

DOCKET NO. 174

NUMBER	TERM	YEAR
543	May	1961

Reath Materkowsky

VERSUS

Dorothy Johnston

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

REATH MATERKOWSKI

VS.

DOROTHY JOHNSTON and
EDWARD O. MATERKOWSKI,
Additional Defendant

: No. 543 May Term, 1961

P R A E C I P E

To William T. Hagerty, Prothonotary

Sir:

Please enter voluntary non-suit in the above case for us.

BELL, SILBERBLATT & SWOOP
By



Attorneys for Plaintiff

Reath Materkowsky

VERSUS

Dorothy Johnston
Edward O. Materkowsky
Additional Defendant

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

No. 543 Term May 1961

To Wm. T. Hagerty,

Prothonotary.

Sir: Enter our appearance for Edward O. Materkowsky,
Additional Defendant.

in above case.

Bell, Scherblatt & Swoope
by: Dorothy Bell Jr.

Attorney for Edward O. Materkowsky

No. 543 Term May 1961

Reacts Matakowsk.

vs.

Dorothy Johnston

and

Edward O. Matakowsk.

Additional Defendant

APPEARANCE

For

(S)



*Bell, Silverblatt & George
At. acc't*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA. No. 543 May Term, 1961 Trespass	
REATH MATERKOWSKI VS DOROTHY JOHNSTON A N D EDWARD O. MATERKOWSKI, Additional Defendant	
COMPLAINT AGAINST ADDITIONAL DEFENDANT	
TO THE WITHIN NAMED ADDITIONAL DEFENDANT:	
<p>You are hereby notified to answer to the within Complaint within 20 days from service hereof.</p> <p><i>[Signature]</i> Attn: for Dorothy Johnston</p>	
<p>FILED AUG 15 1961 WM. T. HAGERTY PROTHONOTARY</p>	
<p>JOSEPH J. LEE ATTORNEY-AT-LAW CLEARFIELD, PA.</p>	

Now, August 19, 1961 Service of the within Complaint vs Additional
Defendant Accepted and copy received. *Bell, Silverblatt & George
At. acc't*
*Attn: for Dorothy Johnston
Attorneys for Additional Defendant*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

REATH MATERKOWSKI :
VS : No. 543 May Term, 1961
DOROTHY JOHNSTON : : Trespass
A N D :
EDWARD O. MATERKOWSKI, :
Additional Defendant :
:

COMPLAINT AGAINST ADDITIONAL
DEFENDANT

COMES NOW, the defendant in the above entitled matter, and files this Complaint against the Additional Defendant upon a cause whereof the following is a statement:

- (1). Dorothy Johnston is an individual and resides at 512 Park Street, Clearfield, Pennsylvania.
- (2). Additional Defendant, Edward O. Materkowsky, is an individual and resides at 1 Collins Avenue, Clearfield, Pennsylvania.
- (3). On or about October 17, 1959 at 7:35 P.M., the said Dorothy Johnston was operating a 1957 Plymouth Sedan automobile east on Market Street in the Borough of Clearfield between Front and Second Streets.
- (4). At the same time and place Additional Defendant, Edward O. Materkowsky, was operating a 1957 Ford automobile in a westerly direction on Market Street in the Borough of Clearfield.
- (5). At said time and place the motor vehicle being driven by the said Dorothy Johnston and the motor vehicle being driven by the Additional Defendant, Edward O. Materkowsky, came in contact and collided with one and another.
- (6). As the result of said collision the vehicle being driven by the Additional Defendant, Edward O. Materkowsky, which was owned by Reath Materkowsky, received damages thereto, and Reath Materkowsky has commenced a suit in trespass against Dorothy

Johnston filed to the above term and numberalleging that said vehicle was damaged to the extent of \$558.07. Attached hereto and made a part hereof for the information of the Additional Defendant only, and not as an admission of the truth of the averments set forth therein is a copy of said Complaint.

(7). It is averred that the damages to the vehicle belonging to Reath Materkowski and being driven by Edward O. Materkowski resulted solely from the negligence of Edward O. Materkowski and that he is solely responsible therefor.

(8). The Additional Defendant, Edward O. Materkowski, was negligent in that:

(a). He attempted to pass a vehicle temporarily halted in the west bound lane of traffic on Market Street and cross over the center line of Market Street and drive his vehicle directly into the vehicle being driven by Dorothy Johnston which was lawfully occupying the east bound lane.

(b). He failed to keep his motor vehicle under proper control.

(c). He attempted to pass a vehicle without observing the oncoming vehicle of Dorothy Johnston.

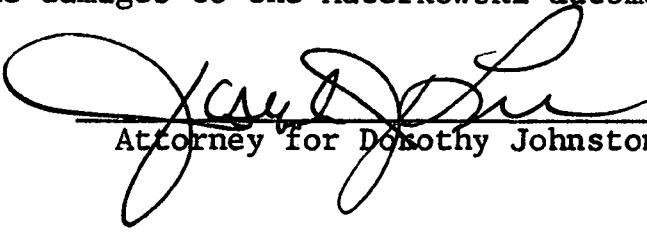
(d). He failed to keep a proper lookout under the circumstances.

(e). He failed to bring his vehicle to a stop in order to permit the Johnston vehicle to continue in its own lane of traffic.

(f). He was unlawfully occupying the east bound lane of traffic while travelling in a westerly direction.

(g). He operated his motor vehicle in a careless and negligent manner without due regard to the rights and safety of others.

(9). By reason of the negligence of the Additional Defendant as aforesaid it is averred that the Additional Defendant is solely responsible for the damages to the Materkowsky automobile.


Attorney for Dorothy Johnston

STATE OF PENNSYLVANIA:
:SS
COUNTY OF CLEARFIELD :

DOROTHY JOHNSTON, being duly sworn according to law, deposes and says that the facts set forth in the within Complaint are true and correct to the best of her information, knowledge and belief.


(Dorothy Johnston)

Subscribed and sworn to before
me this 4 day of August, 1961.

Mrs. Dorothy H. Hile

MRS. DOROTHY H. HILE, Notary Public
CLEARFIELD, CLEARFIELD CO., PA.
My Commission Expires Dec. 3, 1962

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

STATE PATTERSON

8

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vs

No.

May Term, 1961

DOROTHY JOHNSTON

8

In Proposon

COMPLAINT

Now, comes the Plaintiff, Ruth Witoskiowski, by her Attorney Esq., Silverblatt & Stoerz, and brings this action against the Defendant, Dorothy Johnston, upon the following causes:

(1). The Plaintiff, Ruth Witoskiowski, is an individual, and resides at 8 Collis Avenue, Clearfield, Pennsylvania.

(2). The Defendant, Dorothy Johnston, is an individual, and resides at 512 Park Street, Clearfield, Pennsylvania.

(3). That on or about October 17, 1959, at 7:35 P. M., the Plaintiff was the cause of a 1957 Ford Victoria which was being operated by her son, Edward O. Witoskiowski, for his own pleasure and benefit in a westerly direction on Market Street in the Borough of Clearfield between First and Second Streets.

(4). At the time and place aforesaid, the Defendant was operating a 1957 Plymouth sedan in an easterly direction on Market Street, and the said Edward O. Witoskiowski, having passed a deceased pedestrian aforesaid, returned to his car, or automobile lane of traffic, and was struck by the automobile of the Defendant, who did then and there, cross the center line of Market Street and drive his vehicle directly into the Plaintiff's vehicle, which was lawfully occupying the lane for deceased pedestrian, doing extensive damage thereto as hereinafter set forth.

(5). At the time and place aforesaid, the Defendant was negligent in that:

(a). She failed to keep her motor vehicle under proper control.

(b). She failed to keep a proper lookout under the circumstances.

(c). She did unlawfully cross the center line of Market Street into the automobile lane of traffic while driving in an easterly direction.

(d). She did operate her motor vehicle in a careless and negligent manner without due regard to the rights and safety of others.

(6). The Defendant was willfully and wantonly negligent in that:

(a). She should have maintained her vehicle under proper control.

(b). She should not have crossed the center line into the westbound lane of traffic.

(c). That if she had looked, she would have observed the vehicle of the Plaintiff in the westbound lane of traffic.

(d). If she did look and observe the Plaintiff's vehicle, she, nevertheless, proceeded with utter disregard to the rights of the Plaintiff's vehicle to occupy the westbound lane of traffic.

(7). By reason of the negligence and the wanton and willful misconduct of the Defendant as aforesaid, Plaintiff's 1957 Ford Victoria was damaged extensively as specifically set out in the repair statement of the Dotts Motor Company, Inc., copy of which is attached hereto and incorporated hereto by reference, doing damage thereto in the amount of \$558.07.

WHEREFORE, the Plaintiff claims of the Defendant, damage to the automobile in the sum of \$558.07, together with costs of suit and interest for delay in payment.

BELL, SILBERBLATT & SWOPE

by

Attorneys for Plaintiff.

STATE OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

881

MARY MATERKOWSKI, being duly sworn according to law, and says that the facts set forth in the foregoing are true and correct to the best of her knowledge, and belief.

And subscribed to
 me this 10 day
January 1961.

—Lap over margin—

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

No. 575 In May Term, 1961

REATH MATERKOWSKI

DOROTHY JOHNSTON

COMPLAINT

TO THE WITHIN NAMED DEFENDANT:
ANT:

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

BELL, SILBERBLATT & SWOPEE
by 
Attorneys at Law,
Attorneys for Plaintiffiff.

JULY 10, 1903

BELVIE SILVERBERG ATTORNEY AT LAW
ATTORNEY AT LAW
CLEARFIELD, PENNA.
4,000
134 10th

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

Service accepted and process waived

6-21-61

Joseph Lee
Atty for Defendant.

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

REATH MATERKOWSKI

:

vs

:

No. 543 May Term, 1961

DOROTHY JOHNSTON

:

In Trespass

COMPLAINT

NOW, comes the Plaintiff, Reath Materkowsky, by her Attorneys Bell, Silberblatt & Swoope, and brings this action against the Defendant, Dorothy Johnston, upon the following cause:

(1). The Plaintiff, Reath Materkowsky, is an individual, and resides at 1 Collins Avenue, Clearfield, Pennsylvania.

(2). The Defendant, Dorothy Johnston, is an individual, and resides at 512 Park Street, Clearfield, Pennsylvania.

(3). That on or about October 17, 1959, at 7:35 P. M., the Plaintiff was the owner of a 1957 Ford Victoria which was being operated by her son, Edward O. Materkowsky, for his own pleasure and benefit in a western direction on Market Street in the Borough of Clearfield between Front and Second Streets.

(4). At the time and place aforesaid, the Defendant was operating a 1957 Plymouth sedan in an eastern direction on Market Street, and the said Edward O. Materkowsky, having passed a double-parked automobile, returned to his own, or westbound lane of traffic, and was struck by the automobile of the Defendant, who did then and there, cross the center line of Market Street and drive her vehicle directly into the Plaintiff's vehicle, which was lawfully occupying the lane for westbound traffic, doing extensive damage thereto as hereinafter set forth.

(5). At the time and place aforesaid, the Defendant was negligent in that:

(a). She failed to keep her motor vehicle under proper control.

(b). She failed to keep a proper lookout under the circumstances.

(c). She did unlawfully cross the center line of Market Street into the westbound lane of traffic while driving in an eastern direction.

(d). She did operate her motor vehicle in a careless and negligent manner without due regard to the rights and safety of others.

(6). The Defendant was willfully and wantonly negligent in that:

(a). She should have maintained her vehicle under proper control.

(b). She should not have crossed the center line into the westbound lane of traffic.

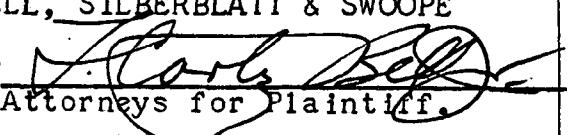
(c). That if she had looked, she would have observed the vehicle of the Plaintiff in the westbound lane of traffic

(d). If she did look and observe the Plaintiff's vehicle, she, nevertheless, proceeded with utter disregard to the rights of the Plaintiff's vehicle to occupy the westbound lane of traffic.

(7). By reason of the negligence and the wanton and willful misconduct of the Defendant as averred, Plaintiff's 1957 Ford Victoria was damaged extensively as specifically set out in the repair statement of the Dotts Motor Company, Inc., copy of which is attached hereto and incorporated hereto by reference, doing damage thereto in the amount of \$558.07.

WHEREFORE, the Plaintiff claims of the Defendant, damage to the automobile in the sum of \$558.07, together with costs of suit and interest for delay in payment.

BELL, SILBERBLATT & SWOOP

by 
Attorneys for Plaintiff.

STATE OF PENNSYLVANIA :

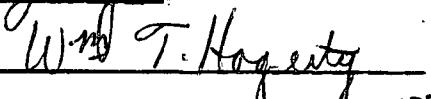
ss:

COUNTY OF CLEARFIELD :

REATH MATERKOWSKI, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.



Sworn and subscribed to before me this 21st day of July, 1961.



PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

THE CHURCH OF CHRIST IN CHINA

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DEPT. OF WATER POWER
1. CHAMBERS BLDG. COL

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PHONAS

Below is our estimate to repair your

1858	LICENCED NO.
1858	1857-8581
1858	PARO NUMBER AND REGISTRATION

PARTS NECESSARY AND RECOMMENDED FOR USE **RECOMMENDED**

FOR AN AIRPORT AUTHORIZED TO DOCK THE ABOVE DESCRIBED AIRCRAFT



DOTTS MOTOR COMPANY, INC.
37-318 E. Market St. Phone 59681
CLIFARFIELD PA

ESTIMATE OF
REPAIRS

NO

NAME _____ DATE _____

ADDRESS _____ PHONE _____

INSURED BY _____ ADJUSTER _____ PHONE _____

BETOW IS OUR ESTIMATE TO REPAIR YOUR

MODEL	LICENSE NO	MOTOR NO	SERIAL NO	MILEAGE
PART NUMBER	PARTS NECESSARY AND ESTIMATE OF LABOR REQUIRED	PAINT ESTIMATE	LABOR COST ESTIMATE	PARTS COST ESTIMATE
1	LEFT Headlight 1hr. (frame)			10.50
1	COMPLETE WIRING		12.00	25.00
1	TOP ROD HOSE		1.00	1.00
1	LOWER "			1.90
1	VOLTAGE REGULATOR		1.20	8.65
1	FRONT CENTER BLOOM		25.00	77.00
1	SEAT BACK COVER LEFT FRONT			
1	WHEEL COVER LEFT FRONT TRANS. OPEN			
	ANTI FREEZE PINT			6.18
	UNDER CAR FENDER		3.00	
	STRAIGHTEN FRAME H		12.00	
	REPAIR LEFT DOOR	15h.	7.50	
	ALIGN LEFT DOOR	15L.	9.00	
	ALIGN FRONT END	15L.	4.00	
	STRAIGHTEN LEFT FRONT W.	15L	12.00	
	LEFT FRONT TIRE ?		4.00	16.00
	PAINT	8.00	116.10	35.00
	PAINTING	38.00		
	Total. \$558.00	46.00		
	784 2147	10		116.10 38.10

THE COSTS IS AN ESTIMATE BASED ON OUR INSPECTION AND DOES NOT COVER ANY
ADDITIONAL PARTS OR LABOR WHICH MAY BE REQUIRED AFTER THE WORK HAS BEEN OPENED
OR DISASSEMBLED. AFTER THE WORK HAS STARTED REBUILT OR BROKEN PARTS ARE
REPAIRED WHICH ARE NOT BEING ON THE FIRST INSPECTION.

SIGNED

BY

AUTHORIZATION FOR REPAIRS

YOU ARE HEREBY AUTHORIZED TO MAKE THE ABOVE REPAIRS & CHARGE