

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

P. O. Harrisburg, Pa.

Tpr. Edward Cipollini

P. O. Philipsburg, Pa.

Tpr. Ronald Shimmel

P. O. Philipsburg, Pa.

Elizabeth Baronak

P. O. Clearfield, Pa.

P. O.

P. O.

P. O.

P. O.

P. O.

P. O.

P. O.

Serving subpoenas Witness

P. O.

Miles distance

Whole amount of Bill

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

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

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

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

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

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

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

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

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

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

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

5 00

18 90

2 52

2 52

5 00

14

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. 175

Pennsylvania Electric Company

VERSUS

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

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

No. 87 November Term, 19 61

Debt \$

Interest

Judg't Entered

Check 1206 Kelley, Johnston & Cimino: \$ 35.60

" 1207 Zell, Silberblatt & Swopes: 38.09

Prothonotary: 15.00

\$ 88.69

**PAID**

JUN 6 - 1962

CARL E. WALKER  
PROTHONOTARY

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 ~~now~~, 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. Hagerty*

Prothonotary.

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

vs.

( No. 87 November Term, 1961  
(  
(  
(

MARGARET RODKEY, Administratrix  
of the Estate of Andrew Rodkey

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 J. McCamley*  
Attorneys for Additional De-  
fendant

Dated: January 30, 1962

CLEARFIELD COUNTY, ss:

The Commonwealth of Pennsylvania to

CLYDE RANDOLPH

~~c/o Earnest 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, P.M. (D.S.T) in the Grand Jury Room, 2nd Clearfield County, on ~~the~~ May 10, 1962 at 2:00 P.M. (D.S.T) in the Grand Jury Room, 2nd ~~Monday 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, 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

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

No. 87 Term November 1961

**Prothonotary.**

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

**in above case.**

BELL, SIEBERBLATT & SWOOPE

By Gaul Tilkoffa

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 & SWOOPE  
By Caul Silberblatt

~~xxx~~ December 5, 1961

Attorney for Defendant





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

April 23, 1962

SIR:

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

vs. Margaret Rodkey, Adm. Estate of Andrew Rodkey

No. 87 November Term, 1961

the first named being the Chairman of the Board:

William T. Davis

Edward W. Cherry

& John Blair Oates

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

PENNSYLVANIA ELECTRIC COMPANY

vs.

MARGARET RODKEY, ADMX  
ESTATE OF ANDREW RODKEYIN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTYNo. 87 November Term, 19~~6~~61

## OATH OR AFFIRMATION OF ARBITRATORS

Now, this 10th day of May, 19~~6~~62, 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,

19~~6~~62. *Carl E. Walker*  
Prothonotary

## AWARD OF ARBITRATORS

Now, this 10th day of May, 19~~6~~62, 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 J. Richmond  
in the amount of \$ 310.65 with interest from March  
13, 1961*

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

## ENTRY OF AWARD

Now, this day of , 195 , 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, 19561

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 19562, 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 25

, 19562

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 of Clearfield County.

Of 87 Nov Term, 1961

Penna Electric Co

No. Ref

VERSUS

Bill of Costs

At \_\_\_\_\_ Term, 19\_\_\_\_

Margaret Rodkey Adm  
Arthur Rodkey vs  
Leona L. Richmond, off Def

<u>Clyde Randolph</u>	<u>\$5.00</u>		
P. O. <u>Greola Mills</u>	Days in Court at <del>\$3.00</del> per day	<u>5 00</u>	
	<del>Xc</del> per mile actually traveled	<u>3 08</u>	
	7c <u>44 mi</u>		
<u>Constable Robert Shower</u>	<u>\$5.00</u>	<u>4 00</u>	
P. O. <u>3 00</u>	Days in Court at <del>\$3.00</del> per day		<u>12 08</u>
<u>1 00</u>	<del>Xc</del> per mile actually traveled		
<u>4 00</u>	7c		
P. O. _____	<u>\$5.00</u>		
	Days in Court at <del>\$3.00</del> per day		
P. O. <u>John Sacorzi</u>	<del>Xc</del> per mile actually traveled		
	7c		
<u>Greola Mills</u>	<u>\$5.00</u>	<u>5 00</u>	
P. O. _____	Days in Court at <del>\$3.00</del> per day	<u>3 08</u>	
	<del>Xc</del> per mile actually traveled		
<u>Constable Robert</u>	<u>\$5.00</u>	<u>4 00</u>	
P. O. <u>Shower</u>	Days in Court at <del>\$3.00</del> per day		<u>12 08</u>
<u>3 00</u>	<del>Xc</del> per mile actually traveled		
<u>1 00</u>	7c		
<u>4 00</u>	<u>\$5.00</u>		
P. O. _____	Days in Court at <del>\$3.00</del> per day		
	<del>Xc</del> per mile actually traveled		
P. O. <u>George Westervod</u>	<u>\$5.00</u>	<u>5 00</u>	
	Days in Court at <del>\$3.00</del> per day	<u>2 52</u>	
P. O. <u>Philipsburg</u>	<del>Xc</del> per mile actually traveled		<u>7 52</u>
	7c <u>86 mi</u>		
P. O. _____	<u>\$5.00</u>		
	Days in Court at <del>\$3.00</del> per day		
P. O. _____	<del>Xc</del> per mile actually traveled		
	7c		
P. O. _____	<u>\$5.00</u>		
	Days in Court at <del>\$3.00</del> per day		
P. O. _____	<del>Xc</del> per mile actually traveled		
	7c		
P. O. _____	<u>\$5.00</u>		
	Days in Court at <del>\$3.00</del> per day		
P. O. _____	<del>Xc</del> per mile actually traveled		
	7c		
P. O. _____	Serving subpoenas	Witness	
P. O. _____	Miles distance		
Whole amount of Bill			<u>31.68</u>

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. Walker Prothonotary Edward T. Kelly

PROTHONOTARY

My Commission Expires  
1st Monday Jan. 1966



No. .... Term, 19....

Versus

Attorney

Penna Elect Co

VERSUS

Margueret Rodkey - Adam  
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

Make the case satisfied and discontinued  
on payment of cost.

in above case.

Kelley, Johnson & Cunniff

Attorney for

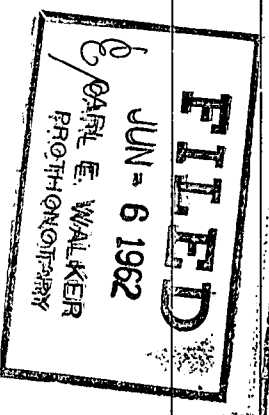
PJF

No. \_\_\_\_\_ Term \_\_\_\_\_ 19\_\_

vs.

APPEARANCE

For \_\_\_\_\_



*Joseph P. Morel*

IN THE COURT OF COMMON PLEAS  
OF CHESTER COUNTY, PENNA.  
No. *22* *Sept* Term, 1961  
In Trespass

PENNSYLVANIA ELECTRIC  
COMPANY, a Corporation  
Plaintiff

vs.

MARGARET RODKEY, Admin-  
istratrix of the Estate of  
Andrew Rodkey, dec'd.  
Defendant

COMPLAINT

TO THE WITHIN Defendant  
YOU ARE REQUIRED TO FILE  
An Answer

TO the within complaint  
WITHIN TWENTY DAYS FROM THE DATE  
HEREOF

KELLEY JOHNSTON ~~and~~ GEMINO  
BY *Edward T. Kelley*  
Attorney for Plaintiff

**FILED**  
NOV 15 1961  
KELLEY, JOHNSTON & GEMINO  
ATTORNEYS AT LAW  
PHILADELPHIA, PA.

*5-00 by Kelley*  
THE PLAINESMAN CO., WILMINGTON, PA.

*James accepted 10/14/61 and copy  
returned  
J. H. A. Co.  
W. L. A. Co.  
J. H. A. Co.*

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

PENNSYLVANIA ELECTRIC COMPANY, ;  
Plaintiff :

vs. :

MARGARET RODKEY, Administratrix  
of the Estate of Andrew Rodkey, :  
deceased,, :  
Defendant :

*Nov.*  
No. 27 ~~1961~~ Term, 1961

In Trespass

C O M P L A I N T

NOW, this 15<sup>th</sup> 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, Penn-  
sylvania.

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

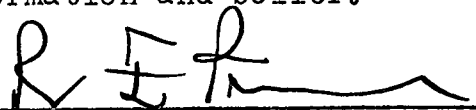
By Edward T. Kelley  
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CAMBRIA :

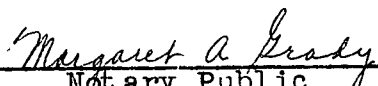
R. F. PRUNER, being duly sworn according to law,  
deposes and says;

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.

  
\_\_\_\_\_  
Notary Public

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

**DISTRICT OFFICE COPY**

**NO. FOR  
AUDITOR'S PURPOSE**

**Nº 25319**

DISTRICT Philipsburg

**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

**APPROVED BY:**

DATE 3/15/61

**PREPARED BY**

**AES**

DATE 3-13-61

COMPLETED 2

DATE 3/13/61

**TOTAL LABOR****TOTAL MATERIAL**TOTAL MISCELLANEOUS

## SUMMARY

CREDIT ACC'T 0-186-1 TOTAL 31065

RELATED WORK ORDER NO.	DATE BILLED	S. O. NO.

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

026-41 Rev. 8-80



Lap over margin

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 <i>[Signature]</i> Attorneys for Defendant	
MAR 17 1962	
GAIL E. VANLIER Notary Public BELL, SILBERBLATT & SWOPE ATTORNEYS AT LAW CLEARFIELD TRUST CO. BLDG. CLEARFIELD, PENNA.	

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

Now 17 March 62 service accepted  
Kelley - Johnson & Cummings

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

Bond, 21 - 2 - 1962, & Miller  
by William L. 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 & SWOOPE

by: Paul Silberblatt  
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 16<sup>th</sup> day  
of March 1962

Mustilled B. Singer

NOTARY PUBLIC  
My Commission Expires  
JANUARY 7, 1963

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

PENNSYLVANIA ELECTRIC COMPANY, ;  
Plaintiff :

vs. :

MARGARET RODKEY, Administratrix  
of the Estate of Andrew Rodkey,  
deceased,, :

Defendant :

No. 27 <sup>Nov.</sup> Term, 1961

In Trespass

C O M P L A I N T

NOW, this 15<sup>th</sup> 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 dark colored automobile, registered in his own name, on Route 15 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

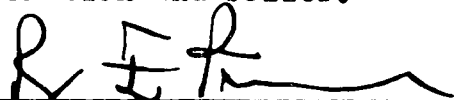
By Robert J. Kelley  
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CAMBRIA : SS.  
:


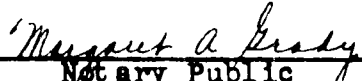
R. F. PRUNER, being duly sworn according to law,  
deposes and says;

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.

   
Notary Public

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

**DISTRICT OFFICE COPY**

DISTRICT Phillipsburg

**DESCRIPTION OF WORK, ETC.** \_\_\_\_\_

~~placement costs Pole # 52041, near Occoche Mills Pa.  
taken off by Nash Rambler, license # 753739,  
Feb 12, 1961.~~

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

NAME AND ADDRESS FOR BILLING

Mr. Andrew Rodkov.

~~Bridgeton, Pa.~~

C.O. REQUESTED BY HL DATE 3-13-61

PREPARED BY AES DATE 3-13-61

APPROVED BY: [Signature] DATE: 3/13/61

COMPLETED BY A. J. Moore DATE 3/13/61

LABOR										TRANSPORTATION							
EMP.	EMPLOYEE	DATE AND HOURS WORKED						TOTAL HRS.	RATE	AMOUNT	REF.	DATE	TRUCK OR CAR NO.	HOURS	MILES	RATE	AMOUNT
		7/21					7/26										
	BRILLINGHAM	4	DOUBLE TIME					8	3.18	25.44		7/21	217	4	11	2.00	8.00
	DECKER	3	"					6	3.18	19.06		7/21	217	6	11	2.00	12.00
	DECKER	1	E.T.S. Man					2	3.30	6.60							
	GROSS	4	E.T.S.					8	3.30	26.40							
	PETERS	4	"					8	3.15	25.20							
	LLLOYD	4	"					8	2.48	19.84							
	KANTHA	1/2-3/4	Call out					3	3.22	9.66							
	P.S. MARCO		Exp. 1st time				6	6	4.03	24.18							
	BRILLINGHAM						6	6	3.18	19.08							
	DECKER						6	6	3.18	19.08							
	GROSS						6	6	3.18	19.08							
	PETERS						6	6	3.15	18.90							
										232.52							
										58.13							
	TOTAL LABOR																
										290.65							

[illegible][illegible]