

DOCKET NO. 175

Number Term Year

470 November 1961

Seneca Coal & Iron Corp.

Versus

Roy H. Lutz and Grace M. Lutz,

a/k/a Grace I. Lutz

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

Seneca Coal & Iron Co.

No. 470 Nov. Term 1961

vs

Roy H. Lutz & Grace M. Lutz
a/k/a Grace I. Lutz

Scire Facias to revive Judgment

Now, January 17, 1962 at 1:30 o'clock P.M. served the within Scire Facias to revive Judgment on Roy H. Lutz at place of residence 303 Poplar Ave., Clearfield, Pa. by handing to him personally a true and attested copy of the original Scire Facias to revive Judgment and made known to him the contents thereof.

Now, January 17, 1962 at 1:30 o'clock PM served the within Scire Facias to revive Judgment on Grace M. Lutz a/k/a Grace I. Lutz at place of residence 303 Poplar Ave. Clearfield, Pa. by handing to Roy H. Lutz an adult member of the family being the husband of Grace M. Lutz a true and attested copy of the original Scire Facias to revive Judgment and made known to him the contents thereof.

Sworn before me this 26th day of January 1962 A.D.

costs paid by

Prothonotary

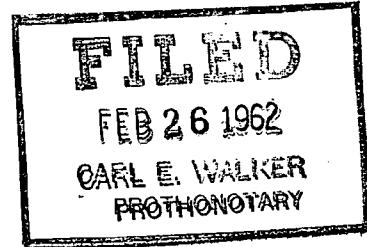
Costs:

Sheriff Reese \$8.50

So Answers,

James B. Reese
James B. Reese

Carl E. Walker



Clearfield County, ss.

The Commonwealth of Pennsylvania to the Sheriff of Said County, Greeting:

WHEREAS Seneca Coal & Iron Corp.

on the 20th day of August in the year of our Lord
one thousand nine hundred fifty five obtained judgment in our
County Court of Common Pleas of Clearfield county aforesaid, before our Judge, at Clearfield,
against Roy H. Lutz and Grace M. Lutz a/k/a Grace I. Lutz

late of your county yeoman, as well as a certain debt of \$ 10,000.00
lawful money of the United States, with interest from August 18, 1955 as also
\$ 1,000.00 Attys. Comm. the money, which to the said plaintiff, in our said court we awarded and
adjudged for their damages, which they sustained by occasion of the de-
tention of that debt, whereof the said Defendants are convict, as appears to us of rec-
ord &c., yet execution of said judgment still remains to be made as we have given to understand
by the said Seneca Coal & Iron Corp. who has besought to provide
for themselves a proper remedy in that behalf;

and we being willing that what is right in that behalf should be done, therefore,
WE COMMAND YOU, That by honest and lawful men of your bailiwick, you make known
unto the said Roy H. Lutz and Grace M. Lutz a/k/a Grace I. Lutz

that they be and appear before our Judge at Clearfield, at our County of Common Pleas,
there to be held at Clearfield, on the 1st Monday of February next, to show if any-
thing for themselves has or known to say why the said Plaintiff should not have the
above judgment revived to continue the lien, and also why said Plaintiff should not have execu-
tion against them for the said debt and damages, according to the form, force
and effect of the recovery and judgment aforesaid, if to them shall seem expedient.

AND FURTHER, to do and receive what our said Court shall direct in that behalf consider
and direct. And have you then and there the names of those by whom you shall make it known
unto them and this writ.

WITNESS the HON. John J. Pentz President
of our said Court at Clearfield, Pa., the 12th
day of January, Anno Domini one thousand
nine hundred and sixty two.

Carl E. Walker
Prothonotary

No. 470 November Term, 19 61

Seneca Coal & Iron Corp.

90 West Street, N. Y.

Versus

Roy H. Lutz and Grace M.

Lutz, a/k/a Grace I. Lutz

303 Poplar Ave., Clearfield, Pa.

SCIRE FACIAS TO REVIVE

JUDGMENT NO. 864 September

Term, 1955

W. Albert Ramey

Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SENECA COAL & IRON CORPORATION :
: No. 470 November Term, 1961
vs :
: \$10,000.00
ROY H. LUTZ and GRACE M. LUTZ, :
a/k/a/ GRACE I. LUTZ :
:

MOTION FOR JUDGMENT

SENECA COAL & IRON CORPORATION, having caused a writ of Scire Facias to revive the lien of its judgment to issue to the above styled number and term, and Answer to same having been filed by the defendants, plaintiff, by its counsel, W. Albert Ramey, now moves for judgment in favor of Seneca Coal & Iron Corporation and against Roy H. Lutz and Grace M. Lutz, a/k/a Grace I. Lutz, for want of sufficient affidavit of defense and/or answer thereto.

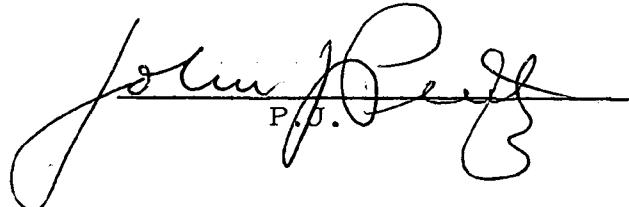


Attorney for Plaintiff

NOW, March 13, 1962, the foregoing Motion having been presented, Rule is issued on above named defendants to show cause why above motion should not be granted.

Returnable See Log

By the Court,



P.J.

Alben Thomas

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA

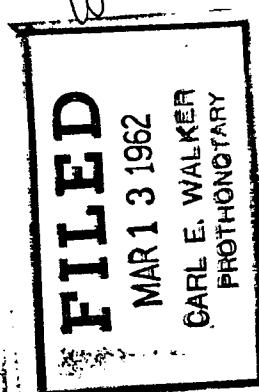
No. 470 November Term, 1961

SENECA COAL & IRON
CORPORATION

VS

ROY H. LUTZ and GRACE M. LUTZ
a/k/a GRACE I. LUTZ

MOTION FOR JUDGMENT



W. ALBERT RAMEY
ATTORNEY AT LAW
CLEARFIELD, PENNA.

Mar 15, 1962 Service by copy accepted
Alben Thomas
Atty for defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

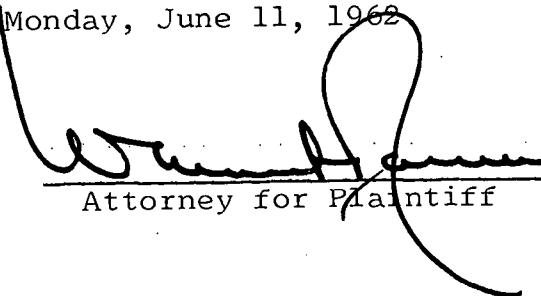
SENECA COAL & IRON CORP. : No. 470 November Term, 1961
vs : \$10,000.00
ROY H. LUTZ and GRACE M. :
LUTZ, a/k/a GRACE I. LUTZ :

PRAECIPE

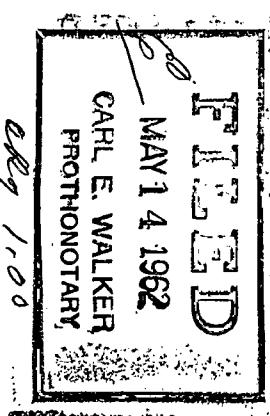
To: Carl E. Walker, Prothonotary

Sir:

Please place the above styled case on the Argument List
for Argument Court beginning Monday, June 11, 1962


Attorney for Plaintiff

May 11, 1962



To the Court of Common Pleas of Champaign County

Severa Coal & Iron Corp.

No 864 Sept 1, 1955

- 10 -

Ray H. Lucy and
Grace M. Lucy a/k/a
Grace J. Lucy

Judgment \$1,000

Debt \$10,000

City Tax 10% \$1000

Int from Aug 19, 1955

Reciepe

To Carl E. Walker

Probono

Issue writ of scire facias to revive and
confer the decree of the above styled
judgment. Petition to see leg. It not, pay.

W. Everett Clegg
City Tax Collector

475 Nod

1961

7th St. 4 Sept 1961

James Col. Fisher Corp.

85

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Drake for S. T.

Desired

G.C.
Otto
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FILED
JAN 12 1962
CARL E. WALKER
PROTHONOTARY

1.00

262

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place it back off a

W. Link and
place it back off a

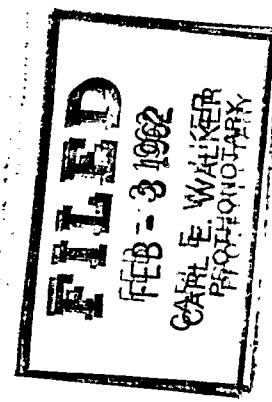
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
NO. 470 November Term, 1961

SENECA COAL & IRON CORP.

VS.

ROY H. LUTZ and GRACE M.
LUTZ, a/k/a GRACE I. LUTZ

ANSWER TO SCIRE FACIAS
TO REVIVE



LAW OFFICES
GLENN E. THOMSON
CLEARFIELD, PA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SENECA COAL & IRON CORP.

VS.

No. 470 November Term, 1961

ROY H. LUTZ and GRACE M.
LUTZ, a/k/a GRACE I. LUTZ

\$10,000.00

ANSWER TO SCIRE FACIAS TO REVIVE

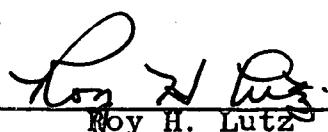
The Answer of Roy H. Lutz and Grace M. Lutz avers as follows:

1. That by agreement among the above named defendants and their creditors the liens of Seneca Coal and Iron Corporation were to be subsequent to the liens of C. J. Semple and J. Hylan Lewis and Hollis Lewis, except on a certain described property of the defendants in Lawrence Township, Clearfield County, Pennsylvania.

2. That the defendants and the other creditors, except the above named plaintiff, have executed amicable revivals continuing the liens as agreed and the defendants have offered to execute like amicable revivals for the present plaintiff.

3. That no revival of lien should be entered under the plaintiff's scire facias except in accordance with the original agreement among the defendants and their creditors as to priority of liens.

WHEREFORE, the defendants ask that in the above action judgment be entered in favor of the defendants with costs on the plaintiff.


Roy H. Lutz


Grace M. Lutz

COMMONWEALTH OF PENNSYLVANIA:
: SS:
COUNTY OF CLEARFIELD :
:

Roy H. Lutz and Grace M. Lutz, being duly sworn according to law, depose and say that the facts set forth in the foregoing Answer are true and correct to the best of their knowledge, information and belief.

Roy H. Lutz
Roy H. Lutz

Grace M. Lutz
Grace M. Lutz

Sworn to and subscribed before
me this 2nd day of February,
1962.

HARRY G. GANOE

HARRY G. GANOE
JUSTICE OF THE PEACE
CLEARFIELD, PENNA.
MY COMMISSION EXPIRES JAN. 3, 1966