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428	November	1960

Curwensville Municipal Authority

VERSUS

Pike Township Municipal Authority

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL AUTHORITY	:	
VS	:	No. 428 November Term, 1960
PIKE TOWNSHIP MUNICIPAL AUTHORITY	:	In Mandamus

MOTION FOR JUDGMENT ON THE PLEADINGS

TO JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

Now comes Pike Township Municipal Authority, Respondent in the above captioned action, and moves the Court for judgment on the pleadings, assigning the following reason:

(1). There is no dispute of fact between the parties, and the sole issue is the Respondent's contention that requiring the Respondent to discontinue water service for unpaid sewer bills is unconstitutional.

SMITH, SMITH & WORK

BY William A. Smith
Attys. for Respondent

WM. T. HAGERTY
PROTHONOTARY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL AUTHORITY :
:
VS. : No. 428 November Term, 1960
:
PIKE TOWNSHIP MUNICIPAL AUTHORITY : IN MANDAMUS

PRAECIPE

TO: WILLIAM T. HAGERTY, PROTHONOTARY

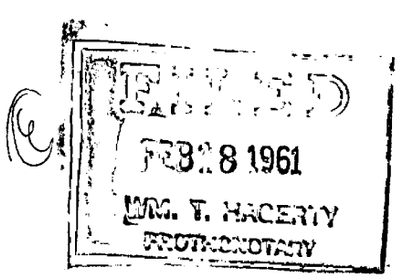
Sir:

Please place the above captioned case on the argument list for the next term of Argument Court.

SMITH, SMITH & WORK

BY _____
Attorneys for Defendant

DATE: February 16, 1961



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

CURWENSVILLE MUNICIPAL AUTHORITY	:	
	:	
-vs-	:	No. 428 November Term, 1960
	:	
PIKE TOWNSHIP MUNICIPAL AUTHORITY	:	IN MANDAMUS

O P I N I O N

This matter comes before the Court on a motion for judgment on the pleadings, made by the defendant, the Pike Township Municipal Authority, there being no facts in dispute.

The Curwensville Municipal Authority, hereinafter designated plaintiff, filed a petition requesting a mandamus, or order upon the Pike Township Municipal Authority, hereinafter referred to as defendant, directing the defendant to shut off the water of certain designated persons residing in the Borough of Curwensville, Clearfield County, Pennsylvania, who failed or refused to pay the sewer rental charges assessed against these individuals by the plaintiff, under the provisions of the Act of April 14, 1949, P. L. 482, as amended (53 PS 2261-2264).

The plaintiff Authority and the defendant Authority were incorporated respectively by the Borough of Curwensville and the Supervisors of Pike Township, a Second Class Township, under the provisions of the General Municipal Authorities Act of 1945, as amended, (53 PS 301, et seq.).

The plaintiff Authority was brought into being during the year 1957 for the purpose of establishing a sewer system and sewage treatment plant for the Borough of Curwensville, and certain portions of Pike Township immediately adjacent to Curwensville Borough limits. The defendant Authority was created during the year 1959, by the Supervisors of Pike Township for the purpose of acquiring a water utility, and supplying water to the Borough of Curwensville and the adjacent portions of the Township, these adjoining areas of Pike Township are also served by the plaintiff Authority's sewage system and sewage treatment plant. Although it does not appear of record, the great majority of the water consumers served by defendant reside within the limits of the Borough of Curwensville. Thus the Township of Pike created an Authority to own and operate the water utility serving the Borough of Curwensville, but only a limited number of residents of Pike Township.

The plaintiff, in its petition for the mandamus, avers that under the provisions of the Act of April 14, 1949, P. L. 482, supra, it did on December 1, 1960, request and direct the defendant Authority to shut off the water on five individuals named in the petition, who had failed and refused to pay the sewer rental and sewage treatment plant's charges, assessed against the consumers, based upon the water consumption of each consumer of water.

The defendant Authority refused to shut off the water for these individuals, on the ground that the Act in question is unconstitutional, filing its answer in due course, and then made the motion for judgment on the pleadings, which is presently before the Court.

The answer of the defendant Authority admits the five individuals named have refused to pay the sewer charges, and assert the Act of April 14, 1949, supra, violates the Constitution of Pennsylvania in that,

(1). It is class legislation;

(2). It constitutes an appropriation of property for a non-public use without just compensation;

(3). The defendant is deprived of a right to trial by jury in an action analogous to condemnation, and

(4). It impairs the obligation of existing contracts.

In so far as research of counsel have discovered, but one decision on the Act in question has been found, namely, BECKER VS SCHUYLKILL HAVEN BOROUGH, 395 Pa. 572, an action in equity by an individual consumer of water in the Schuylkill Haven Borough requesting an order to compel the Borough to revoke its order shutting off that individual's water for failure or refusal to pay sewage rental charged upon the amount of water consumed. The Borough was ordered and directed to restore water service because the Act of 1949, supra, as far as amendments at that time

were concerned, ans as then worded, required a Municipal Authority to assign its claim for sewer rentals to the Borough, owner and operator of the water system. Following that decision, the Act was amended, effective December 30, 1959, P. L. 2093 (53 PS 2261, Pocket Part). The constitutionality of the Act was not touched upon in the BECKER case.

The preamble to the Act of 1949, supra, sets forth the purpose of the Act as follows:

> "Whereas, the proper treatment and disposal of sewage and wastes are vital to the health and well-being of the inhabitants of the Commonwealth of Pennsylvania and to the purity of the waters; and
>
> "Whereas, the successful operation of a water supply system is dependent on the provision of adequate facilities for conveying from premises receiving pure water the resultant sewage and waste and of adequate facilities for treating and disposing of the same, as required by law; and
>
> "Whereas, owners of property served by sewers, sewage systems and sewage treatment works and users of water on or in such premises are properly chargeable for such service according to the quantity of water supplied to them as measured by water meter readings or flat-rate water charges; and
>
> "Whereas, to enable municipal authorities to acquire, construct and operate sewers, sewerage systems and sewage treatment works, revenues must be assured for the successful issue and the due retirement of their revenue bonds; and
>
> "Whereas, the prompt payment of rentals, rates, or charges for sewer, sewerage and sewer treatment service can be assured only by the right of water shut-off for non-payment thereof."

In 1933, in SHIRK VS. LANCASTER CITY, 313 Pa. 158, the Supreme Court of Pennsylvania recognized the inseparable connection between a water system and an adequate sewage system, see page 172 of the opinion in the SHIRK case,

It is also pointed out in this decision that the protection of amendment 14 of the Federal Constitution is not violated, nor is the Constitution of Pennsylvania violated, by legislation regulating and controlling property devoted to public use, even though owned by a municipality, the second reason advanced by the defendant Authority for the unconstitutionality of the Act of 1949, supra.

The general purpose of a sewage system and sewage treatment plant and the creation of authorities to establish and operate such, is not only set forth in the preamble to the Act of 1949, but was before the Supreme Court in EVANS VS. WEST NORRITON TOWNSHIP MUNICIPAL AUTHORITY, 370 Pa. 150, in which Mr. Justice Bell stated on page 151, as follows:

> "The Stream Pollution or so-called Pure Stream Program is one of the most beneficial programs for protecting and improving the health of the people of Pennsylvania ever enacted. The importance of clean, pure water for drinking purposes, and for many industrial purposes while not yet universally recognized is very great. This policy or program can be practically and effectively carried out only if sewage disposal plants or incinerator plants or other measures costing large sums of money can be built at local expense. Many communities throughout the State are able to finance such a plan and carry out such a project only by the creation of a quasi-public governmental body such as an Authority. Remedial legislation which preserves or promotes the health of all the people of this Commonwealth should certainly be given the benefit of any reasonable doubt as to its CONSTITUTIONALITY" *

*Emphasis Supplied.

Therefore, the first claim for unconstitutionality advanced by the defendant Authority is without foundation.

Further, the position taken by the defendant Authority in its second reason as well as its fourth, fails to recognize that the defendant Authority's method of collection of its debts are not affected. Only the purchasers of water from the Authority are affected by the means of collection of sewage charges. But such method of collection was enacted in 1949, ten years before the defendant Authority came into existence, and was, therefore, in force and effect before the defendant Authority came into existence, and entered into a contractual relationship with its consumers, particularly the five individuals named in the petition for mandamus. It cannot, therefore, be said that the Legislature created new remedies affecting the contractual obligation of the defendant Authority and the five individuals named, as such remedies existed at the time the defendant Authority came into existence and entered into its contracts to supply water to the residents of Curwensville Borough, with the persons who purchased their water from the defendant Authority.

Further provisions of the Act of 1949, as set forth in Section 2 thereof (53 PS 2264), provide that the Authority imposing the sewer or sewer treatment rentals or charges shall pay to the water utility reasonable additional clerical and other expenses incurred in shutting off and turning on the water, as well as the loss of water revenue to the water utility resulting from such shut-off.

The third reason of the defendant Authority, that the Act of 1949 deprived the defendant of a right to trial by jury, is also untenable. This particular question has been disposed of in DILLNER TRANSFER COMPANY VS. PENNSYLVANIA PUBLIC UTILITY COMMISSION, 73 Dauphin 329, in which it was said:

> "The right to trial by jury is preserved by the Public Utility Act where such right is secured either by the Constitution of the Commonwealth or of the United States."
>
> "The Constitutional provisions for jury trial are found as follows:
>
> "United States Constitution, the 6th and 7th Amendments, Pennsylvania Constitution of 1874 Section 6.
>
> "These two Constitutions preserve the right to jury trial only in those cases where it existed at the times they were adopted. Matters committed by law to the Commission were then not existing, hence no right to jury trial existed which could be preserved." See also PENNSYLVANIA PUBLICATIONS, INC. V. PENNSYLVANIA PUBLIC UTILITY COMMISSION, 152 Pa. Super. 279 at 290."

The second section of the Act (53 PS 2264) provides that if there is a dispute between the water utility and the authority imposing the sewer charges, concerning the payments for the services rendered and revenues lost, the matter may be submitted to the Pennsylvania Public Utility Commission, and then is disposed of as in DILLNER TRANSFER COMPANY VS. PENNSYLVANIA PUBLIC UTILITY COMMISSION, supra.

The fifth reason advanced by the defendant Authority, that the obligation of existing contract is impaired, is without foundation. As pointed out above, the defendant Authority made

no contracts with its consumers prior to its creation in the year 1959. The Act in question came into effect on April 14, 1949. In SCHENLEY FARMS CO. VS. ALLEGHENY COUNTY, 349 Pa. 637, it is said:

> "A statute in force at the time of making of a contract could not possibly be said to 'impair the obligation' of the contract. That the constitutional inhibitions to which plaintiff refers operates only upon statutes enacted subsequently to the contractual obligation which could be impaired by such statutesis too clear to require argument."

and later, in CLARK, ET AL VS. PHILADELPHIA, ET AL, 328 Pa. 521:

> "In determining what constitutes the obligation of a contract, no principle is more firmly established than that the laws that were in force at the time and place of making of the contract entered into its obligations with the same effect as if expressly incorporated in its terms."

The Statutory Construction Act of May 28, 1937, P. L. 1019 (46 PS 501, et seq.) states in Section 52 (46 PS 552), subsection (3),

> "That the Legislature does not intend to violate the Constitution of the United States or of this Commonwealth."

and the Court must, if possible, interpret a statute so that it will not conflict with the Constitution. In RUBIN VS. BAILEY, 398 Pa. 271, Mr. Chief Justice Jones states the rule, quoting from page 275:

"In considering the constitutionality of a statute several basic and imperative rules are to be kept clearly in mind. First of all, the Statutory Construction Act of 1937 admonishes 'That the Legislature does not intend to violate the Constitution of the United States or of this or of this Commonwealth': Act of May 28, 1937, P.L. 1019, Art. IV, § 52(3), 46 PS § 552(3). Thus, a legislative enactment is attended by a legal presumption of its constitutional validity. In HADLEY'S CASE, 336 Pa. 100, 104, 6 A. 2d 874, it was said to be '... axiomatic that he who asks to have a law declared unconstitutional takes upon himself the burden of proving beyond all doubt that it is so . . . . All presumptions are in favor of the constitutionality of acts and courts are not to be astute in finding or sustaining objections to them.' Of Course, the presumption of constitutionality is not conclusive but the requirements for rebutting it are indeed exacting. Consequently, '... we can declare an Act of Assembly void, only when it violates the Constitution clearly, palpably, plainly; ...': TRANTER V. ALLEGHENY COUNTY AUTHORITY, 316 Pa. 65, 75, 173 A. 289, quoting SHARPLESS V. MAYOR OF PHILADELPHIA, 21 Pa. 147, 164. As was more comprehensively stated in KELLEY V. BALDWIN, AUDITOR GENERAL, 319 Pa. 53, 54, 179 A. 736, 'An Act may not be declared unconstitutional unless 'it violates the constitution clearly, palpably, plainly; and in such manner as to leave no doubt or hesitation in our minds': Sharpless v. Mayor, 21 Pa. 147, 164; Tranter v. Allegheny County Authority, 316 Pa. 65, 75.' See, also, SABLOSKY V. MESSNER, 372 Pa. 47, 50, 92 A. 2d 411."

The defendant, other than its attack upon the constitutionality of the Act involved, makes no other objection. The ruling in BECKER VS. SCHUYLKILL HAVEN BOROUGH, supra, does not affect the instant situation. That decision is confined to the fact that when a borough owns and operates the water system, and even though that borough created the municipal authority operating the sewage treatment plant, it could not, without assignment to it of the sewer charges, shut off the water of any

of its customers, as the Act of 1949, supra, was worded just prior to the amendment going into effect on December 30, 1959.

Without quoting the Act in full, as set forth in 53 PS 2261, the essential portion of Section 1 of the original Act and as the amendment stood prior to December 30, 1959, is that,

> "Any rental, rate or charge for sewer, sewerage, or sewage treatment service imposed by any municipal authority, organized by any county of the second class, by any city of the second class, by any city of the second class A, by any city of the third class or by any borough, such water utility is hereby authorized and required, at the request and direction of such authority, or* of the city, borough, or township to which the authority shall have assigned its claim or lien for such service, to shut off the supply of water to such premises . . ."

The BECKER case held the borough could not shut off the water of any consumer until the municipal authority assigned its claim to that borough, even though the Borough owns and operates its own water plant. The amendment effected December 30, 1959, filled the void pointed out by the Supreme Court in the BECKER case, by authorizing a borough, supplying water to any premises and at the same time, having created a municipal authority for sewer purposes, to shut off the water upon failure of payment of sewer charges.

In the instant case Section 1 of the Act of 1949, supra, as quoted, and before the amendment of December 30, 1959, did not

*Emphasis supplied.

require the municipal authority levying sewer charges to assign its claim for sewer charges to the water utility, such water utility being within the Act as defined in Section 3 of the 1949 Act, (53 PS 2265).

In the instant case, there are two municipal authorities, one of Curwensville Borough owning and operating the sewer system and sewage treatment plant; the other a water utility organized and operating the water supply by a separate municipality, to wit, Pike Township. Section 1 of the Act, (53 PS 2261) directly states that the water must be shut off upon request or direction of the sewer authority. The word "or" contained in the first Section is an alternative and excludes a borough or municipality furnishing water, from the requirement to shut off the water when the sewer charges of the municipal authority have not been assigned to such borough, city, etc.

The word "or" contained in the Act must be used as a disjunctive particle. Section 33 of the Statutory Construction Act of 1937, P. L. 1019, (46 PS 533 states:

> "Words and phrases shall be construed according to rules of grammar and according to their common and approved usage, but technical words and phrases and such others as have acquired a peculiar and appropriate meaning or are defined in this act, shall be construed according to such peculiar and appropriate meaning or definition.
>
> General words shall be construed to take their meanings and be restricted by preceding particular words. 1937, May 28, P.L. 1019, art III, § 33."

Following this admonition then, two different and alternative municipal authorities are considered. A water utility shall, at the request and direction of a municipal authority, shut off the water. If a city, borough or township is furnishing water, it may not, except under the 1959 amendment, shut off the water at the demand of the sewer authority, since the word "or" contained in the Act, being given its meaning according to rules of grammar and to its common and approved usage, is a disjunctive particle and means one of two propositions, never both: MARNELL V. MT. CARMEL JOINT SCHOOL SYSTEM COMMITTEE, 380 Pa. 83, page 88.

In GARRATT VS. PHILADELPHIA, 387 Pa. 442, Mr. Justice Bell, following the Statutory Construction Act of May 28, 1937, supra, beginning on page 445, as follows:

> "Or" in the ordinary usage and meaning clearly and undoubtedly means "or", "Or" can only be construed to mean "and" when to give the word "or" its ordinary meaning would be to produce a result that is absurd or impossible of execution or highly unreasonable or would manifestly change or nullify the intention of the legislative body. Cf. Section 52, Statutory Construction Act of May 28, 1937, P. L. 1019, 46 PS §552. Section 1 of the Ordinance could not be clearer; "or" means "or"; and "When the words of a law are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its (real or supposed) spirit": Section 51, Statutory Construction Act."

Therefore, the defendant Authority is bound to comply with the demand of the plaintiff Authority, and shut off the water when and as demanded by the sewer Authority, the Curwensville

Municipal Authority, upon compliance by Curwensville, with all of the provisions of the Act of April 14, 1949, P. L. 482, as amended (53 PS 2261-2264).

O R D E R

NOW, May 29, 1961, motion for judgment on the pleadings made absolute and judgment entered for the plaintiff, the Curwensville Municipal Authority, and against the Pike Township Municipal Authority, and it is further ordered that the Municipal Authority of Pike Township shall shut off the water to the five persons named in the Complaint, namely:

1. Mrs. Beryl Davies, 221 Muller Street
   Curwensville, Pennsylvania

2. Mrs. Beryl Davies tenant

3. Kline Redden, 610 High Street,
   Curwensville, Pennsylvania

4. James Gill, Susquehanna Avenue,
   Curwensville, Pennsylvania

5. Anthony Carfley, Grampian Road,
   Curwensville, Pennsylvania.

until said persons pay to the Curwensville Municipal Authority the sewer cost charged to such persons, under and subject to the provisions of Section 2 (53 PS 2264), of the Act of 1949, as amended. Defendant to pay the costs.

Exception noted.

BY THE COURT,

President Judge

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA.
No. 428 November Term, 1960

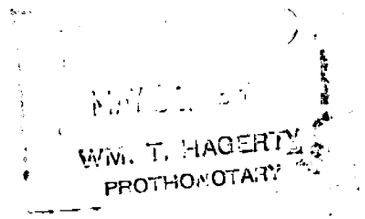
IN MANDAMUS

CURWENSVILLE MUNICIPAL
AUTHORITY

-vs-

PINE TOWNSHIP MUNICIPAL
AUTHORITY

OPINION AND ORDER



JOHN J. PENTZ
PRESIDENT JUDGE
CLEARFIELD, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL AUTHORITY :
:
VS : No. 428 November Term, 1960
:
PIKE TOWNSHIP MUNICIPAL AUTHORITY : In Mandamus

A N S W E R

(1). The averments of Paragraph 1 are admitted.

(2). The averments of Paragraph 2 are admitted.

(3). The averments of Paragraph 3 are admitted.

(4). The averments of Paragraph 4 are admitted.

(5). The facts alleged in Paragraph 5 are admitted. However, in further answer thereto, your Petitioner avers that the reason it did not comply with said demand was because it believes said Act to be unconstitutional as a deprivation of property without due process of law, and because the Act represents an unconstitutional extension of the police power.

(6). The averments of Paragraph 6 are admitted.

(7). The averments of fact contained in Paragraph 7 are admitted. In further answer thereto, it is averred that the refusal of the Respondent is based upon its belief that the terms of said Statute are unconstitutional as a deprivation of property without due process of law, and an unconstitutional extension of thepolice power.

(8). The averments of Paragraph 8 are admitted.

(9). The averments of Paragraph 9 are admitted.

(10). The averments of Paragraph 10 are admitted.

WHEREFORE, your Respondent denies it is obligated to comply with Petitioner's request or otherwise obligated to comply with said Act, and requests your Honorable Court to declare the

the same unconstitutional.

SMITH, SMITH & WORK

BY William U. Smith
Attys. for Respondent

STATE OF PENNSYLVANIA:
SS
COUNTY OF CLEARFIELD :

AI S. BLOOM, being duly sworn according to law, deposes and says he is the Chairman of the PIKE TOWNSHIP MUNICIPAL AUTHORITY, a corporation, and as such is duly authorized to make this Affidavit; further, the facts set forth in the foregoing Answer are true and correct to the best of his knowledge, information and belief.

Ai S. Bloom
(Ai S. Bloom)

Sworn and subscribed to
before me this 20 day
of January, 1961.

Fredm C Bennett

NOTARY PUBLIC
Clearfield County

Dave Arnold

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

No. 428 Nov. Term, 1960

CURWENSVILLE MUNICIPAL AUTHORITY

VS

PIKE TOWNSHIP MUNICIPAL AUTHORITY

ANSWER

FILED
JAN 23 1961
WM. T. HAGERTY,
PROTHONOTARY

SMITH, SMITH & WORK
ATTORNEYS-AT-LAW
CLEARFIELD, PA.

3-8-61 accepted Dave Arnold

Lap-over Margin

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL AUTHORITY :
vs. :
PIKE TOWNSHIP MUNICIPAL AUTHORITY :

No. 428 November Term, 1960

IN MANDAMUS

1. The plaintiff is the Curwensville Municipal Authority, a body corporate and a body politic, organized under the Municipality Authorities Act of 1945.

2. The defendant is Pike Township Municipal Authority, a body corporate and a body politic, organized under the Municipality Authorities Act of 1945.

3. The residence of the plaintiff is the Borough of Curwensville, Clearfield County, Pennsylvania. Its principal function is the furnishing of sewer service to the Borough of Curwensville and certain portions of Pike Township, Clearfield County, Pennsylvania.

4. The principal office of the defendant is the Borough of Curwensville, and its principal function is the furnishing of water service to Curwensville Borough and certain areas of Pike Township, Clearfield County, Pennsylvania.

5. Under the terms of the Act of April 14, 1949, P. L. 4829, as amended, (52 Purdons 2261-2265), plaintiff did request on December 1, 1960, that the defendant as required by said Act discontinue water service to the following named individuals for failure to pay plaintiff's duly levied sewer charges:

1. Mrs. Beryl Davies, 221 Muller Street, Curwensville, Pennsylvania

LAW OFFICES
CHAPLIN & ARNOLD
CLEARFIELD, PA.

2. Mrs. Beryl Davies tenant

3. Kline Redden, 610 High Street, Curwensville, Pennsylvania

4. James Gill, Susquehanna Avenue, Curwensville, Pennsylvania

5. Anthony Carfley, Grampian Road, Curwensville, Pennsylvania

6. That all requirements of said Act, including notice, demand, etc., have been met by plaintiff.

7. The defendant refuses to turn off or discontinue the water service to said individuals, and plaintiff has been informed and, therefore, avers that the reason given for this refusal is that the defendant believes said Act is unconstitutional as an unlawful extension of the police power and a denial of property without due process of law.

8. Unless defendant discontinues said water service, plaintiff will have great difficulty in collecting the above accounts, all of which are justly due and owing plaintiff.

9. Plaintiff is ready, willing and able, and has so informed defendant, that plaintiff will comply with all terms of the Act applicable to plaintiff, including therein but not limited to, repayment to defendant of costs incurred by defendant as outlined in said Act.

10. Plaintiff has no adequate remedy at law.

WHEREFORE, plaintiff prays your Honorable Court enter an order against defendant directing it to comply with the terms of the above Act.

CHAPLIN & ARNOLD

By Dan P. Arnold

LAW OFFICES
CHAPLIN & ARNOLD
CLEARFIELD, PA.

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

JAMES V. MARRA, being duly sworn according to law, deposes and says that he is the Chirman of the Curwensville Municipal Authority, a corporation, and as such is duly authorized to make this affidavit; further, that the facts set forth in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

James V. Marra

Sworn to and subscribed
before me this 14th day
of January 1961.

Claude J. Bloom
Justice of the Peace

MY COMMISSION EXPIRES FIRST
MONDAY IN JANUARY 1962

LAW OFFICES
CHAPLIN & ARNOLD
CLEARFIELD, PA.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 42 November Term 1960
IN MANDAMUS

CURWENSVILLE MUNICIPAL
AUTHORITY

vs.

PIKE TOWNSHIP MUNICIPAL
AUTHORITY

COMPLAINT

TO THE WITHIN DEFENDANT:

You are hereby notified to plead to the enclosed Complaint within twenty (20) days from service hereof.

CHAPLIN & ARNOLD

By _____
Attorneys for Plaintiff

CHAPLIN & ARNOLD
LAW OFFICES
CLEARFIELD, PA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CURWENSVILLE MUNICIPAL AUTHORITY	:	
	:	No. 428 November Term, 1960
vs.	:	
	:	IN MANDAMUS
PIKE TOWNSHIP MUNICIPAL AUTHORITY	:	

NOW, comes Dan P. Arnold, Attorney for Curwensville Municipal Authority and requests the Court to extend until April 20, 1961 the time for filing the brief for the plaintiff on the Motion for Judgment on the Pleadings on the above captioned case.

Dan P. Arnold

ORDER

NOW, this 29 day of March, 1961, the time for filing the brief of the plaintiff on the Motion for Judgment on the Pleadings on the above captioned case is extended until April 20, 1961.

BY THE COURT,

P. J.

LAW OFFICES
CHAPLIN & ARNOLD
CLEARFIELD, PA.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 428 November Term, 1960
IN MANDAMUS

CURWENSVILLE MUNICIPAL AUTHORITY

vs.

PIKE TOWNSHIP MUNICIPAL AUTHORITY

LAW OFFICES
CHAPLIN & ARNOLD
CLEARFIELD, PA.