

DOCKET NO. 174

NUMBER	TERM	YEAR
380	May	1961

Commonwealth of Pennsylvania

Department of Public Welfare

VERSUS

Gloria Long, in re

Sylvester D. Litz and

Mildred L. Litz

Commonwealth of Pennsylvania

Department of Public Welfare

versus

Gloria Long, in re

Sylvester D. Litz and Mildred L.
Litz

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

No. 380 May - Term, 1961

Fi. Fa., No. _____ 19__

And now, June 19, A. D. 1961, petition read and considered and a rule is granted on the defendants to show cause why the sum of
Three Hundred and Seventy Dollars (\$370.00), being the amount of said
Surplus Bond which is due and owing to the above entitled Petitioner as
lien creditor of Sylvester D. Litz and Mildred L. Litz, should not be
adjudged a valid and subsisting judgment lien against the premises purchased
by said Defendants at Treasurer's Sale on August 5, 1957 as the property of
Sylvester D. Litz and Mildred L. Litz. Service to be made on the Defendants
by Registered Mail, Addressee only, with Return Receipt. Rule returnable
the 29th day of June, 1961.

Returnable June 29, 1961

By the Court,

HON. JOHN J. PENTZ, P. J.

Certified from the record this 22nd

day of June, 19 61

Ann T. Hagerty
Prothonotary

No. 380 May Term, 19 61

Commonwealth of Pennsylvania
Department of Public Welfare

vs

Gloria Long, in re
Sylvester D. Litz and
Mildred L. Litz

Rule On

Gloria Long, in re
Mildred L. Litz and
Sylvester D. Litz

Attorney for Claimant

Gleason, Cherry & Cherry
Attorney for Plaintiff

Attorney for Defendant

Commonwealth of Pennsylvania

Department of Public Welfare

versus

Gloria Long, is re

Sylvester D. Litz and Mildred L.

Litz

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

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John T. Hagerty
Prothonotary

No. **380 May** Term, 19 **61**

Commonwealth of Pennsylvania
Department of Public Welfare

VS

Gloria Long, in re
Sylvester D. Litz and
Mildred L. Litz

Rule On

Gloria Long, in re
Mildred L. Litz and
Sylvester D. Litz

Attorney for Claimant

Cleason, Cherry & Cherry
Attorney for Plaintiff

Attorney for Defendant

Commonwealth of Pennsylvania

Department of Public Welfare

versus

Gloria Long, in re

**Sylvester D. Litz and Mildred L.
Litz**

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

No. **380 May** Term, 19**61**

Fi. Fa., No. _____ 19____

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day of **June**, 19**61**

John J. Pentz
Prothonotary

No. **380 May** Term, 19 **61**

Commonwealth of Pennsylvania
Department of Public Welfare

vs

Gloria Long, in re
Sylvester D. Litz and
Mildred L. Litz

Rule On

Gloria Long, in re
Mildred L. Litz and
Sylvester D. Litz

Attorney for Claimant

Glesson, Cherry & Cherry
Attorney for Plaintiff

Attorney for Defendant

Commonwealth of Pennsylvania

Department of Public Welfare

versus

Gloria Long, in re

Sylvester D. Litz and Mildred L.
Litz

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

No. 380 May Term, 1961

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By the Court,

HON. JOHN J. PENTZ, P. J.

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John J. Hagerty
Prothonotary

No. 380 May Term, 19 61

Commonwealth of Pennsylvania
Department of Public Welfare

vs

Gloria Long, in re
Sylvester D. Litz and
Mildred L. Litz

Rule On

Gloria Long, in re
Mildred L. Litz and
Sylvester D. Litz

Attorney for Claimant

Gleason, Cherry & Cherry
Attorney for Plaintiff

Attorney for Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

-vs-

GLORIA LONG, in re
SYLVESTER D. LITZ and MILDRED
L. LITZ.

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: No. 380 MAY TERM, 1961
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:
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PETITION FOR RULE TO SHOW CAUSE

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

The petition of the Commonwealth of Pennsylvania, Department of Public Welfare (formerly the Department of Public Assistance) respectfully represents:

1. That by virtue of deed duly recorded at Clearfield, Pennsylvania, in the Office of the Recorder of Deeds of Clearfield County, Pennsylvania, in Deed Book No. 385, page 151, Sylvester D. Litz and Mildred L. Litz became the record owners in fee simple, of 85 acres of land in Lawrence Township, Clearfield County, Pennsylvania, out of which $7\frac{1}{2}$ acres were previously sold to Frank Norman, et ux., by deed duly recorded in Deed Book No. 340, page 348, which by reference to the recordings whereof the details thereof will more fully and at large appear.

2. That upon the 25th day of June, 1940, the said Plaintiff did obtain a judgment against the said Sylvester D. Litz and Mildred L. Litz to No. 364 September Term, 1940 in the sum of Two

Thousand Dollars (\$2,000.00), and likewise judgments against the same defendants on January 5, 1955 and September 13, 1957 in the same amounts, which judgments have been duly revived to date.

3. That on the 5th day of August, 1957 the said premises were sold at County Treasurer's Tax Sale to Mrs. Gloria Long of 5803 Rosemont Drive, McLeon, Virginia for taxes and costs of sale plus an overbid of Three Hundred and Seventy Dollars (\$370.00).

4. That at the time of said tax sale the said judgments were valid and subsisting liens on the premises above described and that the total amount due and owing on said judgments was Sixty-Six Hundred and Ninety-Two Dollars and Ninety-Three Cents (\$6,692.93).

5. That pursuant to said overbid the father of the said Gloria Long, Edward Green (now deceased) furnished a Surplus Bond in the said amount of Three Hundred and Seventy Dollars (\$370.00) in which R. Curtis Smith, Treasurer of Clearfield County, was named Obligee, which Bond was duly entered in the office of the Prothonotary of Clearfield County, in Surplus Bond Record Book No. 3, page 79, in accordance with the Act of Assembly of May 9, 1895, P. L. 47, 72 P. S. 5891.

6. That by virtue of the provisions of Section 6 of the Act of April 14, 1940, P.L. 349, P.S. 5895, said Plaintiff as

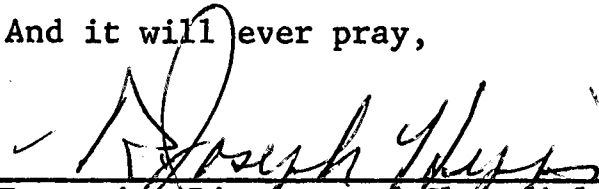
a lien creditor to the extent and in the manner hereinabove set forth is entitled to the to the proceeds of said bond.

7. That by virtue of said Act of Assembly and the laws of this Commonwealth and the facts above recited the amount of such Surplus Bond is properly due and owing to the Pennsylvania Department of Public Welfare.

8. ~~That~~ the estate of the said Edward Green is insolvent and the claim against his estate uncollectible.

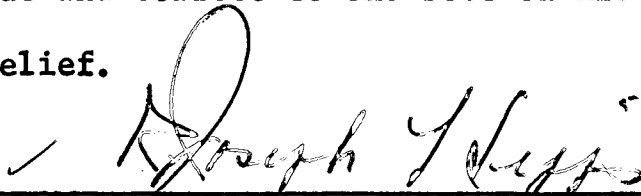
WHEREFORE, your petitioner prays that a Rule be issued to show cause why the Pennsylvania Department of Public Welfare should not have judgment against the said premises above recited for the amount of said Surplus Bond under the provisions of said Act of Assembly providing that said Bond shall bind, as effectually and in like manner as judgments, the land sold by the Treasurer into whose hands or possession it may come.

And it will ever pray,

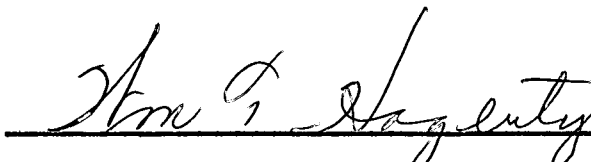

Executive Director of Clearfield County
Board of Assistance.

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS.

Personally appeared before the undersigned official, in and for the County and State aforesaid, R. JOSEPH HIPPS, Executive Director of the Clearfield County Board of Assistance, who, being duly sworn according to law, deposes and says that the foregoing Petition is true and correct to the best of his knowledge, information and belief.


Executive Director of Clearfield County
Board of Assistance.

Sworn to and subscribed before me this 15th day of
June, 1961.


PROTHONOTARY
My Commission Expires
1st Monday Jan, 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

-vs-

No. _____ MAY TERM, 1961

SYLVESTER D. LITZ and MILDRED
L. LITZ

ORDER

AND NOW, this 19th day of June, 1961,
upon consideration of the foregoing Petition, it is hereby
ORDERED AND DECREED that a Rule be issued against the above en-
titled Defendants to show cause why the sum of Three Hundred and
S eventy Dollars (\$370.00), being the amount of said Surplus Bond
which is due and owing to the above entitled Petitioner as lien
c reditor of Sylvester D. Litz and Mildred L. Litz, should not
be adjudged a valid and subsisting judgment lien against the
premises purchased by said Defendants at Treasurer's Sale on
August 5, 1957 as the property of Sylvester D. Litz and Mildred
L. Litz. Service to be made on the Defendants by Registered Mail,
Addressee only, with Return Receipt. Rule returnable the 29th
day of June, 1961.

BY THE COURT,

John P. Lutz
President Judge

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 303 MAY TERM, 1961

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

-vs-
GLORIA LONG, in re
SYLVESTER D. LITZ and
MILDRED L. LITZ

PETITION FOR RULE TO SHOW
CAUSE

File Rule 100 b. 1. 4/26/61

LAW OFFICES
GLEASON, CHERRY & CHERRY
7-10 DAMUS BUILDING
DU BOIS, PENNSYLVANIA
109 N. BRADY STREET

#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

Deliver to Addressee Only

DATE DELIVERED

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

6-21-61

POST OFFICE DEPARTMENT OFFICIAL BUSINESS		PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300	
INSTRUCTIONS: Fill in items below and com- plete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article Return Receipt Requested.		REGISTERED NO. 2522 CERTIFIED NO. 2522 INSURED NO.	
NAME OF SENDER William Henry Cherry		STREET AND NO. OR P. O. BOX	
CITY, ZONE AND STATE		DU BOIS, PA.	
RETURN TO		POSTMARK OF DELIVERING OFFICE	

POD Form 3811 Jan. 1958

CSS-16-71548-4

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

-vs-

GLORIA LONG, in re
SYLVESTER D. LITZ and MILDRED
L. LITZ.

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: No. 380 MAY TERM, 1961
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PETITION FOR ORDER

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

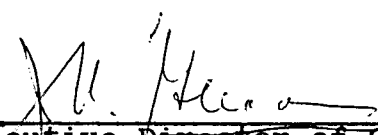
The petition of the Commonwealth of Pennsylvania, Department of Public Welfare (formerly the Department of Public Assistance) respectfully represents:

1. That pursuant to a Petition filed in the above entitled matter a Rule was issued against the above Defendant to Show Cause why the amount of Surplus Bond entered in the office of the Prothonotary covering an over-bid made by the said Gloria Long at the purchase of the Litz premises at Treasurer's Sale should not be adjudged a valid lien against said premises.

2. That pursuant to said Order service was made on the Defendant by registered mail on June 21, 1961.

3. That no appearance was entered or answer filed on behalf of the said Defendant on or before the return day of the Rule to wit, June 26, 1961.

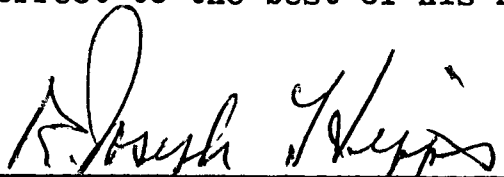
WHEREFORE, your petitioner prays that said Rule be made absolute.


Executive Director of Clearfield
County Board of Assistance.

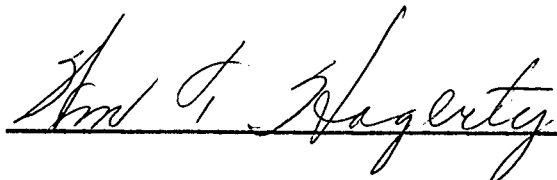
Atty for Pet.

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

Personally appeared before the undersigned official, in and for the County and State aforesaid, R. JOSEPH HIPPS, Executive Director of the Clearfield County Board of Assistance, who, being duly sworn according to law, deposes and says that the foregoing Petition is true and correct to the best of his knowledge, information and belief.


Executive Director of Clearfield
County Board of Assistance.

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



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

No. MAY TERM, 1961

ORDER

BY THE COURT,

~~President Judge.~~

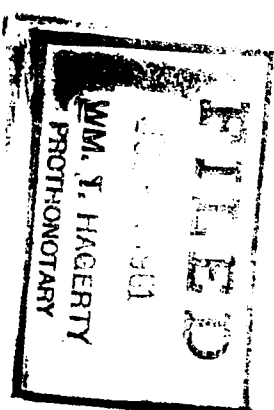
IN THE COURT OF COMMON PLEAS
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No. 380 MAY TERM, 1961

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

-VS-

GLORIA LONG, in re
SYLVESTER D. LITZ and MILDRED
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PETITION FOR ORDER



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