

DOCKET NO. 175

NUMBER	TERM	YEAR
270	November	1961

Annabelle Spencer

VERSUS

Rita Barchony

Affidavit of Service

Annabelle Spencer

vs.

Rita Barchony

No. 270 Nov. Term, 19 61

Rule

Returnable within days
from date of service hereof.

NOW January 29 19 62 at 2:05PM o'clock

served the within Rule

on Annabelle Spencer

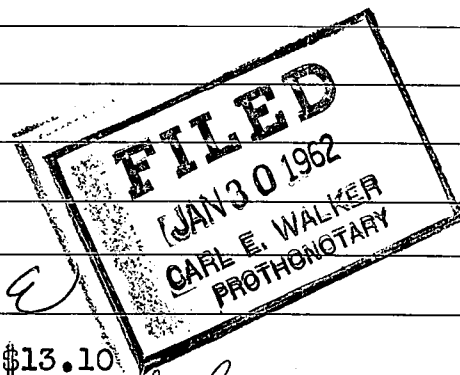
at 49 South First St. DuBois, Pa.

by by handing to her personally

a true and attested copy of the original Rule

known to her the contents thereof.

Costs. \$13.10



and made

Sworn to before me this 29th

day of January A. D. 19 62

Carl E. Walker

Prothonotary

So answers,

James B Reese

James B. Reese

Sheriff



Commonwealth of Pennsylvania

County of Clearfield

ss:

Annabelle ? Spencer

vs.

Before ... Merritt I. Edner,
..... Alderman in and for ... Clearfield County
Judgment Entered for \$ 150.00

Rita S. Barchony

..... defendant appeals from above judgment.

... Rita S. Barchony the defendant above named, being duly sworn
(affirmed) says that the appeal taken in above case is not for the purpose of delay, but
because he verily believes that injustice has been done, and that if the proceedings
appealed from are not removed, he will be required to pay more than is justly due.

Sworn (affirmed) and subscribed to before me

this 16. day of Dec. 1961

Merritt I. Edner
Alderman—Justice of the Peace
My commission expires first Monday in January 1964.



X *Rita S. Barchony*

We Rita S. Barchony of
and of
acknowledge ourselves bound as bail absolute to Annabelle Spencer.
plaintiff in the above case, in the sum of \$ 300.00. for the payment of all costs that
have accrued or that may accrue up to the final determination thereof, as well as the
debt and interest, and that the defendant will prosecute his appeal with effect, and now
--- 19 ---, Costs paid by --- and for his own use and benefit.

Acknowledged before me this 16. day of Dec. 1961

Merritt I. Edner
Alderman—Justice of the Peace
My commission expires first Monday in January 1964



X *Rita S. Barchony*
Cash bond—See check #12315 attached.
\$ 300.00

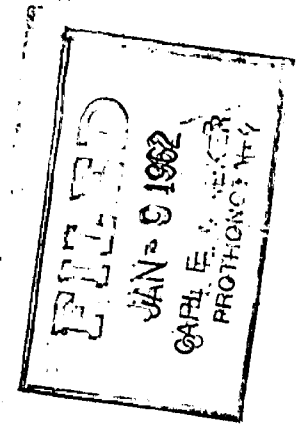


In 448 Nov 2 1961 Court

No. _____

versus

Defendant's Affidavit of Appeal
with Bond



THE FLAMM-HORN CO., WILLIAMSPORT, PA. 7463

Commonwealth of Pennsylvania

County of _____ VS. _____

ss:

being about to become surety in the above entitled case, and being duly sworn according to law, depose and say: _____ the owner of real estate in fee simple, and in _____ own name and right, in the County of _____, of the cash value, over and above all incumbrances, of not less than _____ dollars. _____ not surety in any other case or for any public officer.

Sworn and subscribed before me this _____ day
of _____ 19_____

Alderman—Justice of the Peace
My Commission expires first Monday of January 19_____
[SEAL]

_____[SEAL]
_____[SEAL]
_____[SEAL]

Annabelle Spencer

49 1st St., Edgmont,

DuBois, Pa.

VERSUS

Rita S. Barchony

21 Short Street,

Falls Creek, Pa.

COST OF

(New Fees—Acts No. 492 Approved January 7,
1952, and Act No. 179 Approved June 28, 1951
as amended.)

EACH	COSTS	TAX HERE
7.50	Assumpsit or Trespass Involving \$100.00 or less	
10.00	Assumpsit or Trespass Involving more than \$100.00	10.00
12.50	Add 1 Def. Assumpsit or Trespass Involving more than \$300.00	10.00
15.00	Landlord—Tenant Proceeding	
5.00	Attachment in Execution Proceeding after Judgment	
(Such Fees shall include all charges including when called for the costs relating to de- positions and interrogatories and the costs of postage and registered mail, except the costs of a transcript of every proceeding on appeal or cer- tiorari, including affidavit ball and certificate, which shall be \$2.50 per transcript.)		
CONSTABLE		
	Summons # 2	1.50
1.50	Serving Summons Each Person	1.50
.10	Miles, circ.	.60
1.00	Serving Execution	.40
	Items, at 2c	
.10	Miles, circ.	
2.50	Levying	
1.50	Serving Subpoena	1.50
	Additional Names 75 cts.	.40
.10	Miles, circ.	
1.50	Receiving and paying over Without Sale	
Total.....		25.90

Summons in trespass issued Nov. 15, 19 61,

to Adolph Misko, Constable.

Returnable the 22nd day of November 19 61,

between the hours of 7:00 o'clock P. M. and 8:00 o'clock P. M.

Served on Defendant by handing a true and attested copy thereof,
upon Rita S. Barchony at her place of employment at the
Catholic High School Building, in the City of DuBois, Pa.
to her personally.

So answers, Adolph Misko, Constable on oath.

And now Nov 21, 1961 Summons served on Robert G. Stewart
by handing a true and attested copy to said Robert G.
Stewart personally at his place of employment at Dover-
spike Mid-way Garage, E.D.# 1, DuBois, Pa. due to
Praecipe to Join Additional Defendant with Rita Barchony.
Now Nov. 22, 1961 hearing continued until Nov. 29th, 1961
between the hours of 7:00 P. M. and 8:00 P. M.

Now Nov. 29, 1961 at 8:00 P. M. EST case is called.

Plaintiff appears in person with his counsel.

Defendants appear with their Attorneys, David E. Blakley
attorney for Robert F. Stewart objected to the Praecipe
to Join his client, Robert F. Stewart in an Alderman's Court.

Objection sustained.

Plaintiff presents estimates for repair to her damaged car
in the amount of \$112.02 and \$24.35 for a new battery.
Estimates were sworn to by John P. Munro, Partner of
Munro Auto Body, DuBois, Pa.

Both defendant and plaintiff testified at length Concerning
the accident in which the Annabelle Spencer car was damaged.

Dec. 2, 1961.

Judgment publicly proclaimed for the Plaintiff and against
the Defendant for \$112.02 damages to car and 1/2 cost of a
new battery \$12.18 of \$124.20 plus costs in the amount of
\$25.90

Received Satisfaction,

Now, Dec. 16th

in the sum of \$ 300.00

or may be legally recovered against the appellant.

19 61, Defendant appeals. Bill justified and held

as bail absolute in this case conditioned for the payment of all costs accrued,

x Rita S. Barchony

Address:

21 Short St., Falls Creek, Pa.

Clearfield

County, ss:

Witness my hand and seal this

16th

day of

December

19 61

Merritt E. Gauer
Alderman - Justice of the Peace

My Commission Expires first Monday of January, 19 64

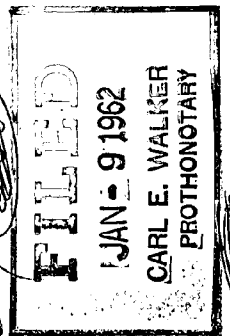
VERSUS

COST OF

(New Fees—Acts No. 492 Approved January 7, 1952, and Act No. 179 Approved June 28, 1951 as amended.)

EACH	COSTS	TAX HERE
7.50	Assumpsit or Trespass Involving \$100.00 or less	
10.00	Assumpsit or Trespass Involving more than \$100.00	
12.50	Assumpsit or Trespass Involving more than \$800.00	
15.00	Landlord—Tenant Proceeding	
5.00	Attachment in Execution Proceeding after Judgment (Such Fees shall include all charges including when called for the costs relating to depositions and interrogatories and the costs of postage and registered mail, except the costs of a transcript of every proceeding on appeal or certiorari, including affidavit bail and certificate, which shall be \$2.50 per transcript.)	
CONSTABLE		
1.50	Serving Summons Each Person	
.10	Miles, circ.	
1.00	Serving Execution Items, at 2c	
.10	Miles, circ.	
2.50	Levying	
1.50	Serving Subpoena Additional Names 75 cts.	
.10	Miles, circ.	
1.50	Receiving and paying over Without Sale	
Total.....		

Summons in _____ issued _____ 19 _____
to _____ Constable.
Returnable the _____ day of _____ 19 _____
between the hours of _____ o'clock _____ M., and _____ o'clock _____ M.
Served on Defendant by _____



Received Satisfaction,

Now,

in the sum of \$

or may be legally recovered against the appellant.

19 _____, Defendant appeals. Bill justified and held

as bail absolute in this case conditioned for the payment of all costs accrued,

Address: _____

County, ss: _____

Witness my hand and seal this

day of

19 _____

Alderman - Justice of the Peace

My Commission Expires first Monday of January, 19 _____



448 Nov. 1961

Annabelle Spencer

VERSUS

Rita Berchony

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

No. 270 Term November 19 61

To

Carl Walker

Prothonotary.

Sir: ~~Enter~~ ~~appearance~~ for

Appoint Arbitrators

in above case.

Eugene D. Valley

Attorney for

Plaintiff

No. 370 Term November 1961

Quintrell Spencer

VS.

Rita Barclay

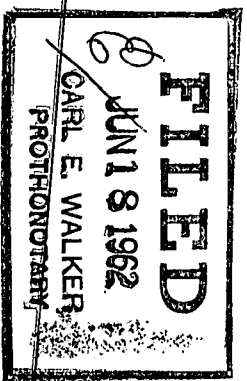
Robert Stewart

Colleen Stewart

APPEARANCE

PRECEDENCE:

For Seizure of
Intestates



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

ANNABELLE SPENCER

-vs-

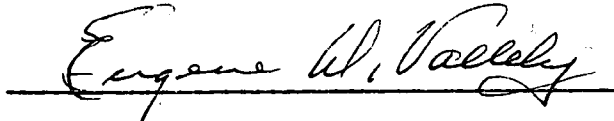
RITA BARCHONY

NO. 270 NOVEMBER TERM, 1961

PRAECIPE FOR SATISFACTION.

TO: CARL E. WALKER, PROTHONOTARY.

Receipt of the sum of \$ 124.20 from Rita Barchony, the defendant,
is hereby acknowledged by plaintiff, in settlement of the award of arbitrators
in the above action, and you are authorized to mark the same satisfied of
record, upon payment of the costs.



Attorney for Plaintiff

FILED
AUG 29 1962
CARL E. WALKER
PROTHONOTARY

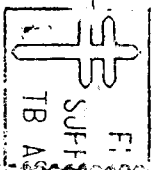
LAW OFFICES
BELL, SILBERBLATT & SWOOP
CLEARFIELD TRUST COMPANY BLDG.
CLEARFIELD, PENNA.

CERTIFIED
No 233595
MAIL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Notice
12/20/61
MSB

Eugene D. Vallely, Esq.
11 N. Brady Street
Dubois, Pennsylvania



Returned to Writer
REASON CHECKED
Unclaimed
For better address
Moved, Left no address
No such office in state

FILED
JAN 10 1962
CARL E. WALKER
PROTHONOTARY

ST. LOUIS
JAN 6
11 AM
1962
P.A.

FIGHT TB
SUPPORT YOUR
TB ASSOCIATION

1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee

☐ Show address where delivered
(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

No. 233595

RECEIPT FOR CERTIFIED MAIL—406

SENT TO <i>Engineer O. Valley City</i>		POSTMARK OR DATE
STREET AND NO. <i>11 N. Brady St.</i>		
CITY AND STATE <i>San Francisco</i>		
<input checked="" type="checkbox"/> If you want a return receipt, check which 10¢ shows to whom and when delivered	<input type="checkbox"/> If you want restricted delivery, check here	
FEE ADDITIONAL TO 20¢ FEE		

POD Form 3800
Jul 1937

SEE OTHER SIDE

1. Stick postage stamps to your article to pay:
20¢ certified mail fee
First-class or airmail postage
Restricted delivery fee—50¢ (optional)
Special-delivery fee (optional)
Either return receipt fee—10¢ or 35¢ (optional)
2. If you want this receipt postmarked, stick the gummed stub on the address side of the article, *leaving the receipt attached*, and present the article to a postal employee.
3. If you do not want this receipt postmarked, stick the gummed stub on the address side of the article, detach and retain the receipt, and mail the article.
4. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, POD Form 3811, and attach it to the back of the article. Endorse front of article RETURN RECEIPT REQUESTED.
5. If you want the article delivered only to the addressee, endorse it on the front DELIVER TO ADDRESSEE ONLY. Place the same endorsement in line 2 of the return receipt card.
6. Save this receipt and present it if you make inquiry.

VERSUS

RITA BARCHONY

RITA BARCHONY

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

No. 270 Term November 19 61

To Carl E. Walker

Prothonotary.

Sir: ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ appearance for Issue Rule on Annabelle

Spencer, Plaintiff, 49 S. First Street, DuBois, Penna. to file a Complaint within fifteen (15) days after the service of the Rule or suffer Judgment of Non Pros.

in above case.

BELL, SILBERBLATT & SWOOPE

By: Paul Silbert

Attorney for Defendant

No. 270 Term November 1961

Annabelle Spencer

vs.

Rita Barchony

XXXXXXXXXX

PRAECIPE

(3)

FILED

JAN 22 1962

CARL E. WALKER
PROTHONOTARY

BELL, SILVERBLATT & SWOPE
Clearfield Trust Co, Bldg.
Clearfield, Penna.

Annabelle Spencer

vs.

Rita Barchony and Robert
Stewart, Additional DefendantIN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTYNo. 270 November Term, 19~~61~~62

OATH OR AFFIRMATION OF ARBITRATORS

Now, this 15th day of August, 19~~61~~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.

Harold J. Bultman Chairman
Eugene S. Kitch
John Seelers

Sworn to and subscribed before me

this 15th day of August,

19~~61~~62.

Carl E. Walker
Prothonotary

AWARD OF ARBITRATORS

Now, this 15th day of August, 195, 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:

In favor of the plaintiff Annabelle Spencer in the amount of 124.20 against Rita Barchony and find in favor of the Additional Defendant Robert Stewart

Harold J. Bultman Chairman
Eugene S. Kitch
John Seelers

ENTRY OF AWARD

Now, this 15th day of August, 19~~61~~62, 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

Carl E. Walker
Prothonotary
by Patricia A. Dury

In the Court of Common Pleas
of Clearfield County

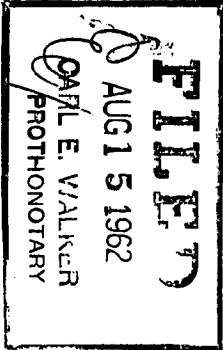
No. 270 November Term, 1961

Annabelle Spencer

vs.

Rita Barchony and Robert
Stewart, Additional Defendant

OATH OR AFFIRMATION
OF ARBITRATORS
AND AWARD



Annabelle Spencer

vs.

Rita Barshony &

Robt. Stewart, add.
defendantIN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 270 Term, 1961

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 Annabelle Spencer
(Eugene D. Valley, Atty.)

Defendant

Rita Barshony, &
Robt. Stewart, add. def.

Date 6/18/62

Paul Silberblatt
Attorney for David Blakley (add. Plaintiff)~~TEN DAY PERIOD FOR APPOINTMENT OF ARBITRATORS IS WAIVED (2)~~

Attorney for

Attorney for

Attorney for

Attorney for

TIME AND PLACE OF HEARING and APPOINTMENT OF BOARD

Now, July 26, 1962, hearing of the above case is fixed for Wednesday,

Aug 15, 1962, in 2PM Room, Clearfield County Court House, Clearfield,

Pa., and the following Clearfield County Bar members:

Harold Boulton
 Eugene G. Feltus
 Gene Scollins

Chairman

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

Paul E. Walker

Prothonotary

by Patricia R. Dunger
Deputy

(1) See Court Rule 27

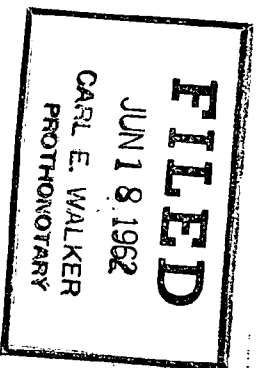
(2) Waiver requires signatures of counsel for all parties.

In the Court of Common Pleas
of Clearfield County

No. Term, 195

VS.

PRAECIPE FOR APPOINTMENT OF
ARBITRATORS



June 18, 1962

Dear Sir:

In compliance with Praeceptum for Appointment of Arbitrators filed by Eugene D. Vallely, Attorney for Plaintiff in No. 270 November Term, 1961
Annabelle Spencer vs. Rita Barchony & Robert Stewart, add. defendant
the names of seven (7) Bar members have been selected.

Attorneys for the Plaintiff and for the Defendant will appear at the Prothonotary's Office within five (5) days from this date, and each will strike off two of these names. The remaining three names will be the arbitrators in this case.

Very truly yours,

Carl E. Walker
Prothonotary

P. S. According to the new Rules of Court, if you have not struck off two names within 5 days, this office is authorized to do so.
CEW:hw

July 27, 1962

SIR:

The following three persons have been appointed Arbitrators in
the case of _____

the first named being the Chairman of the Board:

Hearing of the case has been fixed for _____

in Court Room # _____

Very truly yours,

Carl E. Walker
Prothonotary

cc: Eugene G. Kitko
Harold Boulton
John Scollins
Eugene D. Vallely, Atty. for Plaintiff
Paul Silberblatt, Atty. for Defendant
David Blakley, Atty. for Additional Defendant

No 233634

RECEIPT FOR CERTIFIED MAIL—20¢

SENT TO <i>Mrs. Annabella Spencer</i>		POSTMARK OR DATE <i>Dec.</i> <i>19</i> <i>1961</i>
STREET AND NO. <i>445 First Street</i>		
CITY AND STATE <i>Du Bois, Penna.</i>		
<small>If you want a return receipt, check which</small> <input checked="" type="checkbox"/> <small>10¢ shows to whom and when delivered</small> <input type="checkbox"/> <small>35¢ shows to whom, when, and address where delivered</small>		
<small>If you want restricted delivery, check here</small> <input type="checkbox"/> <small>50¢ fee</small>		
FEES ADDITIONAL TO 20¢ FEE		

POD Form 3800
Jul 1957

SEE OTHER SIDE

1. Stick postage stamps to your article, to pay:
20¢ certified mail fee Restricted delivery fee—50¢ (optional)
First-class or airmail postage Special-delivery fee (optional)
Either return receipt fee—10¢ or 35¢ (optional)
2. If you want this receipt postmarked, stick the gummed stub on the address side of the article, *leaving the receipt attached*, and present the article to a postal employee.
3. If you do not want this receipt postmarked, stick the gummed stub on the address side of the article, detach and retain the receipt, and mail the article.
4. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, POD Form 3811, and attach it to the back of the article. Endorse front of article RETURN RECEIPT REQUESTED.
5. If you want the article delivered only to the addressee, endorse it on the front DELIVER TO ADDRESSEE ONLY. Place the same endorsement in line 2 of the return receipt card.
6. Save this receipt and present it if you make inquiry.

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



POSTMARK OF
DELIVERING OFFICE
FIGHT TB
SUPPORT YOUR
TB ASSURANCE

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moistened gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

☒ RETURN
TO

POD Form 3811 Jan. 1958

REGISTERED NO.	NAME OF SENDER <i>Bill, J. Ballantyne</i>
CERTIFIED NO.	STREET AND NO. OR P. O. BOX <i>P.O. Box 670</i>
INSURED NO.	CITY, ZONE AND STATE <i>Clearfield, Penna.</i>

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee ☐ Show address where delivered
(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (only if requested in item # 1)

20 1961

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENN-
SYLVANIA, No. 270 November
Term, 1961 - In Trespass

ANNABELLE SPENCER

vs.

RI TA BARCHONY,
Defendant

AFFIDAVIT OF SERVICE OF
NOTICE OF APPEAL AND
NOTICE TO FILE COMPLAINT

FILED
DEC 19 1961
WM. T. HAGERTY
PROTHONOTARY

BELL, SILBERBLATT & SWOOPÉ
ATTORNEYS AT LAW
CLEARFIELD TRUST CO. BLDG.
CLEARFIELD, PENNA.

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

ANNABELLE SPENCER

vs.

RITA BARCHONY, Defendant

:
:
:
:
:

No. 270 November Term, 1961

In Trespass

AFFIDAVIT OF SERVICE
OF NOTICE OF APPEAL,
AND
NOTICE TO FILE COMPLAINT

STATE OF PENNSYLVANIA:

ss:

COUNTY OF CLEARFIELD :

I, Paul Silberblatt, of the law firm of Bell, Silberblatt & Swoope, being duly sworn according to law, deposes and states that they are the attorneys for the Defendant in the above matter, and that I gave notice to the Plaintiff in writing and to Plaintiff's attorney, of the date of filing this Appeal, and the Court Number and Term thereof, said notice in writing having been sent by certified mail to both Plaintiff and her attorney on December 19, 1961.

In and by said notice, Plaintiff and her counsel were notified to file a Complaint within thirty (30) days or else judgment of Non Pros will be taken against the Plaintiff. A true and correct copy of said Notice is hereto attached and made a part hereof.

Paul Silberblatt

Sworn to and subscribed to
before me this 19th day
of December, 1961.

Wm. P. Hagerty

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

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

ANNABELLE SPENCER

vs.

No. 270 November Term, 1961

RITA BARCHONY, Defendant

In Trespass

~~AND ROBERTA SPENCER,~~
~~Additional Defendant~~

NOTICE OF APPEAL

Mrs. Annabelle Spencer
49 S. First Street
DuBois, Pennsylvania

Dear Mrs. Spencer:

Please note that we have taken an Appeal from the judgment obtained by you before Alderman Merritt I. Edner, on December 2, 1961, in the above matter.

Said Appeal has been filed in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 270, November Term, 1961, on December 19, 1961.

You are hereby notified to file a Complaint within thirty (30) days after receipt of this Notice, or judgment of Non Pros will be taken against you.

Very truly yours,
BELL, SILBERBLATT & SWOOPE

by:


Attorneys for Defendant

December 19, 1961.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ANNABELLE SPENCER

vs.

RITA BARCHONY,
Defendant

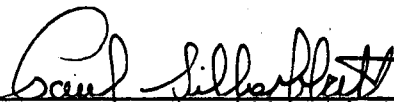
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No. 270 November Term, 1961

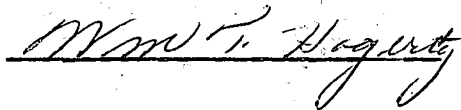
In Trespass

STATE OF PENNSYLVANIA :
: ss:
COUNTY OF CLEARFIELD :

Paul Silberblatt, being duly sworn according to law, deposes and says that he is the attorney for the Defendant above named, and makes this Affidavit on his behalf, being authorized to do so; that the Appeal in the above case is not taken by the Defendant for the purpose of delay, but that he truly believes that an injustice has been done.


Paul Silberblatt

Sworn and subscribed to
before me this 19th day
of December, 1961.



PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA. NO. 270 NOVEMBER TERM, 1961 TRESPASS	ANNABELLE SPENCER -vs- RITA BARCHONY	COMPLAINT	TO THE WITHIN NAMED DEFENDANT: You are required to file an Answer to the within Complaint within twenty (20) days from the service hereof. <i>Eugene D. Valley</i> FILED Plaintiff's Attorney FEB 12 1962 EUGENE D. VALLEY PRATYER, LAW 11 NORTH BRADY STREET DUBOIS, PENNSYLVANIA The Tuttle Law Print, Publishers, Rutland, Vt.
--	--	-----------	---

And now Feb. 12, 1962

Service accepted

By Bell Silharblatt Successor
By Paul Silharblatt
Attys for Defendant

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

ANNABELLE SPENCER

NO. 270 November Term, 1961

-vs-

RITA BARCHONY

TRESPASS

C O M P L A I N T

ANNABELLE SPENCER, by her attorney, Eugene D. Vallely, brings this Complaint in Trespass against RITA BARCHONY, upon a cause of action of which the following is a statement.

1. Plaintiff is a resident of the City of Du Bois, Clearfield County, Pennsylvania, whose post office address is 49 South 1st Street, Du Bois, Penna.

2. Defendant is a resident of Falls Creek, Pennsylvania, whose post office address is No. 21 Short Street, Falls Creek, Penna.

3. On or about 4:30 P. M., October 16, 1961, the plaintiff was the owner of a 1954 Plymouth Four Door Sedan automobile which was being operated by Robert F. Stewart in an westerly direction along South Avenue at its intersection with Ridge Street, in the City of Du Bois, Clearfield County, Pennsylvania.

4. Robert F. Stewart was at the time and place aforesaid operating plaintiff's automobile with full knowledge and consent of the plaintiff.

5. At the time and place aforesaid, as Robert F. Stewart was driving westerly on South Avenue in his proper lane of traffic, through the intersection at Ridge Street, a 1955 Chevrolet Station Wagon traveling in a northerly direction along Ridge Street, entered the intersection from the said Stewart's left side and collided with the left front side of plaintiff's vehicle when he was almost completely through the intersection, and damaged plaintiff's vehicle to the extent hereinafter set forth.

6. The said 1955 Chevrolet Station Wagon was at the time and place aforesaid being operated by Rita Barchony, the defendant.

7. The defendant, operator of the 1955 Chevrolet Station Wagon, was negligent in that:

(a) She failed to have said vehicle under proper control under the circumstances.

(b) She failed to observe plaintiff's vehicle as it proceeded through the intersection.

(c) She failed to keep a proper look-out for vehicles on her right as she approached the intersection.

(d) She failed to let plaintiff's vehicle pass through the intersection before entering the same.

(e) She failed to yield the right of way to plaintiff's vehicle as it passed through the intersection.

8. As a result of the negligence of the defendant as above set forth, plaintiff's automobile was damaged along the left side thereof, and more particularly along the left front door, door post and hinges, left front fender, hood, and radiator, as well as the battery, necessitating repairs to the said vehicle in the amount of One Hundred Twenty-four & 20/100 (124.20) Dollars. A true and correct itemized estimate of the cost of said repairs is attached hereto and made a part hereof.

WHEREFORE, plaintiff brings this action against the defendant to recover for damages sustained to her automobile in the amount of One Hundred Twenty-four & 20/100 (124.20) Dollars, together with interest on the same from October 16, 1961, and damages for delay.



Attorney for Plaintiff.

STATE OF PENNSYLVANIA X
 X ss
COUNTY OF CLEARFIELD X

ANNABELLE SPENCER, the plaintiff within-named,
being duly sworn according to law, says that the facts set forth in the
within Complaint are true and correct.

Annabelle Spencer

Sworn and subscribed before me

this 29th day of December, 1961

John R. Gunkel
Alderman, DuBois Pa.
My comm. expires Jan 1962

MUNRO AUTO BODY
AUTO BODY REPAIRS, WELDING, RADIATOR
REPAIRS, REPAINTING.

AUTO PAINTING
EXPERTS

DU BOIS, PENNA.

MEMORANDUM
ESTIMATE OF REPAIR COSTS.

Name ANNABELLE SPENCER

Date OCT. 20/61

BELOW IS OUR ESTIMATE TO REPAIR YOUR 1954 PLYM 4 dr.

Model	License No.	Motor No.	Serial No.	Mileage
998-89c				

Parts necessary & estimate labor required	Paint Cost Est.	Parts Cost Est.	Labor Cost Est.
L. front door post & hinges repair & paint			8.00
1. front door, used & fit hood	10.00	25.00	8.00
Left front fender used	7.00	12.00	8.00
" " " molding side		2.00	
2 " " " front		2.00	
Radiator, remove & replace, repair			14.00
Battery ?			
Lining Front Wheels			6.50
Paint & Mat.	5.20		

107.70

4.32 PA sales tax

112.02

112.02

$\frac{1}{2}$ price
on battery

12.18

\$ 124.20

Made out by John P. Munro, Jr.

22.20	41.00	44.50
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112.02 plus 12.18 = \$124.20

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENN- SYLVANIA, No. 270 November Term, 1961 - In Trespass	
ANNABELLE SPENCER	
vs.	
RITA BARCHONY and ROBERT F. STEWART, Additional Defendant	
COMPLAINT AGAINST ADDITIONAL DEFENDANT	
To the Additional Defendant: You are herewith notified to plead to the within Complaint within twenty (20) days of the service hereof.	
BY BELL, SILBERBLATT & SWOOPF	
<i>Paul Silberblatt</i> Attorneys for Defendant	
<div>FILED MAR - 8 1962 Court of Common Pleas CLEARFIELD, PENNA.</div>	
BELL, SILBERBLATT & SWOOPF ATTORNEYS AT LAW CLEARFIELD TRUST CO. BLDG. CLEARFIELD, PENNA.	
DOMERSON PRINTING CO., CLEARFIELD, PA.	

Serve receipt on Sheriff of Clearfield County Robert F. Stewart.

3-14-62

Walter A. Bell

Att. For Robert F. Stewart

Return receipt for Complaint to Plaintiff, Clearfield County, Pa.

March 14, 1962

*Complaint filed
March 14, 1962*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ANNABELLE SPENCER

vs.

RITA BARCHONY and
ROBERT F. STEWART, Additional
Defendant

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No. 270 November Term, 1961

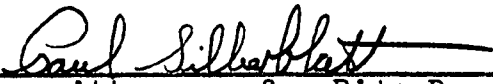
IN TRESPASS

To Carl E. Walker, Prothonotary

Sir: Issue writ to join Robert F. Stewart of 10 Grove
Place, DuBois, Pennsylvania, as Additional Defendant.

BELL, SILBERBLATT & SWOOPE

By


Attorneys for Rita Barchony

COMPLAINT AGAINST ADDITIONAL DEFENDANT

(1). The Plaintiff, Annabelle Spencer, resides at 49
South First Street, DuBois, Centre County, Pennsylvania.

(2). The Defendant, Rita Barchony, resides at 21 Short
Street, Falls Creek, Jefferson County, Pennsylvania.

(3). The Additional Defendant, Robert F. Stewart,
resides at 10 Grove Place, DuBois, Clearfield County, Pennsylvania.

(4). On October 16, 1961, at approximately 4:15 p.m.,
the Defendant was the owner and operator of a 1955 Chevrolet
Station Wagon and was proceeding in a northerly direction on Ridge
Street at the intersection of Ridge Street and South Avenue in the
City of DuBois, Clearfield County, Pennsylvania.

(5). At the time and place aforesaid, the Additional
Defendant, Robert F. Stewart, was operating Plaintiff's motor
vehicle in a westerly direction on South Avenue in the City of
DuBois, Clearfield County, Pennsylvania, and was approaching the
intersection of South Avenue and Ridge Street.

(6). At the time and place aforesaid, the Defendant was already committed to and was entering the said intersection when the Plaintiff's car, being operated by the Additional Defendant, did start to proceed into the intersection and did collide with the Defendant's vehicle and did damage same as set forth in the repair bill attached hereto and made a part hereof.

(7). The Additional Defendant was negligent in the following respects:

A. He failed to have Plaintiff's motor vehicle under proper control.

B. He failed to observe Defendant's motor vehicle which was already committed to and into the said intersection.

C. He failed to keep a look-out for other vehicles approaching and entering said intersection.

D. He was operating Plaintiff's motor vehicle in a careless and reckless manner.

E. He failed to yield the right-of-way to Defendant's vehicle.

(8). As a result of the negligence of the Additional Defendant, Defendant's motor vehicle was damaged and she was forced to expend the sum of \$340.50 for the repair of same as set forth in the attached repair bill which is made a part hereof.

(9). As a result of the negligence of Robert F. Stewart, the Plaintiff, Annabelle Spencer, is making a claim for damages to her vehicle as set forth in Paragraph 8 of Plaintiff's Complaint, which paragraph is incorporated herein by reference, and a complete copy of said Complaint, together with the repair bill, is attached hereto and made a part hereof.

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

WHEREFORE, this suit.

Paul Silberblatt
Paul Silberblatt,
Attorneys for Defendant

Rita Barchony
Rita Barchony

Robert J. Swift

- 3 -



PHONE 2-3174

Thompson and Arthurs

ROUTE 219

CRENSHAW, PENNSYLVANIA

MEMORANDUM
ESTIMATE OF REPAIR COSTS

NAME Joseph L. L. L. NO. 1
DATE 11/1/61
ADDRESS 1111 11th St. Pa PHONE

BELOW IS OUR ESTIMATE TO REPAIR YOUR 1955 Chev Star 2-Door AUTOMOBILE

MODEL	LICENSE NO.	MOTOR NO.	SERIAL NO.	MILEAGE
PARTS NECESSARY AND ESTIMATE OF LABOR REQUIRED				
Complete front End Section (used)			\$150.00	28.00
1 6.70 + 15 Recaps tires			20.00	
Repair Clutch Operating System				
Throttle Shunting				10.00
Paint & Material		70.00		
		11.00	170.00	11.00
15.00 - Add. Rad. Work				
5.15 - Ant. freeze				
20.18				
Total			\$298.00	
Pa. Sales Tax			\$11.92	
			\$309.92	
Towing Charge (Clyton)				
\$10.00				
Total			\$10.70	
Total			309.92	
Grand Total			\$320.32	
20.18				
TOTALS				
PAINT, PARTS AND LABOR ESTIMATE GRAND TOTAL			\$309.92	\$320.32

The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been opened up. Occasionally after the work has started damaged or broken parts are discovered which are not evident on the first inspection. Because of this the above prices are not guaranteed.

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5. At the time and place aforesaid, as Robert F. Stewart was driving westerly on South Avenue in his proper lane of traffic, through the intersection at Ridge Street, a 1955 Chevrolet Station Wagon traveling in a northerly direction along Ridge Street, entered the intersection from the said Stewart's left side and collided with the left front side of plaintiff's vehicle when he was almost completely through the intersection, and damaged plaintiff's vehicle to the extent hereinafter set forth.
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WHEREFORE, plaintiff brings this action against the defendant to recover for damages sustained to her automobile in the amount of One Hundred Twenty-four & 20/100 (124.20) Dollars, together with interest on the same from October 16, 1961, and damages for delay.

James H. Lacey
Attorney for Plaintiff.

STATE OF PENNSYLVANIA | SS
COUNTY OF CLEARFIELD |

ANNABELLE SPENCER, the plaintiff within named,
being duly sworn according to law, says that the facts set forth in the
within complaint are true and correct.

/s/ Annabelle Spencer

Sworn and subscribed before me
this 29th day of December, 1961.

/s/ John R. Amilkavich
Alderman, Du Bois, Pa.

AUTO PAINTING
EXPERTS

MEMORANDUM
ESTIMATE OF REPAIR COSTS.

Date OCT. 20/61

107.70	
<u>4.32</u>	PA sales tax
112.02	
	1/2 price
	on battery
	<u>12.18</u>
	\$ 124.20

112.02 plus 12.18 = \$124.20