

DOCKET NO. 173

NUMBER	TERM	YEAR
268	November	1960

Ferdinand C. Gormont .

VERSUS

Edward Smith

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. *268* December Term, 1960
Trespass *per*

FERDINAND C. GORMONT

VS

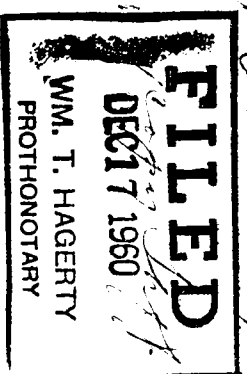
EDWARD SMITH

C O M P L A I N T

TO THE WITHIN NAMED DEFENDANT:

You are herewith notified to
answer to the within Complaint
within 20 days from service
hereof.

Joseph J. Lee
Attorney for Plaintiff



JOSEPH J. LEE
ATTORNEY-AT-LAW
CLEARFIELD, PA.

4-20 City

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FERDINAND C. GORMONT

VS

EDWARD SMITH

:
:
:
:
:

No.

268

Had

~~December~~ Term, 1960

In Trespass

C O M P L A I N T

COMES NOW, the plaintiff, and by his attorney, Joseph J. Lee, brings this action in Trespass against the above named defendant upon a cause whereof the following is a statement:

(1). The plaintiff, Ferdinand C. Gormont, is an individual and resides in Frenchville, Clearfield County, Pennsylvania.

(2). The defendant, Edward Smith, is an individual and resides in LeContes Mills, Clearfield County, Pennsylvania.

(3). On or about October 14, 1960, at approximately 8:45 P.M., the plaintiff was driving a 1959 model Ford automobile in an easterly direction on Route 879 near Shawville, Pennsylvania.

(4). At the time and place aforesaid the defendant was driving a 1952 model Chevrolet automobile in a westerly direction and so negligently operated his car that he crossed the center line of the highway and forced the plaintiff's automobile off the road and collided therewith causing severe damage to the plaintiff's car which will be set out more fully hereinafter.

(5). The defendant was negligent in that:

(a). He failed to operate his car in the proper and lawful lane of traffic.

(b). He failed to maintain proper control of his automobile under the circumstances.

(c). He failed to observe the provisions of the Motor Vehicle Code requiring him to remain in the right hand lane of traffic.

(d). He was travelling at an excessive rate of speed under the circumstances.

(6). As a result of the aforesaid negligence the left front and side of the plaintiff's car were severely damaged and necessitated repairs to the total amount of \$487.19 as set out in the schedule attached hereto and made a part hereof and marked Exhibit "A".

(7). The amount in controversy is less than \$2000.00.

WHEREFORE, the plaintiff demands of the defendant the sum of \$487.19, with damages for delay.

Attorney for Plaintiff

STATE OF PENNSYLVANIA:

SS:

COUNTY OF CLEARFIELD :

FERDINAND C. GORMONT, 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 his knowledge, information
and belief.

(Ferdinand C. Gormont)

Subscribed and sworn to before
me this 15 day of December, 1960.

William P Edmunds

My commission expires
January 4th, 1955

Ferdinand C. Gormont

VERSUS

Edward Smith

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PA.

No. 268 Term November 1960

To William T. Hagerty

Prothonotary.

Sir: Enter our appearance for Edward Smith

in above case.

BELL, SILBERBLATT & SWOOPE

by

Attorney for Defendant

No. 268 Term November 19 60

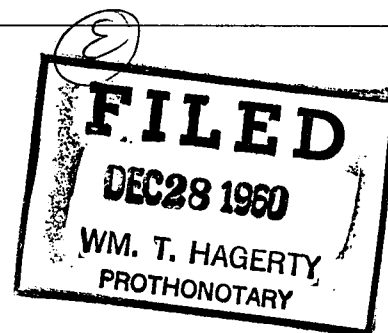
Ferdinand C. Gormont

vs.

Edward Smith

APPEARANCE

For Defendant



Affidavit of Service

Ferdinand C. Gormont

vs.

Edward Smith

No. 268 November Term, 19 60

Complaint In Trespass

Returnable within _____ days
from date of service hereof.

NOW December 19, 19 60 at 11:50 o'clock A.M.

served the within Complaint In Trespass

on Edward Smith

at place of residence, LeContes Mills, Clearfield County, Pennsylvania

by handing to Mrs. Julia Smith an adult member of the family being the
wife of Edward Smith

a true and attested copy of the original Complaint In Trespass and made
known to her the contents thereof.

Costs. Sheriff Ammerman \$10.00
(Paid by Atty Lee)

Sworn to before me this 19th
day of December A. D. 19 60

How T. Haggerty
Notary

So answers,

Charles G. Ammerman
CHARLES G. AMMERMAN

Sheriff

FILED
DEC 22 1960
WM. T. HAGERTY
PROTHONOTARY

Am now February 3 1961 service is accepted on all within jurisdiction

See Fee

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA No. 268 November Term, 1960 IN TRESPASS	
FERDINAND C. GORMONT VS EDWARD SMITH	
COUNTER-CLAIM	
To the within named Plaintiff:- You are hereby required to file Answer to the within Counter-Claim within twenty (20) days from the date of service hereof.	
<div>FILED JAN 28 1961 WM. T. HAGERITY ATTORNEY AT LAW BELL, SILBERBLATT & SWOOP BY: <i>[Signature]</i> Attorneys for Defendant</div>	
BELL, SILBERBLATT & SWOOP ATTORNEYS AT LAW CLEARFIELD TRUST CO. BLDG. CLEARFIELD, PENNA.	
COMMERCIAL PRINTING CO., CLEARFIELD, PA	

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FERDINAND C. GORMONT

VS.

EDWARD SMITH

:
:
:
:

No. 268 November Term, 1960

IN TRESPASS

COUNTER-CLAIM

NOW COMES the Defendant, Edward Smith, by his attorneys, Bell, Silberblatt & Swoope, and files a Counter-Claim against the above named Plaintiff, upon a cause whereof the following is a statement:-

(1). The Plaintiff, Ferdinand C. Gormont, is an individual and resides in Frenchville, Clearfield County, Pennsylvania.

(2). The Defendant, Edward Smith, is an individual and resides in LeContes Mills, Clearfield County, Pennsylvania.

(3). On or about October 14, 1960, at approximately 9:30 p.m., the Plaintiff was driving a 1959 model Ford automobile in an Easterly direction on Route #879, near Shawville, Pennsylvania, and so negligently operated his car that he crossed the center line of the highway and forced the Defendant's automobile off the road and collided therewith, causing severe damage to the Defendant's car, which will be set out more fully hereinafter.

(4). At the time and place aforesaid, the Defendant was driving a 1952 model Chevrolet automobile in a Westerly direction.

(5). The Plaintiff was negligent in the following respects:-

- (a). In failing to operate his car in the proper and lawful lane of traffic;
- (b). In failing to maintain proper control of his automobile under the circumstances;
- (c). In failing to observe the provisions of the Motor Vehicle Code requiring him to remain in the right hand lane of traffic; and
- (d). In travelling at an excessive rate of speed under the circumstances.

(6). As a result of the aforesaid negligence of the Plaintiff, the motor vehicle of the Defendant was severely damaged. The lowest estimate of repair for Defendant's vehicle was Seven Hundred Twelve and 54/100 (\$712.54) Dollars. The value of Defendant's vehicle immediately prior to the accident was Three Hundred Sixty (\$360.00) Dollars. The salvage value is \$20.00

(7). The amount in controversy is less than Two Thousand (\$2,000.00) Dollars.

WHEREFORE, the Defendant demands judgment against the Plaintiff in the liquidated sum of Three Hundred forty (\$340.00) Dollars, plus costs and interest for delay.

BELL, SILBERBLATT & SWOOPE

BY:

Paul Silberblatt
Attorneys for Defendant

STATE OF PENNSYLVANIA:
SS:
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared EDWARD SMITH, who, being duly sworn according to law, deposes and states that the facts set forth in the foregoing Counter-Claim are true and correct to the best of his knowledge, information and belief.

Edward Smith

Sworn and subscribed to
before me this 28 day
of , 1961.

Wm. T. Hagerty

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

FERDINAND GORMONT

vs.

EDWARD SMITH

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 268 November Term, 1956.

OATH OR AFFIRMATION OF ARBITRATORS

Now, this 17th day of May, 1961, 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.

Donald R. Mikesell

Donald R. Mikesell
Chairman

William T. Davis

William T. Davis

David S. Ammerman

David S. Ammerman

Sworn to and subscribed before me

this 17th day of May,

1961.

Wm T. Hagerty
Prothonotary

AWARD OF ARBITRATORS

Now, this 17 day of May, 1961, 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: Verdict for the Plaintiff, Ferdinand C. Gormont in the amount of \$596.50.

Verdict for Plaintiff, Ferdinand C. Gormont, on Defendants' Counterclaim.

Donald R. Mikesell

Chairman

William T. Davis

David S. Ammerman

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

Ed Ferdinand Gorman

vs.

Edward Smith

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. *268* *Nov* Term, 19*60*

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:

- (✓) The amount in controversy is \$*2*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 *Bill, Sittler* Defendant *James J. Lee*
Date *4-7-61* Attorney for *James J. Lee*

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

James J. Lee Attorney for *PL* *Paul Silberblatt* Attorney for *DF*
Attorney for Attorney for

TIME AND PLACE OF HEARING and APPOINTMENT OF BOARD

Now, *April 7*, 19*61*, hearing of the above case is fixed for Wednesday,
May 17, 19*61*, in *1:30 PM DST* 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

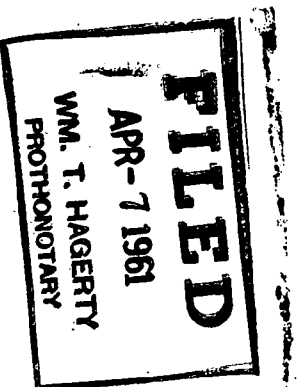
(2) Waiver requires signatures of counsel for all parties.

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 Ferdinand Gormont

vs. Edward Smith

No. 268 Nov. Term, 1960

the first named being the Chairman of the Board:

Donald R. Mikesell, William T. Davis

& David S. Ammerman

Hearing of the case has been fixed for Wednesday,

May 17, 1961 at 1:30 P.M.

in Court Room # 2

Very truly yours,

Wm T. Hagerly

William T. Hagerly,
Prothonotary.

WTH/jb

In the Court of

Clearfield County.

Ferdinand Garmant

Of November

Term, 1960

No. 268

Plaintiff's

Bill of Costs

At Arbitration

Term, 19

VERSUS

Edward Smith

Francis Rougemont

P. O. Frenchville

John Martel

P. O. Karthaus

Col Harris

P. O. Charfield

Jane Gormon

P. O. Frenchville

P. O.

P. O.

P. O.

P. O.

P. O.

P. O.

P. O

Les Strunk

P. O. Charfield

Serving subpoenas

2

Witness

Miles distance

63

Whole amount of Bill

3.9.70

CLEARFIELD COUNTY, SS:

Personally appeared before me Joseph D. Hill, 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

18th

day of

Man

A. D. 19.

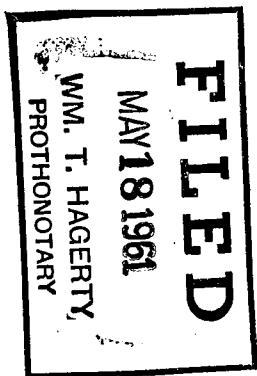
PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

Joseph X. Lu

Paul Silbert

No. Term, 19....

Versus



Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FERDINAND C. GORMONT

VS

EDWARD SMITH

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:
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No. 268 November Term, 1960

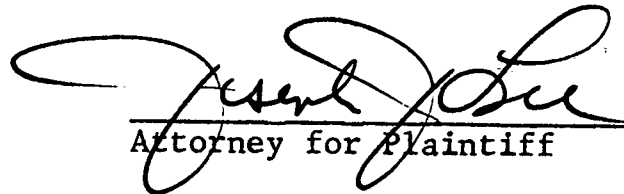
Trespass

PRAECIPE FOR SATISFACTION

TO WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Please mark the above case satisfied and discontinued upon
payment of costs.


Attorney for Plaintiff

Dated: May 31, 1961

172-546-52 Verdict
5/17/60

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FERDINAND C. CORMONT
vs
EDWARD SMITH
No. 263 November Term, 1960
Trespass

PRECIPE FOR SATISFACTION

TO WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Please mark the above case satisfied and discontinued.

payment of costs.

Dated: May 31, 1961

Attorney for Plaintiff

FILED

MAY 31 1961

WM. T. HAGERTY
PROTHONOTARY