

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

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

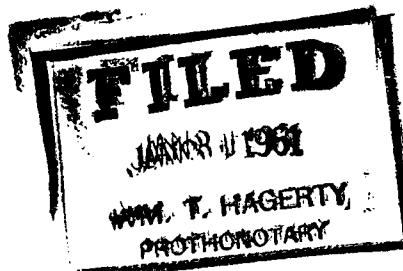
COSTS: Sheriff Ammerman \$5.00
(Paid by Atty Kelley)

So answers,

Charles G. Ammerman
CHARLES G. AMMERMAN
Sheriff

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

Wm. J. Stagerty
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 detention of that debt, whereof the said Defendant is convict, as appears to us of record &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 anything 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 execution 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. Potts President of our said Court at Clearfield, Pa., the 19th day of December, Anno Domini one thousand nine hundred and sixty.

John J. Potts
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 McLaugherty, Individually
and d/b/a McLaugherty Coal Co.

SCIRE FACIAS TO REVIVE

JUDGMENT NO. 456 February

Term, 1956

Edward T. Kelley

Attorney

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 McClafferty, Ind. and d/b/a McClafferty Coal Company

late of your county yeoman, as well as a certain debt of \$12,006.31 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 detention of that debt, whereof the said Defendant is convict, as appears to us of record &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 anything 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 execution 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 McClaflerty, Individually
and a/b/a McClaflerty Coal Co.

SCIRE FACIAS TO REVIVE

JUDGMENT NO. 456 February

Term, 1956

Edward T. Kelley
Attorney

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 McClafferty, Ind. and d/b/a McClafferty Coal Company

late of your county yeoman, as well as a certain debt of \$ 12,006.31 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 detention of that debt, whereof the said Defendant is convict, as appears to us of record &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 anything 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 execution 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
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 McClaflerty, Individually
and d/b/a McClaflerty 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

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

James M. Clofferty & Co
M. Clofferty Cereal Co

No. 456 Term Feb 1956

274 Feb. 1960

To Wm T. Haggard Esq
Prothonotary.

Sir: Enter appearance for

Issue of a to nerve ad continues been of
judgment in the above case

~~in above case.~~

Edward T Kelley

Attorney for Def't,

No. 274 Term Nov. 1965

vs.

APPEARANCE

For 13.50
D.C. Atty

(97)

FILED

DEC 19 1960

WM. T. HAGERTY
PROTHONOTARY

4-50

John L Leers, Charles A Coven
vs Josephine Roche as Trustee of
UAW of America and Retirement
Fund
VERSUS

James McCafferty - Federal Valley
and d/b/a McCafferty Coal Co
" "

To Edward T. Kelley

Prothonotary.

Sir: Enter appearance for Sure Ta having been returned
Nihil Haec. enter judgment of removal 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 Puff

No. _____ Term _____ 19 _____

vs.

APPEARANCE

For

S
FILED

FEB 1-1961

WM. T. HAGERTY
PROTHONOTARY