

DOCKET NO. 173

NUMBER	TERM	YEAR
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<u>287</u>	<u>November</u>	<u>1960</u>
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Wilson Smeal and Vernon Smeal

t/d/b/a Smeal Bros.

VERSUS

Charles W. Cozadd

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

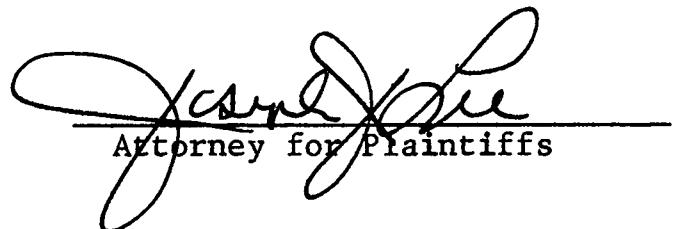
WILSON SMEAL and VERNON SMEAL :  
t/d/b/a SMEAL BROS. :  
VS : No. 287 November Term, 1960  
CHARLES W. COZADD : Trespass

P R A E C I P E

TO: WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

More than twenty days having elapsed since the date of service of the Complaint and no appearance or Answer having been filed on behalf of the defendant, you are hereby ORDERED and DIRECTED to enter judgment in favor of the plaintiffs and against the defendant for failure to plead or enter an appearance, and to place the same before a Board of Arbitration for determination of damages - the amount in controversy being less than \$2000.00.



\_\_\_\_\_  
Joseph J. Lee  
Attorney for Plaintiffs

Dated: September 12, 1961

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
No. 287 November Term, 1960  
Trespass

WILSON SMEAL and VERNON SMEAL  
t/d/b/a SMEAL BROS.

vs  
CHARLES W. COZADD

SEPT 12 1960

PRAYER CTR P

BY VICE

seal

1960, NOVEMBER 12, 1960

1960, NOVEMBER 12, 1960

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

Dated: September 15, 1960

*[Signature]*

summons in controversial pending case that \$5000.00.

before a judge to determine if notice is to be given to the parties to appear or enter an appearance, and to place the cause on the calendar to be heard at a date and hour to be designated by the court. The parties are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

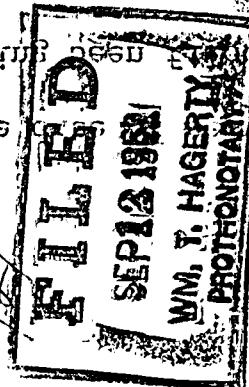
CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:

WILSON SMEAL and VERNON SMEAL, Defendants, are directed to appear at the time and place as follows:

CHARLES W. COZADD, Plaintiff, is directed to appear at the time and place as follows:



**#1-INSTRUCTIONS TO DELIVERING EMPLOYEE**

Deliver *ONLY* to  Show address where  
addressee *delivered*

*(Additional charges required for these services)*

**RETURN RECEIPT**

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must print or type)*

*Secretary to the Commonwealth  
of Pennsylvania*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

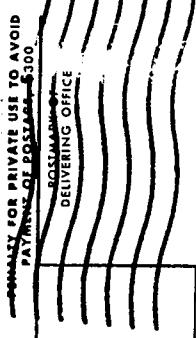
*John B. Bly*

ADDRESSEE'S SIGNATURE OR TYPE (if requested, item #1)

DATE DELIVERED  
*July 25, 1961*

GPO

655-10-71548-4

<b>POST OFFICE DEPARTMENT</b> <b>PHILADELPHIA</b> <b>OFFICIAL BUSINESS</b>		<b>RECEIVED POSTAL OFFICE</b> <b>6:300</b>	
<b>JAN 20 1961 PA.</b>		<b>ROSSMANN DELIVERING OFFICE</b>	
			
<b>INSTRUCTIONS:</b> Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.			
<b>REGISTERED NO.</b> <i>✓ 252</i>	<b>NAME OF SENDER</b> <i>Charles G. Connors</i>	<b>RETURN TO</b> 	<b>CERTIFIED NO.</b> <i>✓</i>
<b>STREET AND NO. OR P. O. BOX</b> <i>1000 Market St. Philadelphia, Pa.</i>		<b>INSURED NO.</b> <i>CLEARFIELD, PA.</i>	
<b>CITY, ZONE AND STATE</b>			

POD Form 3811 Jan. 1958

CS-16-71 RAR

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
No. 577 December Term, 1960

WILSON SMEAL and VERNON SMEAL  
t/d/b/a SMEAL BROS.

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COMPLAINING

TO THE WITHIN NAMED DEFENDANT:

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

Attorney for Plaintiffs

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

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILSON SMEAL and VERNON SMEAL :  
t/d/b/a SMEAL BROS. :

VS : No. 287 *Hov.* December Term, 1960  
:

CHARLES W. COZADD : In Trespass

C O M P L A I N T

COME NOW, the plaintiffs, and by their attorney, Joseph J. Lee, bring this action in Trespass against the above named defendant upon a cause whereof the following is a statement:

(1). The plaintiffs, Wilson Smeal and Vernon Smeal, trading and doing business as Smeal Bros., reside and have their place of business at 112 E. Locust Street, Clearfield, Pennsylvania.

(2). The defendant, Charles W. Cozadd, is an individual and resides at R.D.2, Martinsburg, Pennsylvania.

(3). On or about May 18, 1960, at 6:20 A.M., the plaintiffs were the owners of a 1951 Model Ford Custom Two Door automobile.

(4). At the time and place aforesaid the said Ford automobile was being driven in an easterly direction on Route 322 approximately one-half mile east of Clearfield, Pennsylvania by Calvin J. Aughenbaugh.

(5). At the time and place aforesaid, the defendant was operating a 1959 Model Chevrolet automobile in a westerly direction on Route 322, and so negligently handled his automobile as to cause it to cross over the center line of the highway into the left lane of traffic, and as a consequence to collide with the plaintiffs' car which was travelling in the proper lane for

east bound traffic, causing extensive damage thereto as more fully set out hereinafter.

(6). 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.

(7). As a result of the aforesaid negligence the left front and left side of the defendant's automobile struck the left front and left side of the plaintiffs' automobile and caused such damage to the plaintiffs' automobile that it was rendered completely unfit for further use. The value of the plaintiffs' automobile was \$275.00; salvage thereon was \$41.50.

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

WHEREFORE, the plaintiffs demand of the defendant the sum of \$223.50, with damages for delay.

*[Signature]*  
\_\_\_\_\_  
Attorney for Plaintiffs

STATE OF PENNSYLVANIA:  
:SS  
COUNTY OF CLEARFIELD :

WILSON SMEAL and VERNON SMEAL, being duly sworn according to law, depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

Wilson R. Smeal

(Wilson Smeal)

Vernon A. Smeal

(Vernon Smeal)

Subscribed and sworn to before  
me this 20<sup>th</sup> day of December, 1960.

Cecelia A. Williams

Clearfield, Clearfield Co., Pa.

My commission expires July 31, 1961

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
No. ~~27~~ December Term, 1960  
Trespass

WILSON SMEAL and VERNON  
SMEAL t/d/b/a SMEAL BROS.

VS

CHARLES W. COZADD

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.

Attorney for Plaintiffs

I hereby certify this to be a true and  
attested copy of the original statement  
filed in this cause.

Attest:

Prothonotary

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Wilson Smeal and Vernon : No. 287 November Term, 1960  
Smeal t/d/b/a Smeal Bros.

vs

Charles W. Cozadd : Complaint In Trespass

NOW, January 25, 1961 service of the within Complaint In Trespass made upon Charles W. Coaadd, by sending by registered mail, return receipt requested, a true and attested copy of the original Complaint In Trespass to the Secretary of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania on the 24th day of January, 1961, accompanied by a filing fee of five (\$5.00) dollars. Return receipt for registered mail, signed by M. Bretz, agent for the Secretary of the Commonwealth and is hereto attached and made part of this return of service.

ALSO by sending by registered mail, return receipt requested, a true and attested copy of the original Complaint In Trespass with and endorsement thereon showing that the Secretary of the Commonwealth of Pennsylvania had been served a true and attested copy of the original Complaint In Trespass to Charles Cozadd, 607 Jefferson Street, Hartford, Connecticut that being his last known address. Registered letter marked "Unknown" is hereto attached and made part of this return of service.

COSTS: Sheriff Ammerman \$10.32  
Secretary of the Commonwealth of Pa. \$5.00  
(Paid by Atty Lee)

So answers.

Charles G. Ammerman  
Sheriff

Sworn to before me this 6th  
day of February A. D. 1961.

Protobonitary



COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF REVENUE  
 HARRISBURG

RECEIVED \_\_\_\_\_ Five DOLLARS  
 FROM \_\_\_\_\_

NO. BX 645322

Charles G. Ammerman, Sheriff  
 Clearfield, Penna.

DATE February 1, 1961  
 ON ACCOUNT, TO WIT:

Service of Process  
 Defendant: CHARLES W. COZADD  
 Court: C. P. Clearfield Co.  
 Term & Number: Nov. 1960 #287  
 Rec'd: Jan. 25, 1961 at 9:34 AM EST  
 Commission and Filing Fee

CHECKS \$ 5.00 CURRENCY \$ \_\_\_\_\_

**THIS IS YOUR RECEIPT**

WHEN THIS RECEIPT INCLUDES CHECKS THE RECEIPT WILL NOT BE VALID UNTIL SAID CHECKS ARE PAID

For Department of Revenue

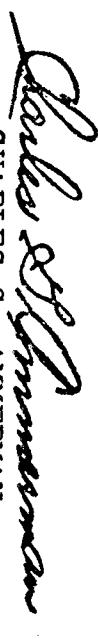
A

*John S. Rice*

Know all men by these Presents, That I, Charles G. Ammerman  
High Sheriff of Clearfield County, State of Pennsylvania, do hereby depuitize Sheriff of  
Blair County to execute this writ; this deputation being made at the  
request and risk of the Plaintiff.

Given under my hand and seal this 21st day of December

A. D. 1960.

  
CHARLES G. AMMERMAN

Sheriff.

January 24, 1961

Secretary of the Commonwealth  
of Pennsylvania  
Harrisburg, Pennsylvania

Dear Sir:

I am enclosing herewith a copy of Complaint in  
Trespass in the case of Wilson Smeal and Vernon Smeal,  
t/d/b/a Smeal Brothers and would you to accept service  
upon Charles Cozadd.

The present address of Charles Cozadd is 607 Jefferson  
Street, Hartford, Connecticut.

I am also enclosing a check for five (\$5.00) dollars  
to cover service fees.

Very truly yours,

CHARLES G. AMMERMAN  
Sheriff



OFFICE OF THE  
**Sheriff of Clearfield County**

CLEARFIELD, PA., December 21, 1960

Wilson Smeal and Vernon  
Smeal t/d/b/a Smeal Bros. }  
vs. } November Term, 19 60  
Charles W. Cozadd }  
No. 287

To the Sheriff of Blair County:

Dear Sir:

Enclosed please find writ Complaint In Trespass

to be served upon Charles W. Cozadd at  
R. D. #2, Martinsburg, Pa. in your County.

Kindly make service thereof and return with the amount of your costs.

Yours truly,

  
CHARLES G. AMMERMAN  
Sheriff.

Deputies attempted service, and report that Mr. Cozadd moved to the State of Wisconsin in September of 1960.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILSON SMEAL and VERNON SMEAL :  
t/d/b/a SMEAL BROS. :  
VS : No. 287 *Hand.* December Term, 1960  
CHARLES W. COZADD : In Trespass

C O M P L A I N T

COME NOW, the plaintiffs, and by their attorney, Joseph J. Lee, bring this action in Trespass against the above named defendant upon a cause whereof the following is a statement:

(1). The plaintiffs, Wilson Smeal and Vernon Smeal, trading and doing business as Smeal Bros., reside and have their place of business at 112 E. Locust Street, Clearfield, Pennsylvania.

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

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WHEREFORE, the plaintiffs demand of the defendant the sum of \$223.50, with damages for delay.

Joseph J. Lee  
Attorney for Plaintiffs

STATE OF PENNSYLVANIA:  
:SS  
COUNTY OF CLEARFIELD :

WILSON SMEAL and VERNON SMEAL, being duly sworn according to law, depose and say that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

\_\_\_\_\_  
Wilson R. Smeal  
(Wilson Smeal)

\_\_\_\_\_  
Vernon A. Smeal  
(Vernon Smeal)

Subscribed and sworn to before  
me this 20th day of December, 1960.

\_\_\_\_\_  
Cecelia H. Williams  
Clearfield, Clearfield Co., Pa.  
My commission expires July 31, 1961

(SEAL)