

Brouse.

PAUL A. BROUSE, being duly sworn according to law,
testified as follows:

DIRECT EXAMINATION

By Mr. Ertel:

Q. State your full name?

By Mr. Fierro:

Do you want to tell me?

By Mr. Ertel:

The same thing.

By Mr. Fierro:

Go ahead.

By Mr. Ertel:

Q. State your name?

A. Paul A. Brouse.

Q. Where do you live?

A. Montoursville, 211 Streibeigh Lane.

Q. What is your occupation?

A. I work for Kremser Brothers as an Equipment
Operator.

Q. Returning to the 19th of October, 1973, did
you have the occasion to be in the company of "Boots"
Dieffenbacher and transporting a bulldozer?

A. I sure did.

Q. Where was that bulldozer prior to the time
you transported it? Where were you initially on that day?

A. Down at Dye-Tax working.

Q. Was the soil down there wet, clay soil?

Brouse.

A. Yes, it was.

Q. And did you take that bulldozer over to the Sylvan Dell area?

A. Yes.

Q. And did you unload that bulldozer at the mouth of a farm road which went back to the ARCO Bulk Tank?

A. Yes.

Q. And what did you do after that?

A. I put the blocks down and I moved the trailer down to the Atlantic Refinery Plant.

Q. Did you operate the bulldozer at all?

A. No, I did not.

Q. Approximately at 11:45 to 12:00 Noon, did you come back around and pick up the bulldozer?

A. Yes.

Q. Did you see "Boots" Dieffenbacher clean the bulldozer?

A. No.

Q. Was the bulldozer cleaner when you got it back on the vehicle than it was when you took it off?

A. Yes.

Q. Did the dozer have a lot of mud on the tracks from the Dye-Tex job?

A. Yes.

Q. What time did you get back to Montoursville?

A. About 12:30.

Q. Thank you.

Brouse.

By The Court:

Mr. Fierro?

By Mr. Fierro:

Q. Did any of this mud as you were going down the Sylvan Dell Road, for example, the jolting of that vehicle knock some of it loose?

A. You mean onto the black-top, Sir?

Q. Yes?

A. Not that I could, I was not watching for that, no, it could have.

Q. It could have?

A. Sure it could have.

Q. Lots of times we see mud on a highway, it gets there because it comes off of some truck wheels or something, isn't that right?

A. That is right.

Q. Besides this thing you transported the dozer on, I don't know what you call it, I suppose it was a flat bed?

A. Low bed.

Q. With a lot of wheels?

A. Right.

Q. And you had to, where ever you got this dozer from, you had to bring this flat thing down there to get it, didn't you?

A. Yes, we did.

Q. To get onto the same kind of soil, as a matter of fact, right?

Brouse. - Kremser.

A. Well, there was probably some spilled on the road where we loaded it, yes.

Q. And I said where you got the dozer, you had to bring this flat bed transportation thing down there to where that soil was, you had to get some of that soil on all of them wheels, didn't you?

A. Right.

Q. That is all.

By Mr. Ertel:

No further questions.

(Excused from the witness stand.)

PAUL L. KREMSER, being duly sworn according to law, testified as follows:

DIRECT EXAMINATION

By Mr. Ertel:

Q. State your full name?

A. Paul L. Kremser.

Q. Your occupation?

A. Contractor.

Q. How long have you been a contractor, Mr. Kremser?

A. 27 years.

Q. Is that basically earth moving?

A. Pardon?

Q. Is that basically the earth moving type?

A. Yes, Sir.

Q. Where is your place of occupation?

A. Montoursville.