down to Cherrytree

Ques. State whether or not there is a public road running through this valley from Spangler and how many coal operations are there located along the valley

Ans. There is a public road running from Carrolltown also other roads through the valley  
There may be three or four coal operations

Ques. State whether the hills on either side of the valley contain large deposits of coal.

Ans. They are supposed to

Ques. Will their not in your opinion be many more coal operation along this valley between Spangler and Carrolltown and the importance of the Copper road be greatly increased and a bridge on the Copper road over the east branch of the river at Spangler be a necessity

Ans. Of course there is a necessity for both bridges. It is supposed there will be more operation but can't tell

Albert Baskett

Albert M. Combie sworn

Ques. Where do you live

Ans. Barbourne hill

Ques. How long have you lived there

Ans. About twenty nine or thirty years in that neighborhood to the best of my knowledge

Ques. State if you know the road leading from Nicktown and west of Nicktown and Indiana Co to Spangler and which crosses the Susquehanna river near N. 2<sup>nd</sup> St. and whether or not it is the road mainly traveled from

Ans. The section of country named  
I suppose it is from the amount that  
travels it

Ques. State whether for the accomodation  
of the general public a bridge across  
the river at the point named is a  
necessity

Ans. I believe it is it is not safe to travel  
across the bridge at the present time

Ques. State if you know the road or if  
there is any way from Nicktown in  
that section to get to Spangler  
in the winter time except the  
road spoken of

Ans. There is a road up by Karskes across  
to Lansy's to Spangler I am unable  
to tell whether it is passible in winter  
or not I don't travel it

Ques. State if you know the location of the  
proposed bridge at S. 9th St. and if  
you do whether that bridge would  
be across the Susquehanna or a  
stream leading into it

Ans. I know the location of the bridge  
I am unable to tell the name of the  
stream

Ques. State if there was to be but one bridge  
across the Susquehanna to Spangler

good

whether the public, would require that  
bridge to be at N. 2<sup>nd</sup>. St. or S. 9<sup>th</sup> St.  
considering the travel as at present

Ans. Since Spangler has started from the  
amount of travel we see below it is  
necessary to have a bridge

Ques. State if you can tell near about how  
many feet of a span a bridge at 2<sup>nd</sup> St  
would require

Ans. I measured yesterday with a tape line  
and from one end to the other with a  
fill in the middle is one hundred  
and fifty two or three feet including  
the fill in the middle

Ques. State in your judgment after exam-  
ining the ground how much of a span  
would permit the usual quantity of  
water at high flood to pass through  
without regard to the filling in at the  
approaches to the bridge on either side

Ans. I am unable to state the span on the  
Barrowship end the sleepers are about  
fifty feet six inches and has been taken  
out once that I know of with ice and logs

Ques. State if the point of which you just  
now speak is the site of the present  
bridge

Ans. Yes

Ques. State if lower down the river a short distance or a short distance up the stream would be more favorable for the building of a bridge and at less cost than the present site

Ans. The present <sup>site</sup> is about the widest span across the river I think near that point I am unable to say anything about the cost

Ques. State whether or not in any event the building of a bridge across the river in that neighborhood would be an excessive burden on the tax payers of the vicinity and ought to receive County aid or be built at the County expense

Ans. I believe it would be hard on the tax payers I think the County should build it

Ques. And do you now state that in your opinion the present bridge is unsafe or at least unfit for its purpose and ought to be superseded by a new one

Ans. I do There is seven large stone on of the abutment on the Partnership side the wall has given away on the side down stream there is a wooden prop set in and it is rotten the stones spoken of are so large it would require a couple of men to handle them

Albert C. McComb

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

Respectfully,  
Wm. L. Smith, J.P.  
Cincinnati Apr 5<sup>th</sup> 1893.

In re *Indigo*  
*vs* *Desquehams*  
*Trust*

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

Of *Sept* Term, A. D. 189*2*, No. *7c*

And now, to wit, the *Twenty-eight* day of *March*, A. D. 189*3*, Rule  
on part of *Remonstrants* 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

*28* of *March* 189*3*

*J. H. Darby* Prothonotary.

To the *Debtors* or their counsel *Mr. D. K. Hill 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 *remonstrants* will be taken at the *office of C. A. Shubert*  
*in Conestoga, Cambria Co* on *Wednesday*  
the *fifth* day of *April*, A. D. 189*3*, between the hours  
of *eight* o'clock A. M., and *three* o'clock P. M., before *C. A. Shubert*  
*a Notary Public* 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.

*Shubert*  
*Atty. for Executors*  
*& Remonstrants*  
*Mar 28<sup>th</sup> 1893*

And now, April 5<sup>th</sup> 1893, I agree that the testimony of witnesses to be taken in pursuance of within rule and notice, may be taken by W.C. Schmitt, Esq a Justice of the Peace of the Borough of Carrolltown Pa., at his office in said Borough, with the same force and effect as if taken by C.A. Sharbaugh, Notary Public at his office in said Borough.

M. D. Pittell  
Atty for Petitioners.

No. 7 Sept. Term 1892  
R.O.

In re Estate of  
Augustus J. [unclear]

Term 16 Apr. 1894

RULE ON PART OF  
Petitioners

[Signature]

We the undersigned inspectors appointed by the Court of Quarter Sessions of Cambridge County to inspect the Bridge named in the annexed Order do Report

That having been first duly sworn according to law we viewed and inspected said Bridge and find it is constructed of good material and in a good, substantial workmanlike manner, in accordance with the Plans and Specifications and contracts for the construction of said bridge.

In witness whereof we have hereunto set our hands and seals this 10<sup>th</sup> day of November A. D. 1894.

Frank Manly.

W. A. Lantry

Anthony Neiland

Alexander Leslie

~~Anthony~~ <sup>W. A.</sup> Westover

James A. McLain

M. C. Westover

Seal  
Seal  
Seal  
Seal  
Seal  
Seal  
Seal

Frank Manly	1 day.	2 Miles	\$ 2.20
W. A. Lantry	1 "	1 "	2.10
Anthony Neiland	1 "	1 "	2.10
Alexander Leslie	1 "	1 "	2.10
James A. McLain	1 "	1 "	2.10
M. C. Westover	1 "	1 "	2.10
			\$ 17.70

Cambria Co. Ill.

At a Court of Quarter Sessions  
of the Peace held at Eureka  
in<sup>ed</sup> for the County of said be-  
fore the Hon. A. S. Barker. Of the  
petition of the County Commis-  
sioners was presented setting forth "That it having  
appeared to the Court, to the Grand Jury and to the Com-  
missioners of the said County that a bridge over the  
Sauguehaun River at South Ninth Street in the Vil-  
lage of Spangler in Sauguehaun Township Cambria  
County was necessary and that it would be to  
expensive for the said township to erect said bridge  
and the same having been entered of record, your  
petitioners procured an estimate to be made as nearly  
as might be, of the expense of the same, amounting  
to the sum of Four thousand and forty Dollars for  
the super-structure and two thousand & ninety  
Dollars for the sub-structure, and did proceed  
to have such bridge erected by entering into a  
contract with the Massillon Bridge Company for  
the erection of the super-structure and by entering  
into a contract with Wm. Kerick for the erection of  
the sub-structure: and that the bridge is now com-  
plete agreeably to the said contracts. Your petitioners  
therefore pray the Court to appoint six fit persons  
to inspect said bridge and the workmanship  
thereof, according to law, and to make report to  
the said Court, &c." The Court upon due considera-  
tion had of the premises appointed James McElain,  
Cell. Weston, Wm. A. Lantry, Frank McAnulty,

Mr Leslie & Anthony Hyland Inspectors, to inspect  
said bridge and make report to the Court.

By the Court.

J. H. Darby  
Clerk

Mr. 7 Sept. 1872  
rec.

Ex re Bridge over  
Mechanical Times  
at Springfield

1872-11-11

Order to Inspect

Filed 17 Nov. 1872

Settled

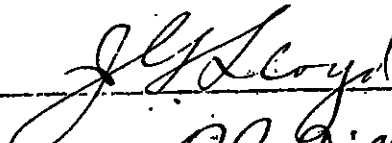

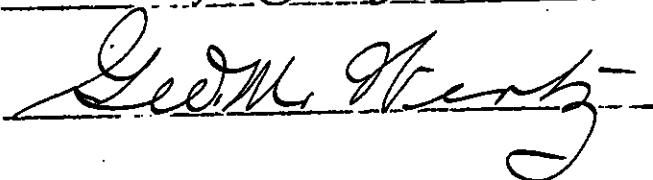
To the Honorable A. V. Barker, President Judge of the  
Court of Quarter Sessions of Cambria County Pennsylvania.

The petition of the Commissioners of the County of  
Cambria to-wit: J. G. Lloyd, P. E. Dillen, and Geo. M. Wertz  
respectfully represents:

That it having appeared to the Court, to the Grand Jury,  
and to the Commissioners of the said County that a bridge over  
the Susquehanna River at South Ninth Street in the Village of  
Spangler in Susquehanna Township Cambria County, was necessary,  
and that it would be too expensive for the said township to  
erect said bridge; and the same having been entered of record,  
your petitioners procured an estimate to be made as nearly as  
might be, of the expense of the same, amounting to the sum of  
Four hundred and forty Dollars for the super-structure and Nine  
hundred and ninety Dollars for the sub-structure, and did proceed  
to have such bridge erected, by entering into a contract with The  
Massilon Bridge Company for the erection of the super-structure  
and by entering into a contract with M. J. Kirsch for the  
erection of the sub-structure; and that the said bridge is now  
complete agreeably to the said contract.

Your petitioners therefore pray the Court to appoint  
six fit persons to inspect said bridge and the workmanship  
thereof, according to law, and to make report to the said Court.

And they will ever pray.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

CAMBRIA COUNTY SS.

Before me a Notary Public in and for said County and State personally appeared J. G. Lloyd, P. E. Dillen and Geo. M. Wertz who being by me duly sworn according to law depose and say that the facts set forth in the foregoing petition are true and correct to the best of their knowledge and belief.

Sworn and subscribed this 30<sup>th</sup> day of October A. D. 1894.

*P. J. Diller*  
Notary Public

*J. G. Lloyd*  
*P. E. Dillen*  
*Geo. M. Wertz*

*No. 7 Rehe Dec 1 1892*

Petition of J. G. Lloyd, P. E. Dillen, and Geo. M. Wertz for the appointment of Inspectors to view County Bridge over Susquehanna River at Spangler.

And now, October 30<sup>th</sup> 1894

Petition read and James McElain, Edell Nestover, Wm. A. Santoy, Frank McAnnulty, Alex. Seebie and Anthony Heyland are hereby appointed to in-

spect said bridge and make report to this Court.

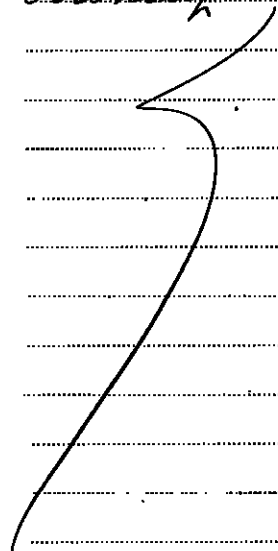
*Rephel Court*

*Filed 30 Oct. 1894.*

*Retall*

Commonwealth of Pennsylvania,  
County of Cambria } ss.

At a Court of Quarter Sessions of the Peace of the County of Cambria  
held at Clearburg in the the said County, on the 24 day of  
October A. D. 1892, before the Honorable the Judges of the same  
Court: Upon the petition of divers inhabitants of the township of Susquehanna  
in the said County, setting forth that they labor under inconvenience for want of a  
bridge ~~road or highway~~, to lead from  
~~over the Susquehanna River at South Brick~~  
~~Street in the village of Shurgler in said Township~~  
and that the expense of creating said bridge would  
be too burdensome upon the inhabitants of said  
Township



and therefore praying the Court to appoint proper persons to view <sup>the site for</sup> and lay out the  
same according to law. The Court upon due consideration had of the premises, do  
order and appoint Paul Mahan SURVEYOR,  
and Archibald Farrell & John P. Kirsch

<sup>del</sup>  
~~VIEWERS~~, to view the <sup>del</sup> ground 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 <sup>del</sup> 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. Laney,  
Clerk.

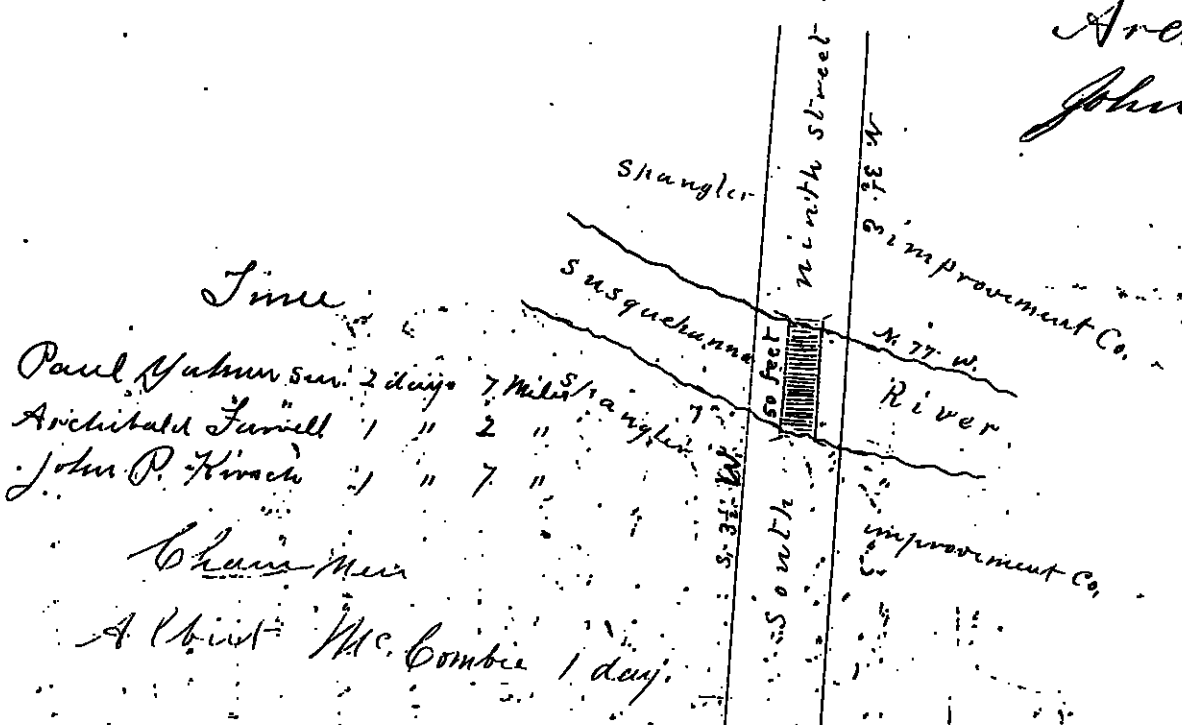
of the honorable the Judge within named.

We the subscribers, Person appointed by the Court, to view the place proposed for the bridge in the within order mentioned, respectfully report:

That having been present, at the view of the place proposed for the bridge within mentioned, and having all been first severally sworn, we have viewed the premises aforesaid, a plot or draft whereof is hereto attached, and we are of opinion that a bridge over the Susquehanna river at the place mentioned in the within order, is necessary, and that the erection of such a bridge would be attended with more expense than is reasonable the said township should bear.

Witness our hands, this first day of December A. D. 1802.

Paul Yarnum  
Archibald Jamieson  
John P. Kircho



Time

Paul Yarnum	seen	2 days	7 miles
Archibald Jamieson	"	1 "	2 "
John P. Kircho	"	1 "	7 "

Charles Meier

A. Christ McCombe 1 day

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. 7  
 Sept. Term, 1894  
 P. R. S.

Order to view a road  
 out to the boundary  
 on the property of  
 the Commonwealth  
 at the place where in  
 the town of  
 the Commonwealth

Viewers:  
 Paul H. ...  
 Archibald ...  
 Geo. P. ...

And now Dec. 5<sup>th</sup> 1894, within report  
 of viewers referred to the Court  
 By the Court

Let Clerk find 90

17th. 1894 approved - (Per B. B.) Per Court

To the Hon<sup>ble</sup> A. S. Barber  
President, Sec<sup>y</sup> of the  
Board of Quarter Sessions  
of the Place in and for  
said County.

December Session A. D. 1892.

The Grand Jury respectfully  
report that they have examined  
the report of the Viewers in  
regard to the erection of a  
Bridge over the Sugar Creek  
River, in said Township,  
and recommend that the  
Commissioners appropriate  
two thirds (2/3) of the cost  
of said Bridge.

W. S. Barnes  
Sherman