

DOCKET NO. 172

NUMBER	TERM	YEAR
21	November	1960

Louis DeLullo and

Frances DeLullo

VERSUS

Angelo Uberti

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LOUIS DELULLO and
FRANCES DELULLO

VS

ANGELO UBERTI

:
:
:
:
:

No. 21 November Term, 1960

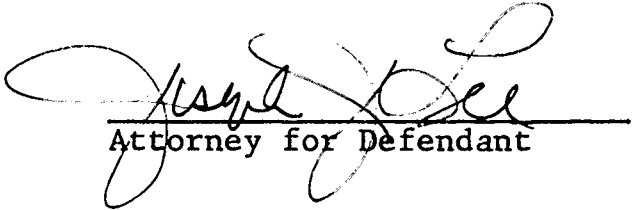
In Trespass

PRAECIPE FOR APPEARANCE

TO: WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Enter my appearance on behalf of the defendant in the
above entitled case.


Attorney for Defendant

Dated: November 22, 1960

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 21 November Term, 1960
Trespass

LOUIS DELULLO and FRANCES
DELULLO

VS

ANGELO UBERTI

PRACIPE FOR APPEARANCE

NOV 22 1960
WM. T. HAGERTY
PROTHONOTARY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Louis Delullo and Frances : No. 21 November Term, 1960
Delullo

vs

:

Angelo Uberti

: Complaint In Trespass

(SHERIFF'S RETURN)

NOW, November 10, 1960 deputized the Sheriff of Elk County to
serve the within Complaint In Trespass upon Angelo Uberti.

NOW, November 18, 1960 served the within Complaint In Trespass
upon Angelo Uberti by deputizing the Sheriff of Elk County. The
return of service of Ivan J. Herzing, Sheriff of Elk County, is
hereto attached and made part of this return of service.

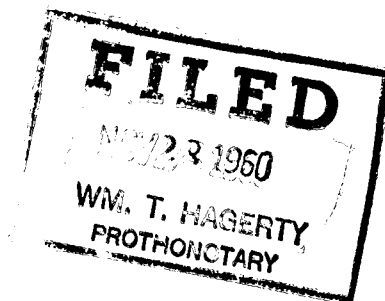
COSTS: Sheriff Ammerman \$6.00
Sheriff of Elk County \$11.30
(Paid by Attys G, C & C)

So answers,


CHARLES G. AMMERMAN
Sheriff

Sworn to before me this 28th
day of November A. D. 1960.

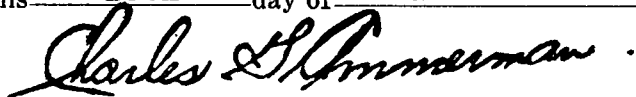

Prothonotary



Know all men by these Presents, That I, Charles G. Ammerman

High Sheriff of Clearfield County, State of Pennsylvania, do hereby deputize Sheriff of Elk County to execute this writ; this deputation being made at the request and risk of the Plaintiff.

Given under my hand and seal this 10th day of November
A. D. 19 60.



CHARLES G. AMMERMAN

Sheriff.

Louise Delullo and Frances
Delullo

Versus

Angelo Uberti

IN THE COURT OF COMMON PLEAS
Clearfield
OF ~~ELK~~ COUNTY

No. 21

November

Term 1960

Complaint

STATE OF PENNSYLVANIA }
COUNTY OF ~~ELK~~ Clearfield } SS:

Carl H. Sandberg, Deputy Sheriff, being duly sworn according to law, deposes and says, that he served a Complaint on the defendant, Angelo Uberti, by handing to Mrs. Ann Uberti, his wife, a true and attested copy of the same and making known to her the contents thereof in Force, Elk County, Pennsylvania on November 18, 1960 at 2:30 P.M.

Sworn to and subscribed before me this
18th day of NOVEMBER A.D. 1960

Joseph J. Sumner
Prothonotary
My Commission expires January 6, 1964

So Answers

Ivan J. Herzing,

Sheriff

By: *Carl H. Sandberg*

Deputy

No. 21 November Term 1960

Louise DeIullo and Frances
DeIullo

vs.

Angelo Uberti

AFFIDAVIT OF SERVICE

Sheriff Paid \$ 11.30

FILED

Attorney for the Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LOUIS DELULLO and FRANCES : No. 21, November Term
DELULLO : 1960
Plaintiffs :
vs :
ANGELO UBERTI : IN TRESPASS
Defendant :

COMPLAINT

And now comes LOUIS DELULLO and FRANCES DELULLO, Plaintiffs in the above entitled matter and by their attorneys, Gleason, Cherry & Cherry, file this Complaint in Trespass against ANGELO UBERTI, Defendant, upon a cause of action whereof the following is a statement:

1. The Plaintiffs LOUIS DELULLO and FRANCES DELULLO, husband and wife, are individuals who reside at the Villiage of Weedville, Jay Township, Elk County, Pennsylvania.
2. The Defendant, ANGELO UBERTI, is an individual who resides at the Villiage of Force, Jay Township, Elk County, Pennsylvania.
3. That the Plaintiffs are owners of a certain lot and one-story brick building situate on Route 255 in the Villiage of Penfield, Huston Township, Clearfield County, Pennsylvania, said building being approximately 14 miles Northeast of the City of DuBois, Clearfield County, Pennsylvania.
4. That at the place aforesaid, on or about October 13, 1959, at or about the hour of 11:30 A.M. E.D.S.T., said Defendant was operating a certain 1950 Chevrolet Sedan, owned by him.

5. That without any invitation whatsoever by the Plaintiffs or by anyone in their behalf, said Defendant attempted to park his said vehicle upon the premises of Plaintiffs, aforesaid, and in front of said building owned by said Plaintiffs.

6. That while so trespassing on said lands owned by Plaintiffs, said Defendant did so carelessly and negligently operate his said vehicle as to cause it to collide with the said Plaintiffs' building and as a result thereof said building was damaged to the extent hereinafter set forth.

7. That at said time and place the said Defendant was reckless, careless and negligent in that he:

- (a) failed to have his vehicle under proper and adequate control at said time and place;
- (b) was proceeding at an excessive rate of speed under the circumstances
- (c) did fail to have his said Chevrolet vehicle particularly the brakes and steering mechanism thereof, in proper operating condition
- (d) did otherwise operate said vehicle in a careless, negligent, wanton and willful manner and with a reckless disregard of other persons or property.

8. That as a result of said collision and solely by reason of said negligence of Defendant, the said building of the Plaintiffs was damaged to the extent of \$565.96; estimate of said damages being hereunto attached and marked Plaintiffs' Exhibit "A".

WHEREFORE, for the sum of \$565.96, together with interest and costs of suit, Plaintiff brings this Complaint

GLEASON, CHERRY & CHERRY
Attorneys for Plaintiffs

By Anthony S. Guido

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before me a Notary Public, in and for the County and State aforesaid, LOUIS J. DELULLO and FRANCES DELULLO, who, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

Louis J. De Lullo
Frances De Lullo

Sworn to and subscribed before me this 9th day of November, 1960.

Josephine M. Cherry
Notary Public
My Com. expires Jan. 7, 1963.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 21 NOVEMBER TERM, 1960
IN TRESPASS

LOUIS DELULLO and
FRANCES DELULLO,
-vs- Plaintiffs

ANGELO UBERTI,
Defendant.

COMPLAINT

TO WITHIN NAMED DEFENDANT:
You are hereby notified to
plead to the enclosed Com-
plaint within twenty (20) days
from the service hereof.

GLEASON, CHERRY & CHERRY
Attorneys for Plaintiffs

By Anthony J. Guido

588

FILED
NOV 10 1960

WM. J. HAGERTY
LAW OFFICES
PROTHONOTARY
GLEASON, CHERRY & CHERRY

7-10 DAMUS BUILDING

DU BOIS, PENNSYLVANIA

450 109 N-BRADY STREET

450
dlg

In the Court of Common Pleas Clearfield County.
James De Lullo
Frances De Lullo
VERSUS
Angelo White
Of November Term, 1960
No. 21
Plaintiffs Bill of Costs
At _____ Term, 19____

[illegible]

CLEARFIELD COUNTY, SS:

CLEARFIELD COUNTY, SS: Anthony S. Guido, who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material, and in attendance as above stated, and that the mileage is correct as he believes.

Sworn to and subscribed before me this
15th day of May, A. D. 1961
John P. Hagarty, Prothonotary
Anthony J. Guida
PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

No. Term, 19....

Versus

Attorney

Service accepted 5-17-61

Joseph Lee
Atty for Def.

JOSEPH J. LEE
ATTORNEY AT LAW
CLEARFIELD, PENNSYLVANIA

POPLAR 5-7893

April 5, 1961

William T. Hagerty, Prothonotary
Clearfield County
Court House
Clearfield, Pennsylvania

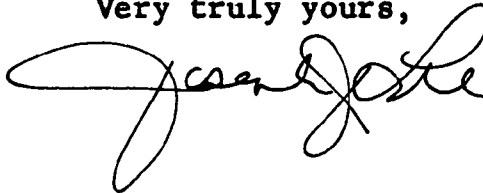
Re: Delullo vs. Uberti
No. 21 November Term, 1960
Trespass

Dear Mr. Hagerty:

Arbitrators have been appointed in the above
case.

Will you please notify them that hearing has
been scheduled for Wednesday, May 10, 1961 at
1:30 P.M. DST?

Very truly yours,



JJL:DH



CLEARFIELD, PA.
November 5, 1959.

Divisions of Kemper Insurance,
Mr. H. M. Little, Adjuster,
Kittanning, Penna.

Louis Delullo, Res.
Peffield, Penna.

Dear Sir:

Estimate towards damage to Louis Delullo Property

as Follows:

200 face brick	\$ 19.50
15 concrete blocks	3.60
Mortar & sand	7.50
2 sq. interior paint	3.64
Painting labor	20.00
Masonry labor & helper	48.00
Carpenter labor	25.00
Labor & material to replace one broken section of radiator	<u>45.00</u>
Total price	\$ 172.24

Yours truly,

Pertz Bros.

B/N

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LOUIS DELULLO and FRANCES
DELULLO

VS

ANGELO UBERTI

:
:
:
:
:
:

No. 21 November Term, 1960

Trespass

PRAECIPE FOR DISCONTINUANCE

TO WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Please mark the above case satisfied and discontinued.

Gleason Cherry & Cherry
by Anthony J. Guida
Attorneys for Plaintiffs

Dated: May 24 , 1961

Gu. U. 24 10
18 52
43 62
Re 15 52
58 12

Louis DeLullo,
Frances DeLullo
vs.
Angelo Uberti

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 21 November Term, 1966

OATH OR AFFIRMATION OF ARBITRATORS

Now, this 10th day of May, 1966, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same.

Nevin B. Gilpatrick Nevin B. Gilpatrick
Chairman
Dan P. Arnold Dan P. Arnold
Joseph M. Colavecchi Joseph M. Colavecchi

Sworn to and subscribed before me

this 10th day of May, 1966
Wm T. Hayert
Prothonotary

AWARD OF ARBITRATORS

Now, this 10 day of May, 1966, we, the undersigned arbitrators appointed in this case, after having been duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows: for the plaintiffs, Louis De Lullo and Frances DeLullo, in the amount of \$350.00 with interest and costs of suit and against the defendant Angelo Uberti.

Nevin B. Gilpatrick Chairman
Dan P. Arnold
Joseph M. Colavecchi

ENTRY OF AWARD

Now, this day of , 195, I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys.

WITNESS MY HAND AND THE SEAL OF THE COURT

Prothonotary

by

Louis De Lullo
 Frances De Lullo
 vs.
 Angelo Wherti

IN THE COURT OF COMMON PLEAS
 OF CLEARFIELD COUNTY

No. 21 Nov Term, 1960

PRAECIPE FOR APPOINTMENT OF ARBITRATORS (1)

TO THE PROTHONOTARY OF SAID COURT:

The undersigned, pursuant to the Act of June 16, 1836, P. L. 715, as amended by the Act of June 14, 1952 (1951-52) P. L. 2087 and further amended July 22, 1955, Laws 1955, Act No. 91 and Clearfield County Court Rule....., requests you to appoint a BOARD OF ARBITRATORS and certifies that:

- (X) The amount in controversy is \$1,000 or less.
- (✓) The case is at issue.
- () An agreement of reference has been filed of record.
- () Judgment has been entered for want of an appearance.

RECORD APPEARANCES HAVE BEEN ENTERED FOR:-

Plaintiff Anthony S. Guido Defendant Joseph J. Lu

Date.....

Attorney for

TEN DAY PERIOD FOR APPOINTMENT OF ARBITRATORS IS WAIVED (2)

Attorney for

Attorney for

Attorney for

Attorney for

TIME AND PLACE OF HEARING and APPOINTMENT OF BOARD

Now, ~~Feb~~ March 14, 1961, hearing of the above case is fixed for Wednesday, ~~April~~ May 10, 1961, in #24 Room, Clearfield County Court House, Clearfield, Pa., and the following Clearfield County Bar members:

Chairman

are appointed as the BOARD OF ARBITRATORS to hear testimony, make report, and render their award within twenty (20) days from date of hearing.

I hereby certify that notice by mail was duly given to said Arbitrators, Attorneys, and/or parties of record of said appointment, time, and place of hearing.

WITNESS MY HAND AND THE SEAL OF THE COURT

Prothonotary

by Deputy

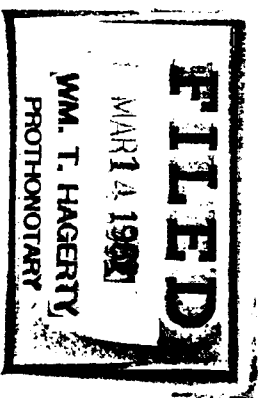
- (1) See Court Rule 27
- (2) Waiver requires signatures of counsel for all parties.

In the Court of Common Pleas
of Clearfield County

No. Term, 195

VS.

PRAECIPE FOR APPOINTMENT OF
ARBITRATORS



SIR:

The following three persons have been appointed Arbitrators
in the case of Louis DeLullo and Frances DeLullo vs.

Angelo Uberti

No. 21 November Term, 1960

the first named being the Chairman of the Board:

Nevin B. Gilpatrick, Jr., Dan P. Arnold,

& Joseph M. Colavecchi

Hearing of the case has been fixed for Wednesday,

May 10, 1961 at 1:30 P.M.

in Court Room # 2

Very truly yours,

William T. Hagerty,
Prothonotary.

WTH/jb