

DOCKET NO. 173

NUMBER TERM YEAR

274 November 1960

Trustees of United Mine Workers

Welfare & Retirement Fund

VERSUS

James McClafferty d/b/a

McClafferty Coal Co.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

John L. Lewis, Charles A. Owen, : No. 274 November Term, 1960
and Josephine Roche, as Trustees
of the United Mine Workers of
America Welfare and Retirement :
Fund :

vs

James McClaflerty, Individually :
and d/b/a McClaflerty Coal Co. : Scire Facias To Revive Judgment
No. 456 February Term, 1956

(SHERIFF'S RETURN)

NOW, January 24, 1961 after diligent search and inquiry, the within
named defendant, James McClaflerty, Individually and d/b/a McClaflerty
Coal Co, is not found in my bailwick and I hereby return this writ
"Nihil Habet" as to James McClaflerty, Individually and d/b/a
McClaflerty Coal Co.

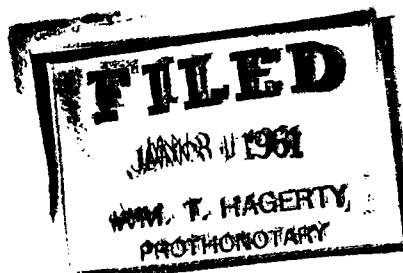
COSTS: Sheriff Ammerman \$5.00
(Paid by Atty Kelley)

So answers,


CHARLES G. AMMERMAN
Sheriff

Sworn to before me this 24th
day of January A. D. 1961.


Prothonotary



Clearfield County, ss.

The Commonwealth of Pennsylvania to the Sheriff of Said County, Greeting:

WHEREAS John L. Lewis, Charles A. Owen and Josephine Roche, as Trustees
of the United Mine Workers of America Welfare and Retirement Fund

on the 26th day of January in the year of our Lord
one thousand nine hundred fifty six obtained judgment in our
County Court of Common Pleas of Clearfield county aforesaid, before our Judge, at Clearfield,
against James McClefferty, Ind. and d/b/a McClefferty Coal Company

late of your county yeoman, as well as a certain debt of \$ 12,806.31
lawful money of the United States, with interest from July 27, 1955 as also
\$ the money, which to the said plaintiff, in our said court we awarded and
adjudged for their damages, which they sustained by occasion of the de-
tention of that debt, whereof the said Defendant is convict, as appears to us of rec-
ord &c., yet execution of said judgment still remains to be made as we have given to understand
by the said Plaintiffs who has besought to provide
for themselves a proper remedy in that behalf;

and we being willing that what is right in that behalf should be done, therefore,

WE COMMAND YOU, That by honest and lawful men of your bailiwick, you make known
unto the said James McClefferty d/b/a McClefferty Coal Co.

that he be and appear before our Judge at Clearfield, at our County of Common Pleas,
there to be held at Clearfield, on the 1st Monday of February next, to show if any-
thing for him has or known to say why the said Plaintiff should not have the
above judgment revived to continue the lien, and also why said Plaintiff should not have execu-
tion against him for the said debt and damages, according to the form, force
and effect of the recovery and judgment aforesaid, if to him shall seem expedient.

AND FURTHER, to do and receive what our said Court shall direct in that behalf consider
and direct. And have you then and there the names of those by whom you shall make it known
unto him and this writ.

WITNESS the HON. John J. Pents President
of our said Court at Clearfield, Pa., the 19th
day of December, Anno Domini one thousand
nine hundred and sixty

John T. Hagerty
Prothonotary

No. 274 November Term, 19 60

John L. Lewis, Charles A. Owen,
and Josephine Roche, as Trustees
of the United Mine Workers of
America Welfare and Retirement
Fund

Versus

James McClaflerty, Individually
and d/b/a McClaflerty Coal Co.

SCIRE FACIAS TO REVIVE

JUDGMENT NO. 456 February
Term, 1956

Edward T. Kelley

Attorney

Clearfield County, ss.

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lawful money of the United States, with interest from July 27, 1955 as also
\$ the money, which to the said plaintiff, in our said court we awarded and
adjudged for their damages, which they sustained by occasion of the de-
tention of that debt, whereof the said Defendant is convict, as appears to us of rec-
ord &c., yet execution of said judgment still remains to be made as we have given to understand
by the said Plaintiffs who has besought to provide
for ~~themselves~~ a proper remedy in that behalf;

and we being willing that what is right in that behalf should be done, therefore,

WE COMMAND YOU, That by honest and lawful men of your bailiwick, you make known
unto the said James McClafferty d/b/a McClafferty Coal Co.

that he be and appear before our Judge at Clearfield, at our County of Common Pleas,
there to be held at Clearfield, on the 1st Monday of February next, to show if any-
thing for him has or known to say why the said Plaintiff should not have the
above judgment revived to continue the lien, and also why said Plaintiff should not have execu-
tion against him for the said debt and damages, according to the form, force
and effect of the recovery and judgment aforesaid, if to him shall seem expedient.

AND FURTHER, to do and receive what our said Court shall direct in that behalf consider
and direct. And have you then and there the names of those by whom you shall make it known
unto him and this writ.

WITNESS the HON. John J. Pentz President
of our said Court at Clearfield, Pa., the 19th
day of December, Anno Domini one thousand
nine hundred and sixty

John J. Pentz
Prothonotary

No. 274 November Term, 19 60

John L. Lewis, Charles A. Owen,
and Josephine Roche, as Trustees
of the United Mine Workers of
America Welfare and Retirement
Fund

Versus

James McClafferty, Individually
and d/b/a McClafferty Coal Co.

SCIRE FACIAS TO REVIVE

JUDGMENT NO. 456 February

Term, 1956

Edward T. Kelley

Attorney

Clearfield County, ss.

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lawful money of the United States, with interest from July 27, 1955 as also
\$ the money, which to the said plaintiff, in our said court we awarded and
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tention of that debt, whereof the said Defendant is convict, as appears to us of rec-
ord &c., yet execution of said judgment still remains to be made as we have given to understand
by the said Plaintiffs who has besought to provide
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there to be held at Clearfield, on the 1st Monday of February next, to show if any-
thing for him has or known to say why the said Plaintiff should not have the
above judgment revived to continue the lien, and also why said Plaintiff should not have execu-
tion against him for the said debt and damages, according to the form, force
and effect of the recovery and judgment aforesaid, if to him shall seem expedient.

AND FURTHER, to do and receive what our said Court shall direct in that behalf consider
and direct. And have you then and there the names of those by whom you shall make it known
unto him and this writ.

WITNESS the HON. John J. Pentz President
of our said Court at Clearfield, Pa., the 19th
day of December, Anno Domini one thousand
nine hundred and sixty

John J. Hagerty
Prothonotary

No. 274 November Term, 19 60

John L. Lewis, Charles A. Owen,
and Josephine Roche, as Trustees
of the United Mine Workers of
America Welfare and Retirement
Fund

Versus

James McClafferty, Individually
and d/b/a McClafferty Coal Co.

SCIRE FACIAS TO REVIVE

JUDGMENT NO. 456 February
Term, 1956

Edward T. Kelley
Attorney

Trustees of United Mine
Workers Welfare Retirement
Fund

VERSUS

James M. Clafferty & d/b/a
JMC Clafferty Coal Co

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

No. 456 Term Feb 1956

274 Nov. 1960

To Wm T. Haggerty Pro

Prothonotary.

Sir: ~~Enter~~ ~~appearance for~~

Issue order to revive and continue term of
judgment in the above case

~~in above case.~~

Sam T. Kelley

Attorney for Def.

No. 274 Term Nov. 1960

VS.

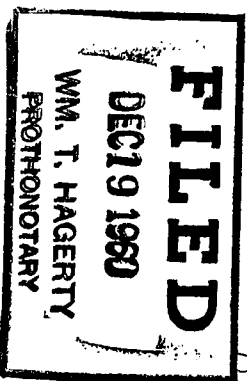
APPEARANCE

For + 3.50

O.C. Mayo

James D. Smith

(97)



4-50

John L. Lewis, Charles A. Owen
vs Josephine Roche as Trustees of
U M W of America Retirement
Fund

VERSUS

51 James McCafferty Individually
and d/b/a McCafferty Coal Co

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

No. 274 Term Nov 1960

Scire Fa 456 Feb 1956

To 1154 T. Hagerly

Prothonotary.

Sir: Enter appearance for Scire Fa having been returned
Nihil Halet. enter judgment of reversal to above number and
terms in amount of \$12,806.31 with interest at 6% from
July 27, 1955

in above case.

Edward T. Kelley

Attorney for

PJF

No. _____ Term _____ 19 _____

vs.

APPEARANCE

For _____

S

