

DOCKET NO. 175

NUMBER TERM YEAR

530 November 1961

Harry English

Mildred B. English

VERSUS

Reese Green and Sylvia Green

Russell Wallace

DOCKET No. ~~278~~ 473

Harry English 43 ✓

✓ Wildred B. English 63

VERSUS

✓ Reese Green & Sylvia Green

✓ and Russell Wallace 81 ✓

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

No. 530 November Term, 19 61

Debt \$

Interest

Judg't Entered

✓
Bell, Silberblatt & Swoope
(Includes Wit Bill \$10.18)

✓
Prothonotary

16.00

~~\$34.18~~

12.50

46.68

8068

1818

1250

3068

16

4668

Certified from the records this 8th

day of March, A. D. 19 62

Prothonotary

COSTS MUST BE PAID PROMPTLY

Entered on docket
Mark Daff & Poff's Index

No. 530 November Term, 1961

Harry English

Mildred B. English

VERSUS

Reese Green and Sylvia

Green and Russell Wallace

STATEMENT

Harry English
Mildred B. English

Versus

Reese Green and Sylvia
Green and Russell Wallace

In the Court of Common Pleas
Clearfield County, Pennsylvania

No. 520 Nov. Term, 19 61

CERTIFICATE OF DISCONTINUANCE

Commonwealth of Pennsylvania
County of Clearfield

} ss

I, Carl E. Walker, Prothonotary of the Court of Common Pleas, in and for the County and Commonwealth aforesaid, do hereby certify that the above stated case was this day, the 8th day of March A. D. 1963 marked settled, and discontinued

Record costs in the sum of \$4.18 have been paid in full by
Dan P. Arnold

In Witness Whereof, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania, this 8th day of March A. D. 19 63.

Carl E. Walker

Prothonotary

A. D. No. 538 Hors, Term, 1961

CERTIFICATE of DISCONTINUANCE

Attorney

In the Court of Common Pleas of

Clearfield County.

Harry English & Mildred B.

Of November Term, 1961

English

No. 530

Term, 1961

VERSUS

No. 530

Bill of Costs

At _____ Term, 19____

Reese Green & Slyvia Green, His

wife & Russel Wallace

Tpr. Aaron Sutton		\$500.00	
P. O. Philipsburg, Penna.	Days in Court at \$500.00 per day 7c per mile actually traveled	44 miles	3 08
Boyd Rothrock	Days in Court at \$500.00 per day 7c per mile actually traveled	30 miles	5 00
P. O. Morrisdale R.D. Penna.	Days in Court at \$500.00 per day 7c per mile actually traveled	30 miles	2 10
P. O.	Days in Court at \$500.00 per day 7c per mile actually traveled	7c	
P. O.	Days in Court at \$500.00 per day 7c per mile actually traveled	7c	
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P. O.	Days in Court at \$500.00 per day 7c per mile actually traveled	7c	
P. O.	Days in Court at \$500.00 per day 7c per mile actually traveled	7c	
	Serving subpoenas	Witness	
P. O.	Miles distance		
Whole amount of Bill			10 18

CLEARFIELD COUNTY, SS:

Personally appeared before me Paul Silberblatt....., who being duly sworn, saith the above Bill of Costs is correct, that the witnesses named were subpoenaed, necessary, material, and in attendance as above stated, and that the mileage is correct as he believes.

Sworn to and subscribed before me this

Sworn to and subscribed before me this
27th day of February, A. D. 1963.
Carl E. Walker, Prothonotary

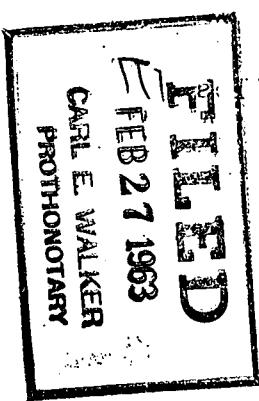
Don Phinney

No. 530 November Term, 1961

Harry English, et ux.

Versus

Reese Green, et al.



Bell, Silberblatt & Swoope

Clearfield, Penna.

Attorney

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

Harry English & Mildred English

No. 530 November Term, 1961

vs

Reese Green, Sylvia Green
and Russell Wallace

Complaint in Trespass

Now, January 26, 1962 at 1:45 PM o'clock served the within Complaint in Trespass on Russell Wallace at his place of employment, coal tipple, Bigler, Pa. Bradford Township, by handing to him personally a true and attested copy of the original Complaint in Trespass and made known to him the contents thereof.

Now, January 26, 1962 at 1:30 o'clock P.M. served the within Complaint in Trespass on Reese Green at his residence Bradford Township, Clearfield County, Pa. by handing to him personally a true and attested copy of the original Complaint in Trespass and made known to him the contents thereof.

Now, January 26, 1962 at 1:30 o'clock P.M. served the within Complaint in Trespass on Sylvia Green at her residence, Bradford Township, Clearfield County, Pa. by handing to her personally a true and attested copy of the original complaint in Trespass and made known to her the contents thereof.

Sworn to before me this
day of January 1962 A.D.

Costs.

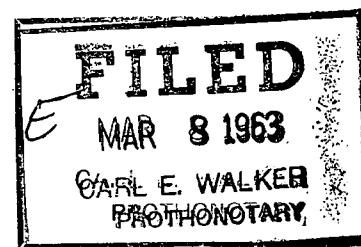
Sheriff Reese \$12.50

(Pd. by Attys. B.S.&S.)

So Answers,

James B. Reese
James B. Reese
Sheriff

Prothonotary

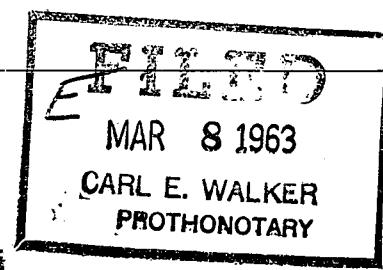


No. _____ Term _____ 19_____

vs.

APPEARANCE

For _____



Henry English & Michael B
English

VERSUS

Reese Green, Stephen
Loren & Reesell Walker

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

No. 530 Term Nov 1961

To Carl E. Walker

Prothonotary.

Sir: Enter

appearance for

Russell Mark the

above captioned matter relating upon payment
of costs.

in above case.

Bell Silverhoff, George

By. Carl Silverhoff

Attorney for B. Silverhoff.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY ENGLISH and :
MILDRED B. ENGLISH, :
his wife :
vs. : No. 530 November Term, 1961
REESE GREEN and :
SYLVIA GREEN, his wife :
and RUSSELL WALLACE : In Trespass

COMPLAINT

And now, comes the Plaintiffs, by their Attorneys, Bell, Silberblatt & Swoope, and files this Complaint in trespass against the Defendants upon a cause of action, whereof the following is a statement:

(1). The Plaintiffs are husband and wife and are adult individuals residing in Graham Township, Clearfield County, Pennsylvania, and were, at the time the events hereinafter set forth occurred, the owners of a 1958 Chevrolet Sedan and 1955 Ford flatbed truck.

(2). The Defendants, Reese Green and Sylvia Green, are husband and wife and are individuals residing in Bradford Township, Clearfield County, Pennsylvania, and were, at the time the events hereinafter set forth occurred, the owners of a 1959 Ford truck.

(3). The Defendant, Russell Wallace, is an adult individual residing in Bradford Township, Clearfield County, Pennsylvania, and was, at the time the events hereinafter set forth occurred, an employee of Reese Green, and was operating a 1959 Ford truck owned by Reese Green and Sylvia Green, his wife, within the scope of his employment.

(4). On or about December 13, 1960, at approximately 6:45 A. M., E. S. T., the Plaintiff, Harry English, was in the process

of driving his 1958 Chevrolet Sedan on Route 153 in Graham Township, Clearfield County, Pennsylvania, when said vehicle stalled.

(5). At the time and place aforesaid, the Defendant, Russell Wallace, was operating the 1959 Ford truck owned by Reese Green and Sylvia Green, his wife, in an Easterly direction on Route 153 in Graham Township, Clearfield County, Pennsylvania and did cause the vehicle he was operating to crash into the side of Plaintiffs' 1958 Chevrolet Sedan, and did further cause it to go across the highway, and strike the 1955 Ford truck owned by the Plaintiffs, which was parked off the highway.

(6). In operating the vehicle owned by Defendants, Reese Green and Sylvia Green, his wife, the Defendant, Russell Wallace, was acting within the scope of his employment, and at the direction and control of Reese Green.

(7). The negligence of the Defendant, Russell Wallace, consisted of:

- a. operating a motor vehicle in a reckless and careless manner;
- b. failing to yield the right of way to other vehicles lawfully on said highway;
- c. failing to take into consideration the rights of other lawful users of said highway, and in particular, the rights of Plaintiff, Harry English;
- d. failing to have his vehicle under such control as to be able to stop within the range of his headlights or within the assured clear distance ahead.

(8). Immediately prior to the accident, Plaintiffs' 1958 Chevrolet Sedan had a value of \$1,215.00. As a result of the accident, the said vehicle was a total loss, having a salvage value of \$443.76 for a loss to the Plaintiffs of \$771.24.

(9). As a result of the said accident, the 1955 Ford truck of the Plaintiffs was damaged, necessitating repairs in the amount of \$227.05 as set forth on the copy of the repair bill attached hereto, and made a part hereof, marked Exhibit "A".

(10). The amount in controversy is within the jurisdictional amount requiring arbitration within this jurisdiction.

WHEREFORE, the Plaintiffs demand judgment against the Defendants, in the liquidated amount of \$998.29, plus interest for delay from December 13, 1960. *Agreed*

BELL, SILBERBLATT & SWOOP

by: *Carl Silberblatt*
Attorneys for Plaintiffs.

STATE OF PENNSYLVANIA : SS:
COUNTY OF CLEARFIELD :

HARRY ENGLISH, being one of the Plaintiffs herein, and who, being duly sworn according to law, deposes and states, that the facts set forth in the foregoing Complaint, are true and correct, to the best of his knowledge, information and belief.

Harry English
Harry English

Sworn and subscribed to
before me this 20th
day of January, 1962.

Carl E. Walker
PROTHONOTARY
My Commission Expires
1st Monday Jan. 1966

CHEVROLET HARPSTER, Inc.

Chevrolet

Centre and Pine Sts.

Phone 2-0130

PHILADELPHIA, PENNA.

No. 59368

12-29-60

DATE

PHONE NO.

ALBERT, PA.

ADDRESS

PHONE NO.

SERIAL NO.

QUAN	PART NO.	NAME OF PART	SALE	AMOUNT
1	M12	Tube	2 85	
1	6610	Glove	1 39	
1	10695	Brkt	50	
1	103642	Brkt	38	
1	Used Front Fender			
1	Used Head		100	
1	Used Head		350	
1	Used Headlight Bulb		350	
1	Used Headlight Bulb		350	

SPEEDOMETER READING

MAKE AND MODEL

LICENCE NO. AND STATE

OPER. NO.

INSTRUCTIONS:

LUBRICATION: CHANGE OIL FLUSH TRANS. FLUSH DIFF. WASH POLISH MOTOR NO.

AMOUNT

9. Repair Radiator
9. Repair Front End
9. Repair A. F. Fender
9. Repair Z. F. Fender
9. Repair Front End
9. Repair Front End
9. Replace Front Fender Panel
9. Repair Front Bumper
9. Paint Head & Repair Paint
9. Repair Chipped Paint
9. Repair Chipped Paint

ACCESSORIES	AMOUNT	TOTAL LABOR	TOTAL PARTS	GAS, OIL, GREASE
10-gal. Gas	8 10	6 18	118 20	
GAL. GAS @			95 5	
GAL. OIL @				
LBS. GREASE @				
TOTAL GAS - OIL - GREASE				
TOTAL ACCESSORIES				
OUTSIDE WORK				

AN EXPRESS MECHANIC'S LIEN IS HEREBY ACKNOWLEDGED ON ABOVE CAR TO SECURE THE AMOUNT THEREOF. NOT RESPONSIBLE FOR LOSS BY FIRE OR THEFT.

WORK AUTHORIZED BY **X**

DATE PROMISED

DELIVERED TO

DATE DELIVERED

TOTAL	118 37
TAX	6 74
TOTAL AMOUNT	127 05

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 530 ~~February~~ Term, 1961

In Trespass

HARRY ENGLISH and MILDRED
B. ENGLISH, his wife

vs.

REESE GREEN and SYLVIA GREEN
his wife and RUSSELL
WALLACE

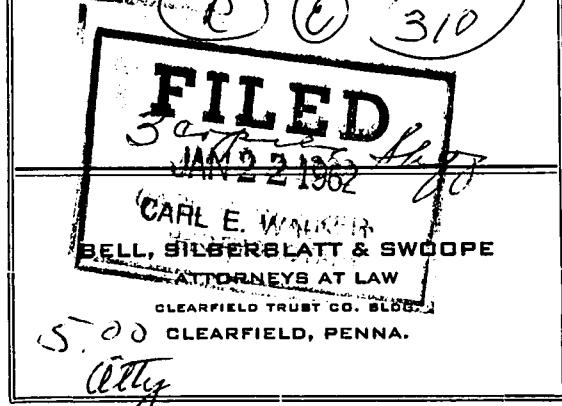
COMPLAINT

TO THE WITHIN NAMED DEFEND-
ANTS:

You are hereby notified
to file an Answer to the
within Complaint, within 20
days from the date of
service hereof.

BELL, SILBERBLATT & SWOOP

by: Paul Silberblatt
Attorneys for Plaintiffs



Harry English & Michael B
English

vs.

Reese Green & Sylvia
Green & Russell Wallace

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 530 Term, 1961

Mar. 1961

PRAECIPE FOR APPOINTMENT OF ARBITRATORS (1)

TO THE PROTHONOTARY OF SAID COURT:

The undersigned, pursuant to the Act of June 16, 1836, P. L. 715, as amended by the Act of June 14, 1952 (1951-52) P. L. 2087 and further amended July 22, 1955, Laws 1955, Act No. 91 and Clearfield County Court Rule....., requests you to appoint a BOARD OF ARBITRATORS and certifies that:

() The amount in controversy is \$1,000 or less.
 () The case is at issue.
 () An agreement of reference has been filed of record.
 () Judgment has been entered for want of an appearance.

RECORDED APPEARANCES HAVE BEEN ENTERED FOR:

Plaintiff Reese Green & Sylvia Green Defendant Russell WallaceDate 8/15/62 Attorney for

TEN DAY PERIOD FOR APPOINTMENT OF ARBITRATORS IS WAIVED (2)

Attorney for Attorney for

Attorney for Attorney for

TIME AND PLACE OF HEARING and APPOINTMENT OF BOARD

Now, 12 N.Y. 4, 1963, hearing of the above case is fixed for Wednesday, Feb 27, 1963, in 11:30 P.M. Room, Clearfield County Court House, Clearfield, Pa., and the following Clearfield County Bar members:

David L. Baird Chairman
James G. Gibson John M. Drey
Henry B. Gilpatrick

are appointed as the BOARD OF ARBITRATORS to hear testimony, make report, and render their award within twenty (20) days from date of hearing.

I hereby certify that notice by mail was duly given to said Arbitrators, Attorneys, and/or parties of record of said appointment, time, and place of hearing.

WITNESS MY HAND AND THE SEAL OF THE COURT

Carl C. Waller
Prothonotary
by James E. Bushell
Deputy

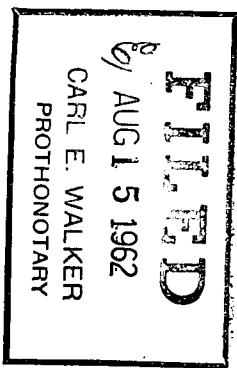
(1) See Court Rule 27

(2) Waiver requires signatures of counsel for all parties.

In the Court of Common Pleas
of Clearfield County

No. VS. Term, 195

PRAECIPE FOR APPOINTMENT OF
ARBITRATORS



Harry & Mildred B. English
vs.
Reese & Sylvia Green & Russell
Wallace

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 530 November Term, 1956.

OATH OR AFFIRMATION OF ARBITRATORS

Now, this 27th day of February, 1956, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same.

David L. Baird Chairman
Reese Green
John M. Avery

Sworn to and subscribed before me

this 27th day of February,

1956 *Carl C. Walker*
Prothonotary
Joanne K. Buschill

AWARD OF ARBITRATORS

Now, this 27th day of February, 1956, we, the undersigned arbitrators appointed in this case, after having been duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows: *In favor of the Plaintiff Harry English and Mildred B. English and against the Defendants Reese Green, a declared lesser and Russell Wallace in the amount of Nine hundred and ninety eight dollars and twenty nine cents (\$98.29), with interest from December 15, 1960.*

David L. Baird Chairman
Reese Green
John M. Avery

ENTRY OF AWARD

Now, this 27th day of February, 1956, I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys.

WITNESS MY HAND AND THE SEAL OF THE COURT

Carl C. Walker
Prothonotary
by *Joanne K. Buschill*

In the Court of Common Pleas
of Clearfield County

No. 530 November Term, 1963 61

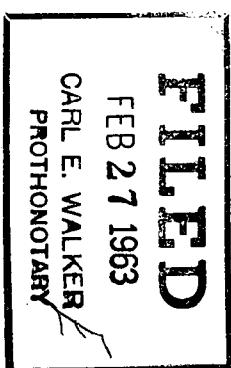
Harry English & Mildred B. English

vs.

Reese Green & Sylvia Green

Russell Wallace

OATH OR AFFIRMATION
OF ARBITRATORS
AND AWARD



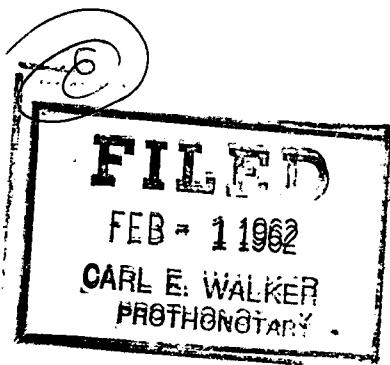
IN THE
Court of Common Pleas
OF
Clearfield County, Pennsylvania

No. 530, November Term, 1946
In Trespass

HARRY ENGLISH and MILDRED B.
ENGLISH, his wife

versus

REESE GREEN and SYLVIA GREEN,
his wife and RUSSELL WALLACE



DAN P. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

In the Court of Common Pleas of Clearfield County, Pennsylvania,

HARRY ENGLISH and MILDRED B.
ENGLISH, his wife

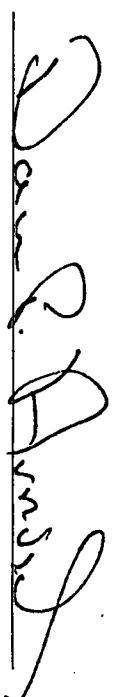
versus
No. 530, November Term, 19461

REESE GREEN and SYLVIA GREEN, his
wife and RUSSELL WALLACE

To Prothonotary of said Court, Sir:

Enter our appearance for the defendants
in the above captioned case.

Date January 31, 19462


Attorney for defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY ENGLISH and MILDRED B. :
ENGLISH, his wife :
vs. : No. 530 November Term, 1961
REESE GREEN and SYLVIA GREEN, :
his wife, and RUSSELL WALLACE :
IN TRESPASS

COUNTERCLAIM

AND NOW, comes Reese Green and Sylvia Green, two of the defendants herein, by their attorney, Dan P. Arnold, and file this Counterclaim against the plaintiff, Harry English, in lieu of instituting a cross action, by agreement of plaintiffs' attorneys.

1. The defendants, Reese Green and Sylvia Green are husband and wife residing in Bradford Township, Clearfield County, Pennsylvania, and at the time of the events hereinafter set forth occurred, the owners of a 1955 Ford truck.

2. Harry English, one of the plaintiffs in the Complaint filed as above captioned, was at the time of the events hereinafter set forth, operating a 1958 Chevrolet sedan.

3. The motor vehicle owned by defendants, Reese Green and Sylvia Green, and being operated by the defendant, Russell Wallace, was proceeding in an easterly direction on Route 153 in Graham Township, and as he proceeded over the crest of a low hill he was suddenly confronted with a motor vehicle being operated by the plaintiff, Harry English, being parked broad side across the road, completely blocking the east-bound lane of traffic.

4. At the time the defendant, Russell Wallace, was approaching the vehicle being operated by Harry English, there were cars approaching the said Russell Wallace, the headlights of which obscured his vision causing him to collide with the vehicle being operated by the plaintiff, Harry English.

5. That Harry English was negligent in the operation of his motor vehicle in the following respects:

(a) In parking said vehicle upon a travelled highway without any warnings, flares or signals to advise oncoming motorists.

(b) In failing to park his vehicle off the travelled portion of the highway, although having an opportunity so to do.

(c) In otherwise failing to regard the lawful rights of other users of the highway.

6. That as a result of the aforesaid collision caused by the negligence of the plaintiff, Harry English, the defendants' vehicle was damaged to the extent that it cost the sum of \$414.96 to repair the same.

WHEREFORE, defendants herein named file this Counterclaim to recover from Harry English the sum of \$414.96, together with damages for delay in payment. *Agreed*

Frank J. Arnold
Attorney for Reese Green and Sylvia
Green, defendants

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

REESE GREEN and SYLVIA GREEN, being duly sworn according to law, depose and say that the facts set forth in the foregoing Counterclaim are true and correct to the best of their knowledge, information and belief.

Sworn to and subscribed
before me this 31st day
of March 1962,

Pres Green
Sylvia Green

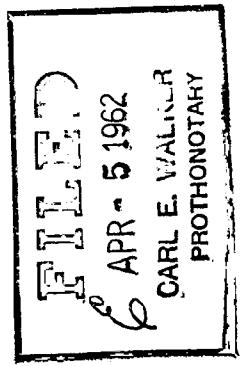
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 530 November Term, 1961
IN TRESPASS

HARRY ENGLISH and MILDRED B.
ENGLISH, his wife

VS.

RESE, GREEN and SYLVIA GREEN,
his wife, and RUSSELL WALLACE

COUNTERCLAIM



EDAN P. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

7nd now May 14, 1962
Service accepted
Bell, Salter, George
By Carl Walner
Atty for Plaintiff