

DOCKET NO. 175

NUMBER	TERM	YEAR
52	November	1961

Emily Steiner

/

VERSUS

William T. Baney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

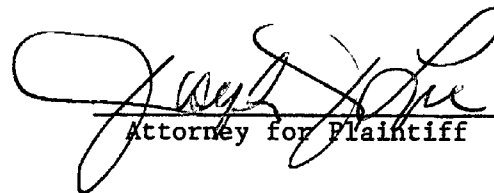
EMILY STEINER	:		
	:		
VS	:	No. 52	November Term, 1961
	:		
WILLIAM T. BANEY	:		Trespass

PRAECIPE FOR DISCONTINUANCE

TO: WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Mark the record in the above case settled and discontinued
on payment of costs by the defendant.



Attorney for Plaintiff

Dated: November 16, 1961



In the Court of Common Pleas of Clearfield County, Pa.

Emily Steiner
vs
William T. Baney

No 52 Sept Term 1961
Complaint In Trespass

(Sheriffs Return)

Now, November 16, 1961 by direction of Joseph J. Lee
Attorney for the Plaintiff, I return this Complaint In
Trespass "UNSERVED".

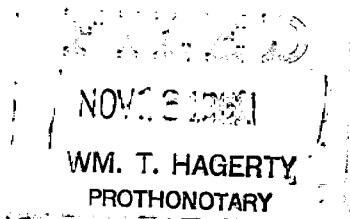
Costs Sheriff Ammerman \$3.75
(Paid By Atty Lee)

So Answers,

Charles G. Ammerman
Charles G. Ammerman
Sheriff

Sworn to before me this 16th
day of November 1961 A.D.

Wm T. Hagerty
Prothonotary



IN THE COURT OF COMMON PLEAS OF CLARKE COUNTY, PENNSYLVANIA

EMILY STEINER :

VS :

WILLIAM T. BANEY :

:
:
:
:
:

No. 52 24 Term, 1961

Trespass

C O M P L A I N T

COMES NOW, the plaintiff, Emily Steiner, and by her attorney, Joseph J. Lee, files this Complaint against the defendant, William T. Baney, upon a cause of action whereof the following is a statement:

(1). Emily Steiner, the plaintiff, is an individual residing at R.D.1, Philipsburg, Pennsylvania.

(2). William T. Baney is an individual residing at 203 Blanchard Street, Osceola Mills, Clarkefield County, Pennsylvania.

(3). On May 28, 1961 plaintiff was the owner of a 1957 Ford Sedan automobile which was on that date, at about 11:55 A.M. EST, being driven by Clair A. Steiner at a point approximately one mile north of the limits of Osceola Mills, Pennsylvania on Route 53.

(4). Route 53 at the point above mentioned is a three lane highway, and the plaintiff's vehicle was travelling up hill in a southerly direction toward Osceola, and at that point the highway is marked for two lanes travelling south and one lane travelling north in the direction of Philipsburg.

(5). At the time and place aforesaid the defendant was operating a 1938 Chevrolet sedan in a northerly direction toward Philipsburg.

(6). At the time and place aforesaid as the plaintiff's

vehicle was travelling in its own right hand lane for traffic and at a lawful speed, the defendant came over a hump of the hill at an excessive rate of speed and attempted to pass a vehicle being operated by Merrill Bowser in the north bound lane, and did so negligently operate his vehicle as to cause the same to strike the right rear of the Bowser vehicle and then go across the double line and directly into the plaintiff's vehicle causing the damage hereinafter alleged.

(7). The defendant was negligent as follows:

(a). He was travelling at a rate of speed in excess of the lawful rate.

(b). He crossed over a double line and directly into the path of the plaintiff's vehicle.

(c). He failed to observe the plaintiff's vehicle which was then and there occupying its proper lane for travel.

(d). He failed to avoid striking the Bowser vehicle and thus lost control of his automobile.

(e). He failed to exercise due care under the circumstances.

(f). He failed to have his vehicle under proper control.

(g). He violated the provisions of the Motor Vehicle Code in such case made and provided.

(8). As the result of the negligence of the defendant as aforesaid, the plaintiff's vehicle sustained damages necessitating repairs thereto amounting to \$245.26 - said repairs required being as follows: - repairs to the left rear door, replacement of the left quarter panel, repair to the left wheel house, replacement of the left quarter panel side molding, replacement of the left tail lamp assembly, repair of the body panel below the trunk

lid, replacement of the rear bumper face bar, replacement of two left rear bumper back bars, replacement of the left rear wheel disc, and refitting all the new and repaired parts.

(3). The amount claimed is less than the limits provided by arbitration in Clearfield County.

WHEREFORE, plaintiff claims the defendant is indebted to the plaintiff in the amount of \$245.26, together with interest thereon at the lawful rate from the date of the accident.

Joseph J. Lee

Attorney for Plaintiff

STATE OF PENNSYLVANIA:

ISS

COUNTY OF CLEARFIELD:

EMILY STEINER, being duly sworn according to law, deposes and says that the facts set forth in the within Complaint are true and correct to the best of her information, knowledge and belief.

Emily Steiner

(Emily Steiner)

Subscribed and sworn to before
me this 8th day of November, 1961.

Wm. T. Hagerty

Prothonotary

My Commission Expires

1st Monday Jan. 1962

(SEAL)

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 52 *Not* Term, 1961
Trespass

EMILY STEINER

VS

WILLIAM T. BAREY

C O M P L A I N T

TO THE WITHIN NAMED DEFENDANT:

You are hereby 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.

I hereby certify this to be a true and
attested copy of the original statement
Filed in this case.
Attest: *John J. Murphy*
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EMILY STEINER :
:
VS : No. 52 *Nov* Term, 1961
:
WILLIAM T. BANEY : Trespass

C O M P L A I N T

COMES NOW, the plaintiff, Emily Steiner, and by her attorney, Joseph J. Lee, files this Complaint against the defendant, William T. Baney, upon a cause of action whereof the following is a statement:

(1). Emily Steiner, the plaintiff, is an individual residing at R.D.1, Philipsburg, Pennsylvania.

(2). William T. Baney is an individual residing at 203 Blanchard Street, Osceola Mills, Clearfield County, Pennsylvania.

(3). On May 28, 1961 plaintiff was the owner of a 1957 Ford Sedan automobile which was on that date, at about 11:55 A.M. EST, being driven by Clair A. Steiner at a point approximately one mile north of the limits of Osceola Mills, Pennsylvania on Route 53.

(4). Route 53 at the point above mentioned is a three lane highway, and the plaintiff's vehicle was travelling up hill in a southerly direction toward Osceola, and at that point the highway is marked for two lanes travelling south and one lane travelling north in the direction of Philipsburg.

(5). At the time and place aforesaid the defendant was operating a 1953 Chevrolet sedan in a northerly direction toward Philipsburg.

(6). At the time and place aforesaid as the plaintiff's

vehicle was travelling in its own right hand lane for traffic and at a lawful speed, the defendant came over a brow of the hill at an excessive rate of speed and attempted to pass a vehicle being operated by Merrill Bowser in the north bound lane, and did so negligently operate his vehicle as to cause the same to strike the right rear of the Bowser vehicle and then go across the double line and directly into the plaintiff's vehicle causing the damage hereinafter alleged.

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(a). He was travelling at a rate of speed in excess of the lawful rate.

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(c). He failed to observe the plaintiff's vehicle which was then and there occupying its proper lane for travel.

(d). He failed to avoid striking the Bowser vehicle and thus lost control of his automobile.

(e). He failed to exercise due care under the circumstances.

(f). He failed to have his vehicle under proper control.

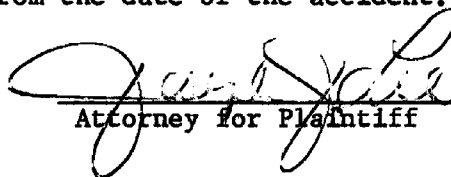
(g). He violated the provisions of the Motor Vehicle Code in such case made and provided.

(8). As the result of the negligence of the defendant as aforesaid, the plaintiff's vehicle sustained damages necessitating repairs thereto amounting to \$245.26 - said repairs required being as follows: - repairs to the left rear door, replacement of the left quarter panel, repair to the left wheel house, replacement of the left quarter panel side molding, replacement of the left tail lamp assembly, repair of the body panel below the trunk

lid, replacement of the rear bumper face bar, replacement of two left rear bumper back bars, replacement of the left rear wheel disc, and refinishing all the new and repaired parts.

(9). The amount claimed is less than the limits provided by arbitration in Clearfield County.

WHEREFORE, plaintiff claims the defendant is indebted to the plaintiff in the amount of \$245.26, together with interest thereon at the lawful rate from the date of the accident.

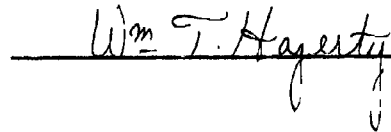

Attorney for Plaintiff

STATE OF PENNSYLVANIA:
:SS
COUNTY OF CLEARFIELD :

EMILY STEINER, being duly sworn according to law, deposes and says that the facts set forth in the within Complaint are true and correct to the best of her information, knowledge and belief.


(Emily Steiner)

Subscribed and sworn to before
me this 8th day of November, 1961.


Wm T. Hagesty

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 52 *Not* Term, 1961
TRESPASS

EMILY STEINER

VS

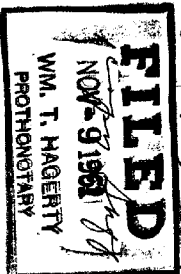
WILLIAM T. BANEY

C O M P L A I N T

TO THE WITNIN NAMED DEFENDANT:

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

Handwritten signature
68



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

Handwritten signature
5.00