

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

Pl. 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, 1961

John J. Nagerty
Prothonotary

No. 380 May _____ Term, 1961

Commonwealth of Pennsylvania
Department of Public Welfare

vs

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

Rule 81

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, 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

Pl. Fa., No. 19

And now, June 19, A. D. 19 61, 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.

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By the Court,

HON. JOHN J. PENTZ, P. J.

Certified from the record this 22nd

day of June, 19 61

John J. Nagerty
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 ⑩

Gloria Long, in re

Mildred L. Litz and

Sylvester D. Litz

Attorney for Claimant

Glessner, 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

Pl. 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, 1961

John J. Pentz
Notary

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

Flesson, 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

Common Pleas

In the Court of

of Clearfield County, Pa.

No. 380 May 19 ⁶¹ Term, 19 61

Pl. Fa., No. 19

And now, June 19, A. D. 19 ⁶¹, 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

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

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- : No. 380 MAY TERM, 1961
GLORIA LONG, in re :
SYLVESTER D. LITZ and MILDRED :
L. LITZ. :
: :

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, McLean, 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

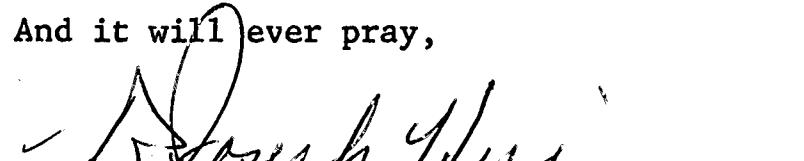
a lien creditor to the extent and in the manner hereinabove set forth is entitled to the to the proceeds of said bond.

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.

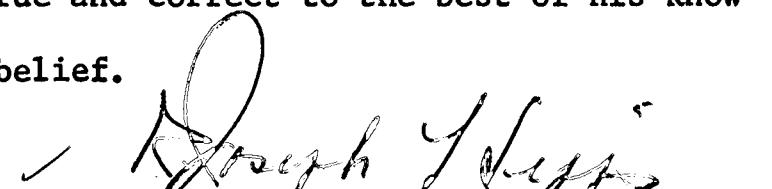
And it will ever pray,



Executive Director of Clearfield County
Board of Assistance.

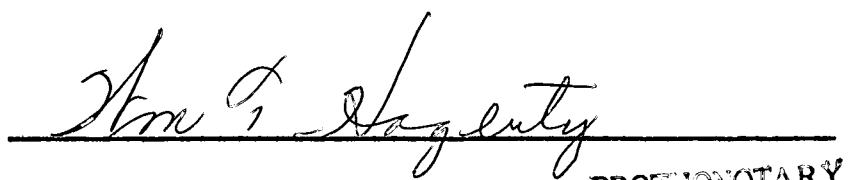
COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF CLEARFIELD : SS.

Personally appeared before the undersinged official, in
and for the County and State aforesaid, R. JOSEPH HIPPS, Execu-
tive 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 know-
ledge, 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 :

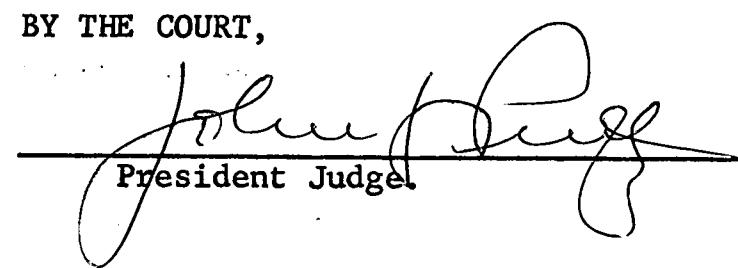
-vs- : No. _____ MAY TERM, 1961

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
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.

BY THE COURT,



President Judge

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 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

John H. Shry
JR

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

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

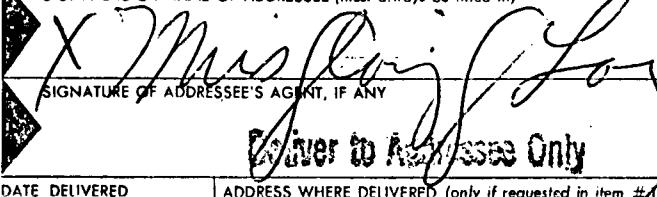
Deliver ONLY to addressee Show address where delivered

(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)


X Misraij S. Lai

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY


Deliver to Addressee Only

DATE DELIVERED

6-21-61

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

C55-16-71548-4 GPO

POST OFFICE DEPARTMENT PENALTY FOR PRIVATE USE OF POSTAGE, \$300 DEPARTMENT OF POSTAGE PAID		POST OFFICE DEPARTMENT PENALTY FOR PRIVATE USE OF POSTAGE, \$300 DEPARTMENT OF POSTAGE PAID
<p>INSTRUCTIONS: Fill in items below and com-</p> <p>plete #1 on other side, when applicable. Moisten</p> <p>gummed ends and attach to back of article. Print</p> <p>on front of article. Return Receipt Registered.</p>		<p>REGISTERED NO. 2522</p> <p>NAME OF SENDER <i>Delivery & Delivery</i></p> <p>STREET AND NO. OR P. O. BOX</p> <p>CERTIFIED NO.</p>
<p>RETURN TO</p> <p>→</p>		<p>CITY, ZONE AND STATE INSURED NO.</p>
<p>55-16-71548-4</p>		

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

-vs-

: No. 380 MAY TERM, 1961

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

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:

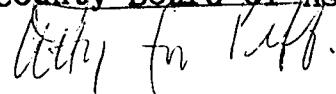
1. That pursuant to a Petition filed in the above entitled matter a Rule was issued against the above Defendant to Show Cause why the amount of Surplus Bond entered in the office of the Prothonotary covering an over-bid made by the said Gloria Long at the purchase of the Litz premises at Treasurer's 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.

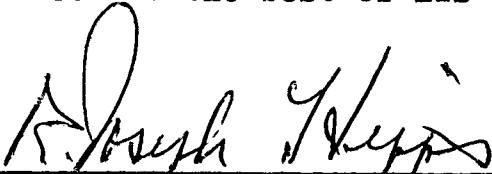
WHEREFORE, your petitioner prays that said Rule be made absolute.


Executive Director of Clearfield
County Board of Assistance.


M. He. fn Puff.

COMMONWEALTH OF PENNSYLVANIA : SS.
COUNTY OF CLEARFIELD :

Personally appeared before the undersigned official, in
and for the County and State aforesaid, R. JOSEPH HIPPS, Execu-
tive 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 know-
ledge, information and belief.



Executive Director of Clearfield
County Board of Assistance.

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



A. T. Hagerty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
DEPARTMENT OF PUBLIC WELFARE :

-vs-

No. _____ MAY TERM, 1961

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

O R D E R

AND NOW, this 30th day of June, 1961,
upon consideration of the foregoing Petition, it appearing that
Rule to Show Cause has been duly issued and served upon the said
Gloria Long and that no appearance or answer has been filed on
her behalf on or before the return day thereof, or June 26, 1961,
it is hereby ORDERED AND DECREED that said Rule 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, is herewith made absolute and judg-
ment is hereby entered against the said Gloria Long with respect
to said premises in the sum of \$370.00.

BY THE COURT,

John J. Lutz
President Judge.

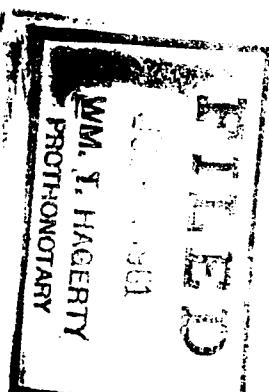
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 360 MAY TERM, 1961

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

-VS-

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

PETITION FOR ORDER



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