

DOCKET NO. 175

NUMBER TERM YEAR

87 November 1961

Pennsylvania Electric Company,
a corporation

VERSUS

Margaret Rodkey, Administratrix
of the Estate of Andrew Rodkey,

dec'd.

In the Court of Common Pleas of

Clearfield County.

Pennsylvania Electric Company

Of November Term, 1961

No. 87

Defendants

Bill of Costs

VERSUS

At Term, 19

Margaret Rodkey and

Lewis L. Richmond

Cpl. James Sagans	1 Days in Court at \$5.00 per day 7c per mile actually traveled 270 miles	5 00
P. O. Harrisburg, Pa.		18 90
Tpr. Edward Cipollini	Days in Court at \$5.00 per day 7c per mile actually traveled 36 miles	
P. O. Philipsburg, Pa.		2 52
Tpr. Ronald Shimmel	Days in Court at \$5.00 per day 7c per mile actually traveled 3.6 miles	
P. O. Philipsburg, Pa.		2 52
Elizabeth Baronak	1 Days in Court at \$5.00 per day 7c per mile actually traveled 2 miles	5 00
P. O. Clearfield, Pa.		14
P. O.	Days in Court at \$5.00 per day 7c per mile actually traveled 7c	
P. O.	Days in Court at \$5.00 per day 7c per mile actually traveled 7c	
P. O.	Days in Court at \$5.00 per day 7c per mile actually traveled 7c	
P. O.	Days in Court at \$5.00 per day 7c per mile actually traveled 7c	
P. O.	Days in Court at \$5.00 per day 7c per mile actually traveled 7c	
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P. O.	Days in Court at \$5.00 per day 7c per mile actually traveled 7c	
P. O.	Days in Court at \$5.00 per day 7c per mile actually traveled 7c	
Serving subpoenas Witness		
P. O.	Miles distance	
Whole amount of Bill		34 08

CLEARFIELD COUNTY, SS:

Personally appeared before me Paul Silberblatt, who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material, and in attendance as above stated, and that the mileage is correct as he believes.

Sworn to and subscribed before me this

11 day of May, A. D. 1962

Carl E. Walker, Prothonotary

PROTHONOTARY

My Commission Expires
1st Monday Jan. 1966

Paul Silberblatt

DOCKET No. 375

Paensylvania Electric Company

VERSUS

Margaret Rodkey, Administratrix of
the Estate of Andrew Rodkey, dec'd.
Lewis L. Richmond, Add. Defendant

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

No. 87 November Term, 1961

Debt \$

Interest

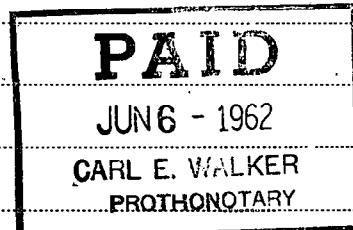
Judg't Entered

Check 1206 Zolley, Johnston & Cimino \$ 35.69

11 1207 Zoll, Silberblatt & Sonnen \$ 18.00

Prothonotary \$ 15.00

\$ 68.69



Certified from the records this 6th

day of June, A. D. 1962

Carl E. Walker Prothonotary

COSTS MUST BE PAID PROMPTLY

CLEARFIELD COUNTY, ss:

The Commonwealth of Pennsylvania to

JOHN SOCOSKI

Osceola Mills, Pa.

WE COMMAND YOU, that setting aside all manner of business and excuses whatsoever, you be and appear in your proper person before our Judges, at Clearfield, at our County Court of Common Pleas there to be held for Thursday, / P.M. (D.S.T.) in the Grand Jury Room, Clearfield County, on the May 10, 1962 at 2:00/ Monday of 2nd. Floor of Court House next, there to testify the truth according to your knowledge in a certain case now pending in our said court, and then and there to be tried, wherein Pennsylvania Electric Company is Plaintiff, and Margaret Rodkey, Administratrix of Estate of Andrew Rodkey, dec'd., Defendant and Lewis L. Richmond, additional

Defendant, and that on the part of the Plaintiff And this you are not to omit under penalty of five hundred pounds.

WITNESS, the Honorable JOHN J. PENTZ, President of our said court at

Clearfield, Pa., the _____ day of May

Anno Domini, one thousand nine hundred and sixty-two (1962)

 Wm. T. Staggs
Prothonotary.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
PENNSYLVANIA ELECTRIC COMPANY

vs.

MARGARET RODKEY, Administratrix
of the Estate of Andrew Rodkey

} No. 87 November Term, 1961

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY OF THE SAID COURT:

Enter our appearance for and on behalf of Lewis L.
Richmond, Additional Defendant in the above entitled action.

BAIRD & McCAMLEY

By *John F. McCamley*
Attorneys for Additional Defendant

Dated: January 30, 1962

CLEARFIELD COUNTY, ss:

The Commonwealth of Pennsylvania to

CLYDE RANDOLPH

c/o ~~Harnest Service Station~~
Osceola Mills, Pa.

WE COMMAND YOU, that setting aside all manner of business and excuses whatsoever, you be and appear in your proper person before our Judges, at Clearfield, at our County Court of Common Pleas there to be held for Thursday, ~~May 10, 1962 at 2:00 P.M. (D.S.T.) in the Grand Jury Room, 2nd Floor of Court House~~ ~~Monday~~ ~~next~~ there to testify the truth according to your knowledge in a certain case now pending in our said court, and then and there to be tried, wherein Pennsylvania Electric Company is Plaintiff, and Margaret Rodkey, Administratrix of Estate of Andrew Rodkey, decd., Defendant and Lewis L. Richmond, additional

Defendant, and that on the part of the Plaintiff And this you are not to omit under penalty of five hundred pounds.

WITNESS, the Honorable JOHN J. PENTZ, President of our said court at

Clearfield, Pa., the _____ day of May

Anno Domini, one thousand nine hundred and sixty-two (1962)

Carl E. Walker

Prothonotary.

PENNSYLVANIA ELECTRIC COMPANY

VERSUS

MARGARET RODKEY, Administratrix of
the Estate of Andrew Rodkey, and
LEWIS L. RICHMOND, Additional
Defendant

To William T. Hagerty

Prothonotary.

Sir: ~~Exxxxxxxxxxxxxxxxxxxxxxx~~ Issue writ to join Lewis L.
Richmond, of Philipsburg, R.D., Clearfield County, Pennsylvania,
as Additional Defendant

in above case.

BELL, SIEBERBLATT & SWOOP
By Saul Sieberblatt

Attorney for Defendant

PENNSYLVANIA ELECTRIC COMPANY

VERSUS

MARGARET RODKEY, Administratrix of
the Estate of Andrew Rodkey,
Deceased

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

No. 87 Term November 1961

To William T. Hagerty

Prothonotary.

Sir: Enter our appearance for Defendant

in above case.

BELL, SILBERBLATT & SWOOP

By Paul Silberblatt

~~Mem~~ December 5, 1961

Attorney for Defendant

Pennsylvania Electric Co
vs.
Margaret Rodkey, Adm'r
Estate of Andrew Rodkey -

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 87, Nov. Term, 1956

PRAECIPE FOR APPOINTMENT OF ARBITRATORS (1)

TO THE PROTHONOTARY OF SAID COURT:

The undersigned, pursuant to the Act of June 16, 1836, P. L. 715, as amended by the Act of June 14, 1952 (1951-52) P. L. 2087 and further amended July 22, 1955, Laws 1955, Act No. 91 and Clearfield County Court Rule, requests you to appoint a BOARD OF ARBITRATORS and certifies that:

- (✓) The amount in controversy is \$1,000 or less.
- (✓) The case is at issue.
- () An agreement of reference has been filed of record.
- () Judgment has been entered for want of an appearance.

RECORD APPEARANCES HAVE BEEN ENTERED FOR:-

Plaintiff Kelley, John & Sons..... Defendant Smith, Smith & Works.....
" Bell Subdivision Telephone
Date..... At Defendant Board of M' Lamley
Attorney for

TEN DAY PERIOD FOR APPOINTMENT OF ARBITRATORS IS WAIVED (2)

..... Attorney for

..... Attorney for

TIME AND PLACE OF HEARING and APPOINTMENT OF BOARD

Now, April 23, 1956, hearing of the above case is fixed for ~~Wednesday~~ ^{Thurs.},
May 10, 1956, in Room, Clearfield County Court House, Clearfield,
Pa., and the following Clearfield County Bar members:

..... William T. Davis, Chairman
..... Edward V. Cherry
..... John Blair, Jr.

are appointed as the BOARD OF ARBITRATORS to hear testimony, make report, and render their award within twenty (20) days from date of hearing.

I hereby certify that notice by mail was duly given to said Arbitrators, Attorneys, and/or parties of record of said appointment, time, and place of hearing.

WITNESS MY HAND AND THE SEAL OF THE COURT

..... Carl E. Walker
..... Prothonotary
..... by R. Allen Wrigley
..... Deputy

(1) See Court Rule 27

(2) Waiver requires signatures of counsel for all parties.

April 23, 1962

SIR:

The following three persons have been appointed Arbitrators in
the case of Pennsylvania Electric Company

Versus Margaret Rodkey, Admx. Estate of Andrew Rodkey

No. 87 November Term, 1961

the first named being the Chairman of the Board:

William T. Davis

Edward V. Cherry & John Blair Gates

Hearing of the case has been fixed for Thursday,

May 10, 1962 at 1:30 P.M., E.S.T.

in Court Room #

Very truly yours,

Carl E. Walker
Prothonotary

App'd 23, 1962

SIR:

The following three persons have been appointed Arbitrators in
the case of Pennsylvania Electric Company

Barque Naugatuck Redkey, Adm'r. Estate of Andrew Redkey
No. 87 November Term, 1961

the first named being the Chairman of the Board:

1977.11.22 金 10:49:46

Edward W. Cherry Pa John Weller Oates

Hearing of the case has been fixed for Wednesday.

May 10, 1962 at 1:30 P.M. U.S.T.

in Court Room #

Very truly yours,

Carl E. Walker
Prothonotary

PENNSYLVANIA ELECTRIC COMPANY
vs.
MARGARET RODKEY, ADMX
ESTATE OF ANDREW RODKEY

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 87 November Term, 1956

OATH OR AFFIRMATION OF ARBITRATORS

Now, this 10th day of May, 1956, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same.

William T. Davis Chairman
William T. Davis
Edward V. Cherry
Edward V. Cherry
John Blair Gates
John Blair Gates

Sworn to and subscribed before me
this 10th day of May,

1956 *Carl E. Walker*
Carl E. Walker
Prothonotary

AWARD OF ARBITRATORS

Now, this 10th day of May, 1956, we, the undersigned arbitrators appointed in this case, after having been duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows:

*Judgment in favor of the Plaintiff
against the additional defendant Lewis L. Redmond
in the amount of \$310.65 with interest from March
13, 1961*

William T. Davis Chairman
William T. Davis
Edward V. Cherry
Edward V. Cherry
John Blair Gates
John Blair Gates

ENTRY OF AWARD

Now, this day of 1956, I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys.

WITNESS MY HAND AND THE SEAL OF THE COURT

Prothonotary

by

In the Court of Common Pleas
of Clearfield County

No. Term, 195

vs.

OATH OR AFFIRMATION
OF ARBITRATORS
AND AWARD

Pennsylvania Electric Company,
a Corporation IN THE COURT OF COMMON PLEAS

vs. OF CLEARFIELD COUNTY

Margaret Rodkey, Admin.
Estate of Andrew Rodkey,
dec'd., Lewis L. Richmond,
Additional Defendant No. 87 November Term, 195/62

NOTICE OF AWARD

To:
Kelley, Johnston & Cimino
Smith, Smith & Work
Bell, Silberblatt & Swoope
Baird & McCamley

You are herewith notified that the arbitrators appointed in
the above-entitled case have filed their award in this office on the 10th
day of May 195/62, and have awarded:

JUDGMENT in favor of the Plaintiff against the additional defendant Lewis
L. Richmond in the amount of \$310.65 with interest from March 13, 1961.

Prothonotary

May 29, 195/62

by

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 87 November Term, 195/ 61

Pennsylvania Electric Company,
a corporation

vs.

Margaret Rodkey, Administratrix
Estate of Andrew Rodkey, dec'd.
Lewis L. Richmond, Additional Defendant

NOTICE OF AWARD OF

ARBITRATORS

In the Court of Common Pleas

Clearfield County.

Of 87 Nov Term, 1961

Penna Electric Co

VERSUS

Margaret Rodkey v.
Cecilia Rodkey vs
Lawn & Reclining, et al

No. Reff

Bill of Costs

At Term, 19

Clyde Rundell
P. O. Geocela Mills

\$5.00
Days in Court at \$5.00 per day
7c per mile, actually traveled
7c 44 mi

500

308

Constable Robert Shover
P. O. 300
100
400

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

400

1208

P. O. John Szwarczki
P. O. Geocela Mills

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c 44 mi

500

308

Constable Robert

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

400

12.08

P. O. George Westerveld
P. O. Philipsburg

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c 8.6 mi

500

252

752

P. O.

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

P. O.

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

P. O.

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

P. O.

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

P. O.

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

P. O.

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

P. O.

\$5.00
Days in Court at \$5.00 per day
7c per mile actually traveled
7c

Whole amount of Bill

31.68

CLEARFIELD COUNTY, SS:

Personally appeared before me Edward T. Kelly, who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material, and in attendance as above stated, and that the mileage is correct as he believes.

Sworn to and subscribed before me this
11th day of May, A. D. 1962
Carl E. Walky, Prothonotary

Edward T. Kelly

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1966

No. Term, 19....

Versus

Attorney

Penna Elect Co
VERSUS
Frances Rudey - Adm
et al.

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

No. 87 Term Nov 1961

To Carl Walker,

Prothonotary.

Sir: Enter appearance for

Mark the case satisfied and discontinued
on payment of cost.

in above case.

Kelley, Johnson & Clegg
Attorney for PJF

o:

NO. 2125454-1962-14
AS VICTIM CHIEF

No. _____ Term _____ 19 _____

vs.

APPEARANCE

For _____

FILED	
JUN 6 1962	
C. CARL E. WALKER	
PROTHONOTARY	

Douglas P. Morken

IN THE COURT OF COMMON PLEAS
OF CLE ARFIELD COUNTY, PENNA.
No. 72 ~~Nov.~~ Term, 1961
In Trespass

PENNSYLVANIA ELECTRIC
COMPANY, a Corporation
Plaintiff

54

MARGARET RODKEY, Administratrix of the Estate of Andrew Rodkey, dec'd. Defendant

COMPLAINT

TO THE WITHIN _____ Defendant.
YOU ARE REQUIRED TO FILE

TO THE WITHIN COMPLAINT
WITHIN TWENTY DAYS FROM THE DAY
HEREOF

RENAE V. JENKINS
BY Edmund T. Colby
Attorney for Plaintiff

卷之三

KELLEY, WADDELL & CO.,
WADDELL & CO.,
PHILADELPHIA.

THE PLANKENHORN CO., WILLIAMSPORT,

IN THE COURT OF COMMON PLEAS OF CIE ARFIELD COUNTY, PENNA. No. 22		<i>Nov.</i> Term, 1961
PENNSYLVANIA EIE CTRIC COMPANY, a Corporation Plaintiff		
<i>vs.</i>		
MARGARET RODKEY, Admin- istratrix of the Estate of Andrew Rodkey, dec'd. Defendant		
COMPLAINT		
TO THE WITHIN <u>Defendant</u> YOU ARE REQUIRED TO FILE An Answer TO the within Complaint WITHIN TWENTY DAYS HEREOF		
KELLEY, JOHNSTON - CLEMENT BY <u>John M. Kelley</u> <u>J. Colby</u> ATTORNEY for Plaintiff		
FILED NOV 15 1961		
KELLEY, JOHNSTON & CLEMENT ATTORNEYS AT LAW PHIPLIBSON & CO., INC.		
<i>5-00 by Drury</i>		
<small>THE PLANKENHORN CO., WILLIAMSPORT, PA.</small>		

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

PENNSYLVANIA ELECTRIC COMPANY, ;
Plaintiff :
vs. : *Nov.*
MARGARET RODKEY, Administratrix : No. 27 ~~Sept.~~ Term, 1961
of the Estate of Andrew Rodkey, :
deceased, : In Trespass
Defendant :
C O M P L A I N T

NOW, this 15th day of November, 1961 comes the Plaintiff, Pennsylvania Electric Company, a corporation, by its Attorneys Kelley, Johnston & Cimino, and brings this action in trespass against the Defendant, Margaret Rodkey, Administratrix of the estate of Andrew Rodkey, deceased, to recover the sum of THREE HUNDRED TEN DOLLARS AND SIXTY-FIVE CENTS (\$310.65), with interest from March 12, 1961, which is justly due said Plaintiff in a cause of action of which the following is a statement:

1. The Plaintiff is a corporation with its principal place of business in Pennsylvania which generates electricity and distributes it by wires and poles in Clearfield County, Pennsylvania.

2. The defendant is the Administratrix of the Estate of Andrew Rodkey, deceased, who died on April 4th, 1961. Letters of said Administratrix's appointment were granted on November 1st, 1961 in the Office of the Register of Wills of Clearfield County, Pennsylvania.

3. The decedent, Andrew Rodkey, in his lifetime, and the Administratrix, his wife, resided in Brisbin, Clearfield County, Pennsylvania.

4. That on March 12, 1961 Andrew Rodkey was driving his Nash Rambler automobile, registered in his own name, on Route No. 53 in Clearfield County, Pa. and at a point on said Route

53 just outside of the Borough of Osceola and Decatur Township and opposite the Ernest Gas Station, he drove off the road and ran into and broke pole No. 52041.

5. That said defendant, Andrew Rodkey, at the time and place stated, negligently operated his Nash Rambler automobile without regard to the property of the said Plaintiff Corporation which was erected on the side and off the travelled part of the said road.

6. The Defendant's negligence was in not observing the boundaries of the road and was in permitting his car to go off the road and strike a pole which was owned by the Bell Telephone Company and upon which electric line facilities of the Plaintiff were installed.

7. By reason of the said collision and the total destruction of the said pole, it was necessary to have the Pennsylvania Electric Company crew remove and re-install the facilities of the Plaintiff which were installed on the pole.

8. That the total cost of removing and re-installing the facilities amounted to THREE HUNDRED TEN DOLLARS AND SIXTY-FIVE CENTS (\$310.65) as fully set forth in the itemized statement attached hereto, marked Exhibit "A" and made an integral part of this claim.

WHEREFORE, Plaintiff claims by reason of said collision it has suffered damages to the extent of Three Hundred Ten and 65/100 (\$310.65) Dollars and requests interest thereon from March 12, 1961.

Hence, this suit.

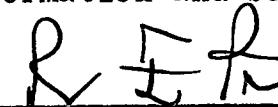
KELLEY, JOHNSTON & CIMINO
By Edward T. Kelley
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CAMBRIA :
:

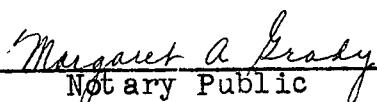
R. F. PRUNER, being duly sworn according to law,
deposes and says;

1. That affiant holds the office of Secretary-Treasurer
of Pennsylvania Electric Company and has held such office
continuously for more than fourteen (14) years;

2. That affiant further avers that he is authorized to
verify the facts stated in the foregoing Complaint; and affiant
has personal knowledge of some of the facts and avers that same
are true; and as to the other facts, affiant avers that they
are true on the affiant's information and belief.


R. F. Pruner

SWORN and subscribed to before me this 13th day of
November, 1961.


Margaret A. Grady
Notary Public

MARGARET A. GRADY, Notary Public
Johnstown, Cambria County, Penna.
My Commission Expires February 20, 1962

EXHIBIT A

DISTRICT OFFICE COPY

SALES ORDER

DISTRICT Philipsburg

NO. FOR
AUDITOR'S PURPOSE **Nº 25319**

DESCRIPTION OF WORK, ETC.

NAME AND ADDRESS FOR BILLING

Replacement costs Pole # 52041, near Osceola Mills Pa.
broken off by Nash Rambler, license # 753739,
March 12, 1961.

Mr. Andrew Rodkey.

Brisbin, Pa.

S.O. REQUESTED BY BL Date 3-13-61

DATE 3-13-61

PREPARED BY AES DATE 3-13-61

DATE 3-13-61

APPROVED BY J. H. Wilson DATE 3/15/61

3/15/61

COMPLETED BY Ad. More DATE 3/13/11

3/13/61

TOTAL MISCELLANEOUS	
SUMMARY	
ITEM	AMOUNT
LABOR	29065
MATERIAL	
TRANSPORTATION	2000
MISCELLANEOUS	
CREDIT ACC'T	0-186-1
	TOTAL
	31065

PREPARE IN DUPLICATE (DISTRICT OFFICE) ORIGINAL AND GENERAL OFFICE DUPLICATE COPIES
FILE DISTRICT OFFICE COPY BY SALES ORDER NUMBER

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

No. 87 November Term, 1961

IN TRESPASS
PENNSYLVANIA ELECTRIC

COMPANY vs.

MARGARET RODKEY,
Administratrix of the
Estate of Andrew Rodkey,
deceased, Defendant
and
LEWIS L. RICHMOND,
Additional Defendant

COMPLAINT
AGAINST ADDITIONAL DEFENDANT

TO THE WITHIN NAMED ADDITIONAL
DEFENDANT:

You are hereby notified
to file an Answer within 20
days from the date of service
hereof.

BELL, SILBERBLATT & SWOPE

by *Frank J. Silberblatt*
ATTORNEYS for Defendant

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

MAR 17 1962

CARL E. WALKER
HARRINGTON, STANLEY
BELL, SILBERBLATT & SWOPE
ATTORNEYS AT LAW
CLEARFIELD TRUST CO. BLDG.
CLEARFIELD, PENNA.

Now, 17 March 62 service accepted
Kellogg, Johnson & Lewis

and Now this 20 day of March 1962 service accepted
for Lewis L. Richmond

Baud, McElwain & Miller
by William F. Miller

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PENNSYLVANIA ELECTRIC
COMPANY

versus

MARGARET RODKEY,
Administratrix of the
Estate of Andrew Rodkey,
deceased, Defendant
and
LEWIS L. RICHMOND,
additional Defendant

No. 87 November Term, 1961

In Trespass

COMPLAINT
AGAINST ADDITIONAL DEFENDANT

(1). The Plaintiff is the Pennsylvania Electric Company, a corporation.

(2). The Defendant is, Margaret Rodkey, Administrator of the Estate of Andrew Rodkey, deceased.

(3). The additional Defendant, Lewis L. Richmond, resides at Philipsburg, R. D., Pennsylvania in Clearfield County.

(4). On March 12, 1961, the decedent, Andrew Rodkey, was driving his motor vehicle in a westerly direction, proceeding towards Houtzdale on State Route 53 between Osceola Mills and Houtzdale, in Clearfield County, Pennsylvania.

(5). On or about the said date and time aforesaid, the additional Defendant, Lewis L. Richmond, was operating a motor vehicle in an easterly direction, proceeding towards Osceola Mills, between Houtzdale and Osceola Mills, Pennsylvania in Clearfield County, Pennsylvania.

(6). While Andrew Rodkey was so operating his motor vehicle, the motor vehicle of the additional Defendant did come across the center of said highway and did occupy the west-bound lane of traffic, which was then and there being occupied by Andrew Rodkey.

(7). As a result of the additional Defendant's operation of his vehicle, he did cause it to strike the motor vehicle of Andrew Rodkey, causing the said Rodkey vehicle to go off the highway to the right and causing it to strike and do damage to a certain utility pole, upon which the Plaintiff maintain electrical

installations.

(8). Lewis L. Richmond, the additional Defendant was negligent in the operation of his motor vehicle in the following manner:

- a. in failing to operate his motor vehicle to the right of the center of Route 53;
- b. in coming across the center of said Route No. 53 and occupying a portion of the lane of traffic being then and there lawfully occupied by Andrew Rodkey;
- c. in failing to have his motor vehicle under such control so as to be able to stop within the assured clear view;
- d. in operating his motor vehicle at a high and excessive rate of speed under the circumstances;
- e. in failing to take into consideration the rights of other lawful users of the highway and in particular, the rights of Andrew Rodkey.

(9). As a result of the negligence of Lewis L. Richmond, the additional Defendant, the Plaintiff, Pennsylvania Electric, is making a claim for damages to its installation as set forth in Plaintiff's Complaint, in Paragraphs Nos. 4, 5, 6, 7 and 8, which said Paragraphs are incorporated herein by reference and a complete copy of said Complaint is attached hereto and made a part hereof.

(10). As a result of the damages sustained to Plaintiff's electrical installation, the additional Defendant is solely liable or in the alternative, jointly liable with the Defendant herein.

WHEREFORE, this suit.

BELL, SILBERBLATT & SWOOP

by: 
Attorneys for Defendant

STATE OF PENNSYLVANIA : : SS:
COUNTY OF : :

Margaret Rodkey, Administratrix of the Estate of Andrew Rodkey deceased, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint against the additional Defendant, are true and correct to the best of her knowledge, information and belief.

Margaret Rodkey

Margaret Rodkey, Administratrix
of the Estate of Andrew Rodkey

Sworn and subscribed to
before me this 16th day
of March 1962

Mrs. Mabel B. Ginder

NOTARY PUBLIC
My Commission Expires
JANUARY 7, 1963

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

PENNSYLVANIA ELECTRIC COMPANY, Plaintiff ;
vs. : *Nov*
MARGARET RODKEY, Administratrix : No. 27 ~~87~~ Term, 1961
of the Estate of Andrew Rodkey, deceased, :
Defendant : In Trespass

C O M P L A I N T

NOW, this 15th day of November, 1961 comes the Plaintiff, Pennsylvania Electric Company, a corporation, by its Attorneys Kelley, Johnston & Cimino, and brings this action in trespass against the Defendant, Margaret Rodkey, Administratrix of the estate of Andrew Rodkey, deceased, to recover the sum of THREE HUNDRED TEN DOLLARS AND SIXTY-FIVE CENTS (\$310.65), with interest from March 12, 1961, which is justly due said Plaintiff in a cause of action of which the following is a statement:

1. The Plaintiff is a corporation with its principal place of business in Pennsylvania which generates electricity and distributes it by wires and poles in Clearfield County, Pennsylvania.

2. The defendant is the Administratrix of the Estate of Andrew Rodkey, deceased, who died on April 4th, 1961. Letters of said Administratrix's appointment were granted on November 1st, 1961 in the Office of the Register of Wills of Clearfield County, Pennsylvania.

3. The deceased, Andrew Rodkey, in his lifetime, and the Administratrix, his wife, resided in Brisbin, Clearfield County, Pennsylvania.

4. On the date of March 12, 1961 Andrew Rodkey was driving his black 1959 Buick automobile, registered in his own name, on Route 22, in Clearfield County, Pa. and at a point on said route

53 just outside of the Borough of Osceola and Decatur Township and opposite the Ernest Gas Station, he drove off the road and ran into and broke pole No. 52041.

5. That said defendant, Andrew Rodkey, at the time and place stated, negligently operated his Nash Rambler automobile without regard to the property of the said Plaintiff Corporation which was erected on the side and off the travelled part of the said road.

6. The Defendant's negligence was in not observing the boundaries of the road and was in permitting his car to go off the road and strike a pole which was owned by the Bell Telephone Company and upon which electric line facilities of the Plaintiff were installed.

7. By reason of the said collision and the total destruction of the said pole, it was necessary to have the Pennsylvania Electric Company crew remove and re-install the facilities of the Plaintiff which were installed on the pole.

8. That the total cost of removing and re-installing the facilities amounted to THREE HUNDRED TEN DOLLARS AND SIXTY-FIVE CENTS (\$310.65) as fully set forth in the itemized statement attached hereto, marked Exhibit "A" and made an integral part of this claim.

WHEREFORE, Plaintiff claims by reason of said collision it has suffered damages to the extent of Three Hundred Ten and 65/100 (\$310.65) Dollars and requests interest thereon from March 12, 1961.

Hence, this suit.

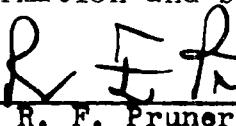
KELLEY, JOHNSTON & CIMINO

By Johnston
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CAMBRIA : SS.

R. F. PRUNER, being duly sworn according to law,
deposes and says;

1. That affiant holds the office of Secretary-Treasurer of Pennsylvania Electric Company and has held such office continuously for more than fourteen (14) years;
2. That affiant further avers that he is authorized to verify the facts stated in the foregoing Complaint; and affiant has personal knowledge of some of the facts and avers that same are true; and as to the other facts, affiant avers that they are true on the affiant's information and belief.


R. F. Pruner

SWORN and subscribed to before me this 13th day of November, 1961.


Margaret A. Grady
Notary Public

MARGARET A. GRADY, Notary Public
Johnstown, Cambria County, Penna.
My Commission Expires February 20, 1962

EXHIBIT A

~~DO NOT OFFICE COPY~~

SALES ORDER

DISTRICT Philipsburg

DESCRIPTION OF WORK, ETC.

placement costs. Beta = 5000.

When off base, Mount D. 1000 ft. 5204, near Ocoee Lake

JANUARY 1962

**NO. FOR
AUDITOR'S PURPOSE**

Nº 25319

NAME AND ADDRESS FOR BILLING

Mr. Andrew Rodkey.

Parishion. Pa.

E.O. REEDMAN by **EL**

Page 3-13-61

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Page 3-13-61

174

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TOTAL MISCELLANEOUS

SUMMARY

ITEM	AMOUNT
LABOR	29065
MATERIAL	
TRANSPORTATION	2020
MISCELLANEOUS	

SEARCHED <i>0-104-3</i>	INDEXED	SERIALIZED
SEARCHED	INDEXED	SERIALIZED