

DOCKET NO. 174

NUMBER TERM YEAR

379 May 1961

Roland V. Hummel

VERSUS

Francis Yeschke, a widower,

William Yeschke, et al

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

- vs -

NO. 379 MAY TERM, 1961

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

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*

*Clifford A. Johnston*  
\_\_\_\_\_  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

-vs-

NO. 379 MAY TERM, 1961

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

QUIET TITLE

A F F I D A V I T

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF CENTRE : ss.:

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

My commission expires  
January 7, 1963.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

-vs-

NO. 379 MAY TERM, 1961

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 :  
QUIET TITLE

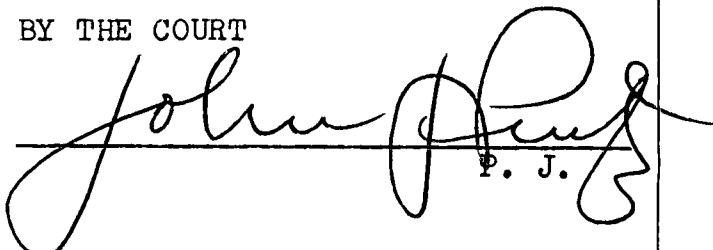
O R D E R

AND NOW, July 24<sup>th</sup>, 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.

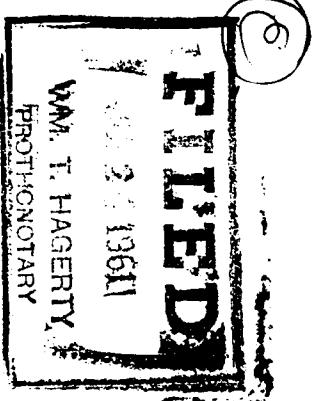
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
NO. 379 MAY TERM, 1961

ROLAND V. HUMMEL

-vs-

FRANCIS YESCHKE, et. al.

MOTION FOR JUDGMENT  
ORDER



CLIFFORD A. JOHNSTON  
ATTORNEY AT LAW  
PHILIPSBURG, PENNA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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ROLAND V. HUMMEL

-vs-

: NO. 379 May TERM, 1961

3<sup>l</sup> FRANCIS YESCHKE, a widower, :  
10<sup>o</sup> WILLIAM YESCHKE (the heirs : QUIET TITLE  
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 :  
:

C O M P L A I N T

(1). Roland V. Hummel resides in South Philipsburg Borough, Centre County, Pennsylvania.

(2). The defendant or defendants if any who should be named in this Complaint are those named above.

(3). The Plaintiff purchased from J. S. and A. H. Reitz of the City of DuBois, Clearfield County, Pennsylvania the following described 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.

Being a portion of the premises purchased by J. S. Reitz

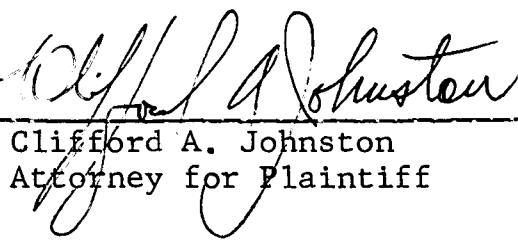
and A. H. Reitz from the County Commissioners of Clearfield County by deed dated December 30, 1936, and recorded in Clearfield in deed book 319, page 531.

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. 379 May TERM, 1961

S✓  
ROLAND V. HUMMEL

-vs-

FRANCIS YESCHEK, a widower,  
WILLIAM YESCHEK (the heirs of  
Mildred Ammerman Yeschke, deceased)  
CLELL 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 N. Centre Street  
Philipsburg, Penna.

CLIFFORD A. JOHNSTON  
ATTORNEY AT LAW  
PHILIPSBURG, PENNA.

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ROLAND V. HUMMEL

-vs-

: NO. 379 MAY TERM, 1961

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 :  
QUIET TITLE

TO THE PROTHONOTARY OF THE SAID COURT:

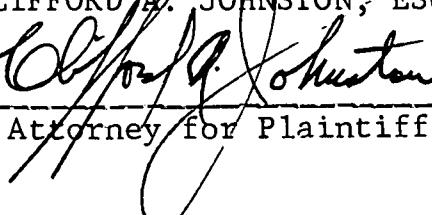
Enter final judgment that the Defendants are forever barred from asserting any right, title, interest and lien in or to the property hereinafter described and from impeaching, denying or in any way attacking Plaintiff's title to said property for failure to bring an action of ejectment within thirty (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.

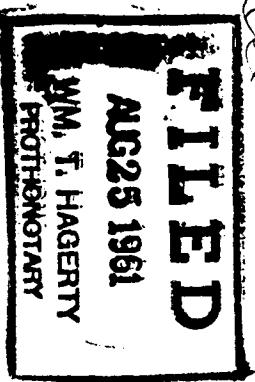
  
\_\_\_\_\_  
Attorney for Plaintiff

ROLAND V. HUMMEL

-VS-

FRANCIS YESCHKE, et. al.

MOTION FOR FINAL JUDGMENT



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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

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 Cleal 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 Miflin County. The return of service of Fred Foster Sheriff of Miflin 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  
Sheriff

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

## Prothonotary.

Wm. T. FUGERTY  
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

NO. 279 MAY TERM, 1961

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  
\$11.00

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, 1963

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. 1961.

Charles G. Ammerman Sheriff.

STATE OF PENNSYLVANIA ) SS:  
COUNTY OF BLAIR )

## 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,..... 1961 at 10:35 o'clock A.M. D.S.T.

served the within Complaint-TITLE on CLELL W. AMMERMAN

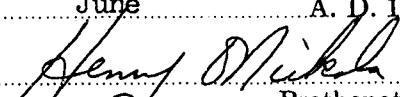
at 414-58th Street, Altoona, Pa.,

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 D. Miller

Prothonotary

  
Paul Reed

Sheriff

Blair County

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

Forest 3-211

**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.

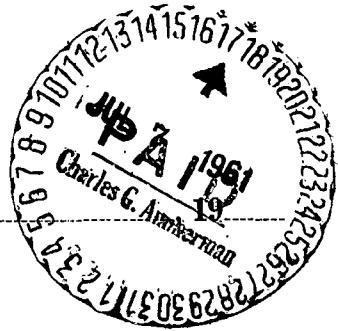
Hoping the service is satisfactory in this matter and glad to be of service to you.





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.

Rec'd this writ JUN 2 6 1961 19  
Served this writ 6/27 1961  
Ex-Compt. of the U.S. John C. Stennis  
copy William S. Hodge  
by mail  
25

John C. Marshall  
Deputy  
John C. Marshall  
Total

Spencer  
1600  
N.

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:

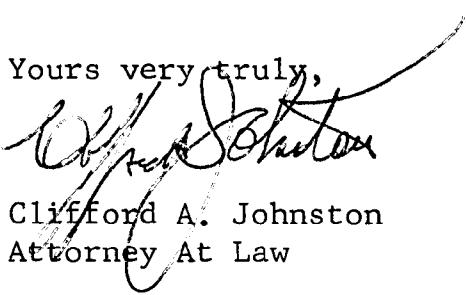
I have filed today a Complaint in an Action to Quiet Title against the heirs of W. A. and Nellie Ammerman. I am giving you below the addresses of all parties to be served. Since only two of them are in Clearfield County, you will have to get deputized service in Blair County and Mifflin County, and on 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.
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Madeline Webster Coal Street Osceola Mills, Pa.	Margaret Wertz McVeytown Mifflin Co., Penna.
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Yours very truly,

  
Clifford A. Johnston  
Attorney At Law

CAJ:jac