

DOCKET NO. 174

NUMBER	TERM	YEAR
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379	May	1961
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Roland V. Hummel

VERSUS

Francis Yeschke, a widower,

William Yeschke, etal

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

-vs-

FRANCIS YESCHKE, a widower,
WILLIAM YESCHKE (the heirs
of Mildred Ammerman Yeschke,
deceased), CLELL W. AMMERMAN,
MADELINE AMMERMAN WEBSTER and
MARGARET AMMERMAN WERTZ, their
heirs, executors, administrators
and assigns, being all of the
heirs of W. A. Ammerman and
Nellie Ammerman, deceased

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: NO. 379 MAY TERM, 1961
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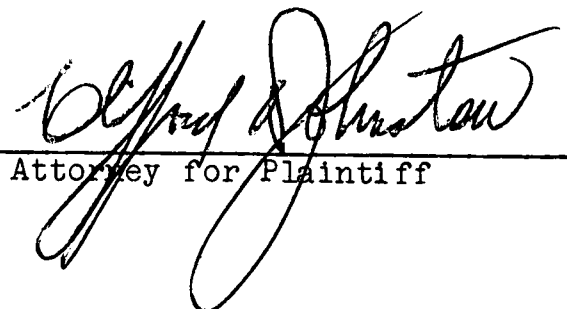
QUIET TITLE

MOTION FOR JUDGMENT

AND NOW, July 22, 1961, an affidavit having been executed and filed by the plaintiff that the Complaint with notice to plead had been served on the defendants on or before July 1, 1961, and the defendants have not answered, the plaintiff, by his attorney, Clifford A. Johnston, Esq., moves the Court to enter judgment in favor of the plaintiff and against the defendants, and to grant plaintiff the relief prayed for in accordance with Pa. Rules of Civil Procedure No. 1066.

Date:

July 22, 1961


Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

-vs-

FRANCIS YESCHKE, a widower,
WILLIAM YESCHKE (the heirs
of Mildred Ammerman Yeschke,
deceased), CLELL W. AMMERMAN,
MADELINE AMMERMAN WEBSTER and
MARGARET AMMERMAN WERTZ, their
heirs, executors, administrators
and assigns, being all of the
heirs of W. A. Ammerman and
Nellie Ammerman, deceased

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: QUIET TITLE
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A F F I D A V I T

COMMONWEALTH OF PENNSYLVANIA :
: ss.:
COUNTY OF CENTRE :

Roland V. Hummel, being duly sworn according to law,
deposes and says that he is the plaintiff in this action; that a
Complaint in action to quiet title, endorsed with notice to plead
within twenty days from service thereof was served on the
defendants on or before July 1, 1961; and that defendants have
not filed an Answer thereto although the time in which to do so
has expired.

Roland V. Hummel

Sworn to and subscribed before
me this 1st day of July, 1961.

Clifford A. Johnston

CLIFFORD A. JOHNSTON
ATTORNEY AT LAW
PHILIPSBURG, PA.

My commission expires
January 7, 1963.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

-vs-

FRANCIS YESCHKE, a widower,
WILLIAM YESCHKE (the heirs
of Mildred Ammerman Yeschke,
deceased), CLELL W. AMMERMAN,
MADELINE AMMERMAN WEBSTER and
MARGARET AMMERMAN WERTZ, their
heirs, executors, administrators
and assigns, being all of the heirs:
of W. A. Ammerman and Nellie
Ammerman, deceased

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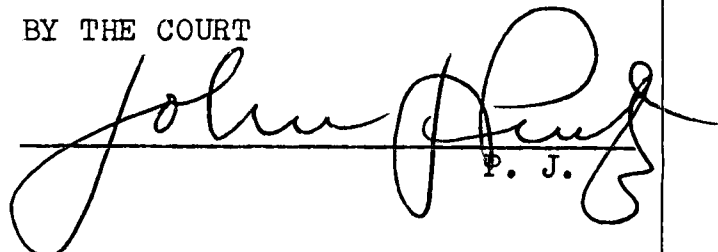
O R D E R

AND NOW, July 24th, 1961, an Affidavit of Service
of the Complaint with notice to plead having been filed and no
Answer being made by the Defendants, the Court, upon motion of
Clifford A. Johnston, Esq., Attorney for the Plaintiff, hereby
orders and decree that the Defendants are forever barred from
asserting any right, title, interest and lien in or to the
property and from impeaching, denying or in any way attacking
Plaintiff's title to the said property unless Defendants bring
an action of Ejectment within thirty (30) days after the entry of
this Order upon the premises located in Boggs Township, Clear-
field County, Pennsylvania, bounded and described as follows:

Beginning at an iron pin at the south side of the township
road at the northwest corner of the Thos. Woodside property;
thence by said property south five (5) degrees six (6)
minutes west 1400 feet to the state highway route No. 869
right-of-way; thence along the north side of said highway
and in a westerly direction a distance of 830 feet to a
pin; thence along the residue of the A. H. Reitz 290.27
Acre tract, north five (5) degrees six (6) minutes east
1400 feet to a stake on the south side of township road;
thence along the south side of said township road south
eighty four (84) degrees nineteen (19) minutes east 811.6
feet to an iron pin and place of beginning. Containing in
all twenty five (25) Acres, more or less.

CLIFFORD A. JOHNSTON
ATTORNEY AT LAW
PHILIPSBURG, PA.

BY THE COURT


P. J.

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

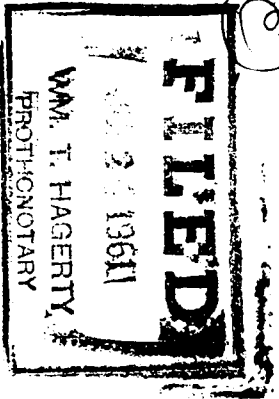
NO. 379 MAY TERM, 1961

ROLAND V. HUMMEL

-vs-

FRANCIS YESCHKE, et. at.

MOTION FOR JUDGMENT
ORDER



CLIFFORD A. JOHNSTON
ATTORNEY AT LAW
PHILIPSBURG, PENNA.


and A. H. Reitz from the County Commissioners of Clearfield County by deed dated December 30, 1936, and recorded in Clearfield in deed book 319, page 531.

Reserving therefrom all the gas, oil, coal and other minerals, together with all mining rights, including stripping rights, without any liability for damages to the surface, water, etc., to J. S. and A. H. Reitz. And all other reservations and exceptions in prior deeds of record.

(4). The above deed was part of a larger tract of land containing 290.27 Acres, which was assessed in the name of W. A. Ammerman and Nellie Ammerman, his wife and was sold by the County Commissioners to the aforesaid J. S. and A. H. Reitz for unpaid taxes. The said Nellie Ammerman died in May, 1930 and the said W. A. Ammerman died in April, 1948. Mildred Yeschke a daughter, died in September, 1958.

(5). Plaintiffs have had counsel investigate the official records in Clearfield County in respect to said property and are unable to determine from said records if the heirs of the said W. A. and Nellie Ammerman have any title in the above property.

WHEREFORE, plaintiff brings this action and requests the Court to Decree that title to the property is in the plaintiff and that all persons are forever barred from asserting any right, title, interest, lien in or to the property and from impeaching, denying or in any way attacking plaintiff's title to said property.



Clifford A. Johnston
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
NO. *879 May* TERM, 1961

§ 2
ROLAND V. HUMMEL

-VS-

FRANCIS YESCHKE, a widower,
WILLIAM YESCHKE (the heirs of
Mildred Ammerman Yeschke, deceased)
CIELL W. AMMERMAN, MADELINE
AMMERMAN WEBSTER and MARGARET
AMMERMAN WERTZ, the heirs, execu-
tors, administrators and assigns

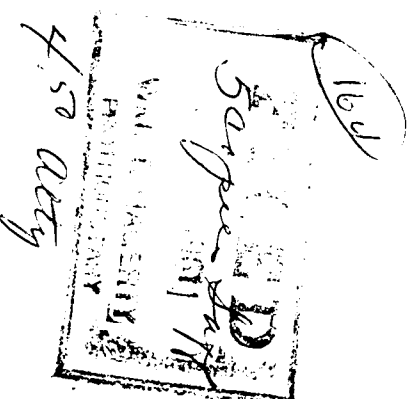
C O M P L A I N T

To the Within Named Defendants:

You are hereby notified to an-
swer the within Complaint within
twenty (20) days from the date of
service hereof.

Clifford A. Johnston
Clifford A. Johnston
Attorney At Law
220 W. Centre Street
Phillipsburg, Penna.

CLIFFORD A. JOHNSTON
ATTORNEY AT LAW
PHILIPSBURG, PENNA.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

-vs-

FRANCIS YESCHKE, a widower,
WILLIAM YESCHKE (the heirs
of Mildred Ammerman Yeschke,
deceased), CLELL W. AMMERMAN,
MADELINE AMMERMAN WEBSTER and
MARGARET AMMERMAN WERTZ, their
heirs, executors, administrators
and assigns, being all of the
heirs of W. A. Ammerman and
Nellie Ammerman, deceased

NO. 379 MAY TERM, 1961

QUIET TITLE

TO THE PROTHONOTARY OF THE SAID COURT:

Enter final judgment that the Defendants are forever barred from asserting any right, title, interest and lien in or to the property hereinafter described and from impeaching, denying or in any way attacking Plaintiff's title to said property for failure to bring an action of ejectment within thirty (30) days after entry of the Order entered July 24, 1961, upon the premises located in Boggs Township, Clearfield County, Pennsylvania, bounded and described as follows:

Beginning at an iron pin at the south side of the township road at the northwest corner of the Thos. Woodside property; thence by said property south five (5) degrees six (6) minutes west 1400 feet to the state highway route No. 869 right-of-way; thence along the north side of said highway and in a westerly direction a distance of 830 feet to a pin; thence along the residue of the A. H. Reitz 290.27 acre tract, north five (5) degrees six (6) minutes east 1400 feet to a stake on the south side of township road; thence along the south side of said township road south eighty four (84) degrees nineteen (19) minutes east 811.6 feet to an iron pin and place of beginning. Containing in all twenty five (25) acres, more or less.

Defendants have not complied with the Order entered July 24, 1961.

CLIFFORD A. JOHNSTON
ATTORNEY AT LAW
PHILIPSBURG, PA.

CLIFFORD A. JOHNSTON, ESQ.

Attorney for Plaintiff

ROLAND V. HUMMEL

-VS-

FRANCIS YESCHKE, et. al.

MOTION FOR FINAL JUDGMENT

EE

FILED
AUG 25 1961
WM. T. HAGERTY
PROTHONOTARY

200 p & City

CLIFFORD A. JOHNSTON
ATTORNEY AT LAW
PHILIPSBURG, PENNA.

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

Roland V. Hummel

No 379 May Term 1961

vs

Francis Yeschke et al

Complaint Action to Quiet Title

(Sheriff's Return)

Now, June 26, 1961 at 2:00 O'Clock P.M. served the within Complaint Action to Quiet Title on Francis J Yeschke at place of residence 311 Blanchard Street, Osceola Mills, Pa. by handing to her personally a true and attested copy of the original Complaint, Action to Quiet Title and made known to her the contents thereof.

Now, July 1, 1961 at 9:45 O'Clock A.M. served the within Complaint Action to Quiet Title on Madeline Webster at place of residence 614 Coal Street, Osceola Mills, Pa. by handing to her personally a true and attested copy of the original Complaint Action to Quiet Title and made known to her the contents thereof.

Now, June 22, 1961 deputized the Sheriff of Sedgwick County to serve the within Complaint Action to Quiet Title on William S. Yeschke.

Now, June 27, 1961 served the within Complaint Action to Quiet Title on William S Yeschke by deputizing the Sheriff of Sedgwick County. The return of service of Vern Miller, Sheriff of Sedgwick County is hereto attached and made part of this return of service.

Now, June 22, 1961 deputized the Sheriff of Blair County to serve the within Complaint Action to Quiet Title on Clell W. Ammerman.

Now, June 26, 1961 served the within Complaint Action to Quiet Title on Clell W. Ammerman by deputizing the Sheriff of Blair County. The return of service of V. Paul Reed, Sheriff of Blair County is hereto attached and made part of this return of Service.

Now, June 22, 1961 deputized the Sheriff of Mifflin County to serve the within Complaint Action to Quiet Title on Margerett Wertz,

Now, June 23, 1961 served the within Complaint Action to Quiet Title on Margerett Wertz by deputizing the Sheriff of Mifflin County. The return of service of Fred Foster Sheriff of Mifflin County is hereto attached and made part of this return of service.

Costs Sheriff Ammerman \$20.70
Sheriff of Sedgwick County \$1.25
Sheriff of Blair County \$10.60
Sheriff of Mifflin County \$11.00
(Paid by Atty Johnston)

So Answers,

Charles G. Ammerman
Charles G. Ammerman
Sheriff

Sworn to before me this 13th
day of July 1961 A.D.

Wm. L. Hickey
Prothonotary.

Wm. L. HICKEY
PROTHONOTARY

Know all men by these Presents, That I, Charles G. Ammerman

High Sheriff of Clearfield County, State of Pennsylvania, do hereby deputize Sheriff of Mifflin
Co. Fred Foster to execute this writ; this deputation being made at the
request and risk of the Plaintiff.

Given under my hand and seal this 22nd day of June

A. D. 1961.

Charles G. Ammerman Sheriff.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

vs.

MARGERETT WERTZ

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: NO. 279 MAY TERM, 1961
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RETURNS: LEWISTOWN, MIFFLIN COUNTY, PENNSYLVANIA, JULY 10, 1961:

Pursuant to the deputization of Charles G. Ammerman, Sheriff of Clearfield County, I did serve Complaint in Action to Quiet Title captioned as above upon Margerett Wertz, on June 23, 1961, at 2:15 o'clock P.M., E.D.S.T., at R.D. #1 (Lewistown Post Office) Granville Township, Mifflin County, Pennsylvania, by personally handing to her a true and attested copy thereof and reading and making known unto her the contents thereof.

So answers,

H. Fred Foster
SHERIFF OF MIFFLIN COUNTY

Fees:	Mifflin County	\$7.50
	Mileage	3.00
	Affidavit	.50
		<u>\$11.00</u>

Sworn to and subscribed before me, the undersigned officer, this 10th day of July, 1961.

Eugene B. Curran
NOTARY PUBLIC
My Commission Expires May 14, 1962

Know all men by these Presents, That I, Charles G. Ammerman

High Sheriff of Clearfield County, State of Pennsylvania, do hereby deputize Sheriff of Blair
County, V Paul Reed to execute this writ; this deputation being made at the
request and risk of the Plaintiff.

Given under my hand and seal this 21 day of June

A. D. 19 61.

Charles G. Ammerman Sheriff.

STATE OF PENNSYLVANIA)
COUNTY OF BLAIR) SS:

Affidavit of Service

Roland V. Hummel
vs.

Francis Yeschke et al

No. 379 May Term, 1961

COMPLAINT-TITLE

Returnable within twenty days
from date of service hereof.

NOW June 26, 19.61 at 10:35 o'clock A.M. D.S.T.

served the within Complaint-Title on CLELL W. AMMERMAN

at 414-58th, Street, Altoona, Pa.,

by handing to Rebecca Ammerman, his wife an adult member of his family at his dwelling house
a true and attested copy of the original Complaint in Action to Quiet Title and made
known to her the contents thereof.

Sworn to before me this 26th,

day of June A. D. 19 61

So answers,

Henry Mikh
Prothonotary

Paul Reed
Blair County Sheriff

Sheriff Reed \$10.10; aff. 50 Total \$10.60
Clifford A. Johnston Atty Pd 7-10-61

FOREST 3-2111

VERN MILLER ★ MARSHAL, Court of Common Pleas

BILL WARFIELD, Chief Deputy

Sedgwick County

Wichita, Kansas

6-30-61

Dear Sheriff Ammerman,

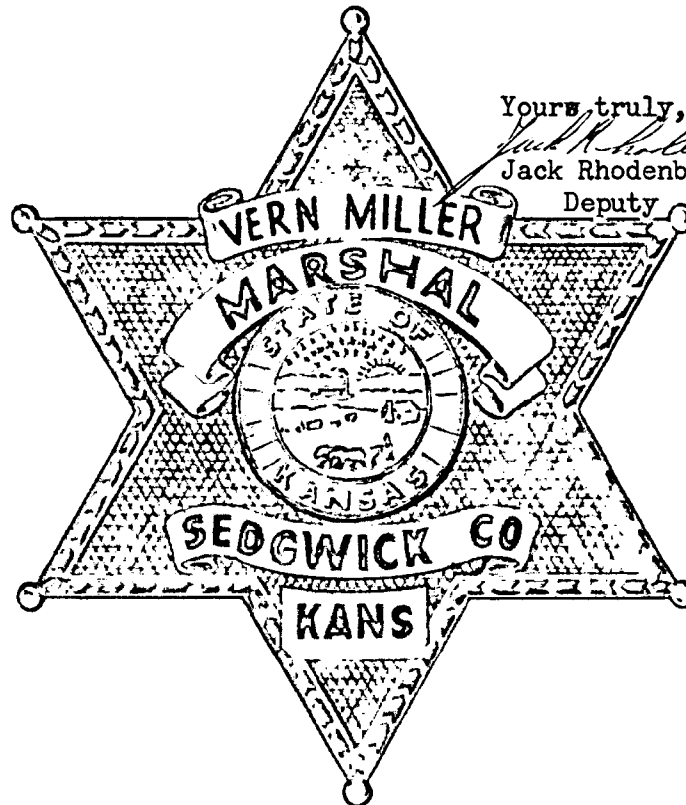
Here is the return on the civil paper you wanted us to serve for your office. The address is correct, as we served the man's wife. The fee for the service is \$1.25.

Hoping the service is satisfactory in this matter and glad to be of service to you.

Yours truly,

Jack Rhodenbaugh
Jack Rhodenbaugh

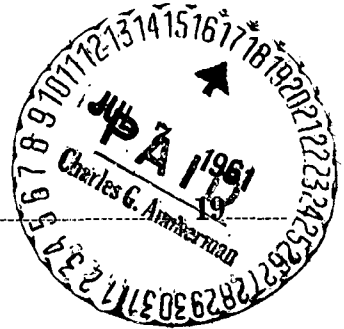
Deputy





OFFICE OF THE
Sheriff of Clearfield County

CLEARFIELD, PA., June 22, 1961



Roland V Hummel

vs.

William S. Yeschke

2607 N Spruce St

Wichita, Kansas

May

Term, 1961

No. 379

To the Sheriff of Butler SEDGWICK County:

Dear Sir:

Enclosed please find writ ~~Complaint Action to Quiet Title~~

to be served upon William S Yeschke at

2607 N Spruce St, Wichita, Kansas in your County.

Kindly make service thereof and return with the amount of your costs.

Yours truly,

Charles G. Ammerman

Sheriff.

CLIFFORD A. JOHNSTON
ATTORNEY AT LAW
PHILIPSBURG, PENNSYLVANIA
220 N. CENTRE ST. DICKENS 2-4740

June 22, 1961

Charles G. Ammerman
Sheriff of Clearfield County
Clearfield, Pennsylvania

Dear Sir:

I have filed today a Complaint in an Action to Quiet Title against the heirs of W. A. and Nellie Ammerman. I am giving you below the addresses of all parties to be served. Since only two of them are in Clearfield County, you will have to get deputized service in Blair County and Mifflin County, and on William Yeschke, I understand it can be served by any adult person who must file an affidavit to that effect.

The addresses are as follows:

Francis J. Yeschke
311 Blanchard St.
Osceola Mills, Pa.

William S. Yeschke
2607 N. Spruce St.
Wichita, Kansas

Clell W. Ammerman
309 - 19th St.
Altoona, Penna.

— Madeline Webster
Coal Street
Osceola Mills, Pa.

Margaret Wertz
McVeytown
Mifflin Co., Penna.

Yours very truly,



Clifford A. Johnston
Attorney At Law

CAJ:jac