

DOCKET NO. 175

NUMBER TERM YEAR

530 November 1961

Harry English

Mildred B. English

VERSUS

Reese Green and Sylvia Green

Russell Wallace

DOCKET No. ~~178~~ 173

43 ✓
Harry English

63
Mildred B. English

VERSUS

84 ✓
Reese Green & Sylvia Green

81 ✓
and Russell Wallace

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

3068
~~1818~~
1250
3268
16
4668
16.00

~~\$34.18~~

12.50

46.68

Certified from the records this 8th

day of March, A. D. 19 62

Prothonotary

COSTS MUST BE PAID PROMPTLY

Entered on docket
Mark Debt + Plffs. Index

No. 530 November Term, 19 61

Harry English

Hildred 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. 530 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 hord, Term, 1961

CERTIFICATE of DISCONTINUANCE

.....
Attorney

Don P. Arnold

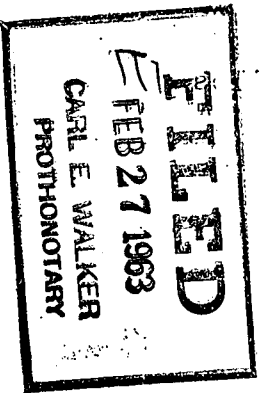
No. 530 November Term, 1961

Henry English, et ux

Versus

Reese Green, et al

Don P. Arnold



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 tippie, 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.

Prothonotary

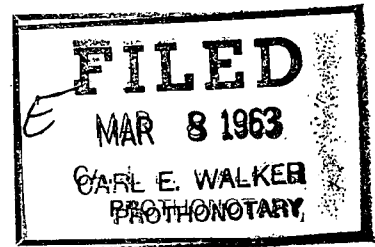
Costs.

Sheriff Reese \$12.50

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

So Answers,

James B. Reese
James B. Reese
Sheriff

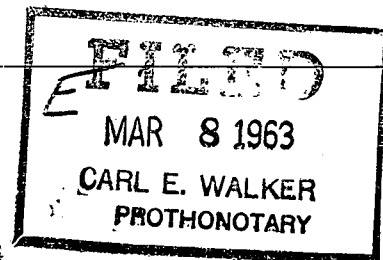


No. _____ Term _____ 19 _____

vs.

APPEARANCE

For _____



Henry Enghil & Michael B
Enghil

VERSUS

Green Green, Sylvia
Green & Russell Wallace

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

No. 5312 Term Nov 1961

To Carl E. Wallace

Prothonotary.

Sir: Enter appearance for Russell make the
above captioned matter return Russell upon payment
of costs.

~~in above case.~~

Carl E. Wallace & Sylvia
Green & Russell Wallace

Attorney for Carl E. Wallace

January 4, 1963

SIR:

The following three persons have been appointed Arbitrators in
the case of No. 530 November Term, 1961

Harry English & Mildred B. English

vs.

Reese & Sylvia Green & Russell Wallace

the first named being the Chairman of the Board:

David L. Baird, Chairman

James A. Gleason

Nevin B. Gilpatrick

Hearing of the case has been fixed for Wednesday,

January 30, 1963 at 1:30 P.M.

in Court Room #

Very truly yours,

Carl E. Walker

Carl E. Walker
Prothonotary

jb

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY ENGLISH and
MILDRED B. ENGLISH,
his wife

vs.

REESE GREEN and
SYLVIA GREEN, his wife
and RUSSELL WALLACE

:
:
:
:
:
:
:
:
:
:

No. 530 November Term, 1961

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 flat-bed 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 redless 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 & SWOOPE

by: *Paul Silberblatt*
Attorneys for Plaintiffs.

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

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.

Paul E. Walker

PROTHONOTARY
My Commission Expires
1st Monday Jan, 1966

THE BUREAU OF REVENUE
ESTIMATES FOR LABOR ONLY — MATERIAL ADDITIONAL

FORM NO. 500

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 530 ~~February~~ ^{Nov.} Term, 1962

In Trespass

HARRY ENGLISH and MILDRED
B. ENGLISH, his wife

vs.

REESE GREEN and SYLVIA GREEN
his wife and RUSSELL
WALLACE

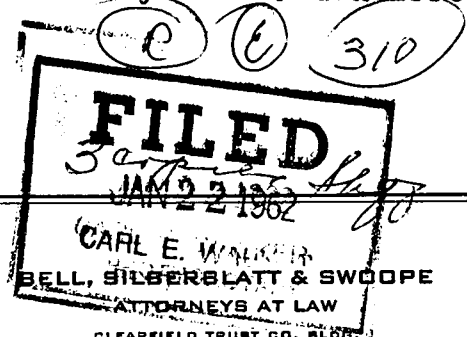
COMPLAINT

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 & SWOOPE

by: Paul Silberblatt
Attorneys for Plaintiffs



5.00
Ctly
CLEARFIELD, PENNA.

COMMERCIAL PRINTING CO., CLEARFIELD, PA

Harry English & Mildred B
English

vs.

Greene Green & Sylvia
Green & Russell Wallace

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 530 Nov. Term, 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.

RECORD APPEARANCES HAVE BEEN ENTERED FOR:-

Plaintiff Boo. Sulphur Bluff, Inc. Defendant Van Arnold

Date 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, JAN. 4, 1963, hearing of the above case is fixed for Wednesday, Feb 27, 1963, in 11:30 PM Room, Clearfield County Court House, Clearfield,

Pa., and the following Clearfield County Bar members:

David L. Baird Chairman
James A. Gleason
John M. Urey
Herrie 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 E. Mollen
Prothonotary
by James G. Gunkill
Deputy

(1) See Court Rule 27

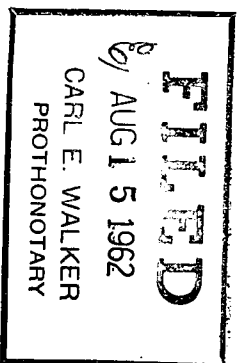
(2) Waiver requires signatures of counsel for all parties.

In the Court of Common Pleas
of Clearfield County

No. Term, 195

VS.

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....., 19~~5~~63, 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
 Leon S. Fitzgerald Jr
 John M. Carey

Sworn to and subscribed before me

this 27th day of February,

195¹⁶³.....
Carl E. Walker
 Prothonotary
Jennie K. Burchill

AWARD OF ARBITRATORS

Now, this 27th day of February, 1963, 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 Melred B. English and against the Defendants Reese Green, Leola Green and Russell Wallace in the amount of Nine hundred and ninety eight dollars and twenty nine cents (\$998.29), with interest from December 13, 1960

Paul H. Beil Chairman
Harry G. Grubbs Jr.
John M. Carey

ENTRY OF AWARD

ENTRY OF AWARD

Now, this 27th day of February, 1956⁶³, 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

Prothonotary
by Janne Kauczko Burchill

In the Court of Common Pleas
of Clearfield County

No. 530 November Term, 19~~6~~6¹

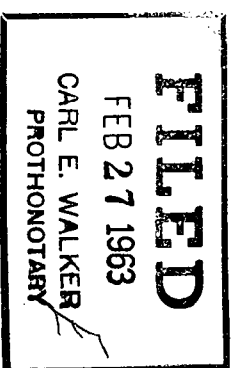
Harry English & Mildred B. English

vs.

Reese Green & Sylvia Green

Russell Wallace

OATH OR AFFIRMATION
OF ARBITRATORS
AND AWARD



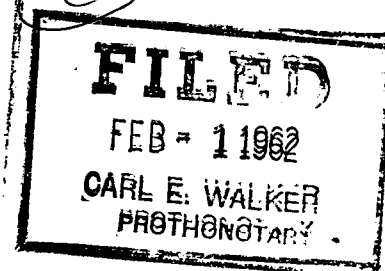
IN THE
Court of Common Pleas
OF
Clearfield County, Pennsylvania

No. 530, November Term, 1961
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

REESE GREEN and SYLVIA GREEN, his
wife and RUSSELL WALLACE

No. 530, November Term, 19~~4~~61

In Trespass

To Prothonotary of said Court, Sir:

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

Date January 31, 19~~4~~62

Lawrence R. Arnold
Attorney for defendants

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

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

Dan P. Arnold
Attorney for Reese Green and Sylvia
Green, defendants

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

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.

Harry G. Ganap

Reese Green
Sylvia Green

DAN P. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

JUSTICE OF THE PEACE
MY COMMISSION EXPIRES JAN. 3, 1966

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.	REESE GREEN and SYLVIA GREEN, his wife, and RUSSELL WALLACE
COUNTERCLAIM	
<div data-bbox="1045 1491 1273 1849" data-label="Text"> <p>FILED APR 5 1962 CARL E. WALNER PROTHONOTARY</p> </div> <div data-bbox="1417 1505 1516 1849" data-label="Text"> <p>DAN P. ARNOLD ATTORNEY AT LAW CLEARFIELD, PA.</p> </div>	

AND NOW May 14, 1962

Settled accepted
 By *[Signature]*
[Signature]
[Signature]