

DOCKET NO. 175

NUMBER	TERM	YEAR
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607	November	1961
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Frederick F. Wheeler

VERSUS

Norman E. Owens

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

VERSUS

NORMAN K. OWENS 13 ✓

No. 607 Term November 1961

To Carl E. Walker

Prothonotary.

Sir: Enter satisfaction ~~appearance for~~ of the award upon payment of
record costs.

in above case.

BELL, SIEPERBLATT & SWOPE
By 

Attorney for Plaintiff

No. 607 Term November 19 61

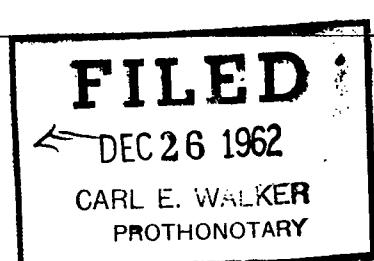
FREDERICK F. WHEELER

vs.

NORMAN K. OWENS

APPEARANCE

For _____



DOCKET No. 175

Frederick F. 'heeler

VERSUS

Norman K. Owens

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

No. 607 November Term, 19 61

Debt \$ 182.86

Interest

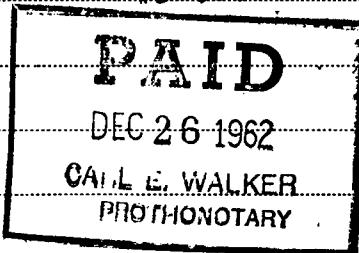
Judg't Entered

Bell, Silberblatt & Swoope \$17.50

Prothonotary 18.50

\$36.00

Next Bill



Certified from the records this 26th

day of December, A. D. 19 62

Carl E. Walker Prothonotary

COSTS MUST BE PAID PROMPTLY

No. 607 Nov. Term, 1962

Frederick F. Wheeler

VERSUS

Norman K. Owens

STATEMENT

*Norman K. Owens
no longer work*



Mr. Norman K. Owens
1119 Dorey Street
Clearfield, Pennsylvania

Refined

August 27, 1962

Mr. Norman K. Owens
1119 Dorey Street
Clearfield, Pennsylvania

SIR:

The following three persons have been appointed Arbitrators in
the case of Frederick F. Wheeler vs. Norman K. Owens

No. 607 November Term, 1961

the first named being the Chairman of the Board:

Joseph P. Work, Chairman, Ernest W. Baum, and Eugene D. Vallely

Hearing of the case has been fixed for Wednesday, Sept. 5th,
1962 at 2:00 P.M.
in Court Room #

Very truly yours,

Carl F. Falter

Carl E. Walker
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
FREDERICK F. WHEELER :
VS. : No. 607 Nov Term, 1961
NORMAN K. OWENS :
:

C O M P L A I N T

Now comes Frederick F. Wheeler, the Plaintiff above named, and states his cause of action against Norman K. Owens in the manner and form following:

- (1). That the Plaintiff is an adult individual residing at R. D. #1, Woodland, Clearfield County, Pennsylvania.
- (2). That the Defendant is an individual residing at 1119 Dorey Street, Clearfield, Pennsylvania.
- (3). That on or about May 13, 1960 at about 2:45 p.m., the Plaintiff was the owner of a 1954 Lincoln Capri 2-door hardtop, license No. N10832, which was being operated by Dorothy M. Wheeler in an easterly direction on East Market Street in the Borough of Clearfield, Clearfield County, Pennsylvania, at and near the intersection of East Market Street and Cemetery Road.
- (4). That at the time and place aforesaid the Defendant was the owner and operator of a 1949 Pontiac, license No. 691527, which was being operated in a southerly direction downgrade on Cemetery Road, Clearfield County, Pennsylvania and entered East Market Street, said vehicle then traveling in a westerly direction.
- (5). That at the time and place aforesaid the vehicle of the Defendant proceeded across the center of East Market Street and struck the left side of the Plaintiff's vehicle, which was then in its own lane of travel.
- (6). That at the time and place aforesaid the Defendant was negligent in the following respects:
 - a. That the Defendant failed to have his motor vehicle under

proper control.

b. That the Defendant failed to yield one-half the traveled portion of the highway to oncoming traffic.

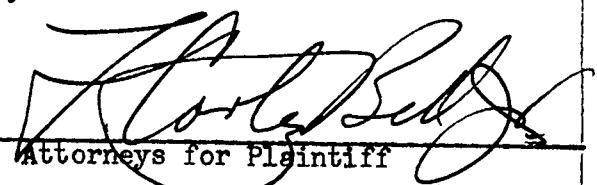
c. That the Defendant failed to observe oncoming traffic.

d. That the Defendant operated his motor vehicle at a high and excessive rate of speed under the conditions then existing.

(7). That by reason of the negligence of the Defendant, as aforesaid, the motor vehicle of the Defendant struck the left side of the motor vehicle of the Plaintiff causing damage thereto to the extent of One Hundred Fifty-four and 87/100 (\$154.87) Dollars, as set out in an estimate of repairs of the Adams Paint and Body Shop, copy of which is marked Exhibit "A", attached hereto and incorporated herein by reference.

WHEREFORE, the Plaintiff claims of the Defendant damages in the sum of One Hundred Fifty-four and 87/100 (\$154.87) Dollars, together with damages for delay in payment of the same and costs of suit.

BELL, SILBERBLATT & SWOOP
By


John C. Bell
Attorneys for Plaintiff


Frederick F. Wheeler

STATE OF PENNSYLVANIA:
SS:
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared FREDERICK F. WHEELER, who 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.


Frederick F. Wheeler

Sworn to and subscribed
before me this 31st day

of January, 1962.


Carl E. Walker

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1966

ADAMS PAINT & BODY WORKERS
107 Market Street
CLEARFIELD, PA.

MEMORANDUM
ESTIMATE OF REPAIR COSTS

NAME

ADDRESS

BELLO IS OUR ESTIMATE TO REPAIR YOUR

MODEL

LICENSE NO.

MOTOR NO.

SERIAL NO.

NO.

DATE

5-13-60

PHONE

AUTOMOBILE
PAINT NO.

54 Lincoln N110832

PARTS NECESSARY AND ESTIMATE OF LABOR REQUIRED

LABOR COST
ESTIMATE

PARTS COST
ESTIMATE

Repair R door
Quarter Panel
Install L door mold
" L Quarter mold
" L stone guard
Repair L Rocker Panel
Install Name plate (Medallion)
Painting & Paint Mtl.

36.00	
30.00	
2.00	5.91
1.50	4.55
4.00	13.18
12.00	3.91
18.00	4.50

103.50 32.95

103.50

135.55

5.42

\$140.97

148.91
104
595.04

135.55

04

542.20

Rocker Panel M/dy 13.36

135.55

148.91

5.96

\$154.87

TOTALS

PARTS AND LABOR ESTIMATE GRAND TOTAL

This estimate is based on the information given and does not cover any additional parts or labor which may be required after the work has been discovered which are not evident on the first inspection. Because of

Exhibit "A"

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 607 M.R. Term, 196~~1~~

FREDERICK F. WHEELER

VS.

NORMAN K. OWENS

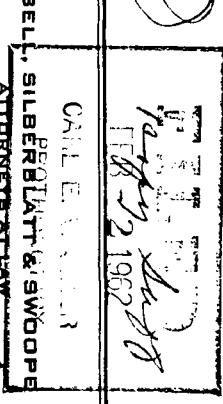
C O M P L A I N T

To the within named Defendant:

You are hereby notified to
plead to the enclosed Complaint
within twenty (20) days from the
service hereof.

BELL, SILBERBLATT & SWOOP
By

John E. Bell
BELL, SILBERBLATT & SWOOP
ATTORNEYS FOR PLAINTIFF



August 28, 1962

Mr. Ernest Baum
Gleason, Cherry & Cherry
Attorneys At Law
DuBois, Pennsylvania

Dear Ernie:

I would like to call your attention to the fact that you have been appointed Arbitrator in a hearing which has been scheduled for the same date as the arbitration case you had filed for. (i.e. No. 345 February, 1962, Coxon Ford Sales vs. Mike Smith, Jr.), Sept. 5, 1962.

Undoubtedly you will find it impossible to make an appearance for the Arbitration case in which you are an arbitrator. If this should be the situation, please let me know as soon as possible, so another arbitrator may be selected to take your place.

Cordially,

Pat Dungey

May 25, 1962

Dear Sir:

In compliance with Prescipe for Appointment of Arbitrators filed by F. Cortez Bell, Jr. Atty. for Plaintiff in C.

607 November, 1961

Frederick E. Wheeler vs. Norman K. Owens

the names of seven (7) Bar members have been selected.

Attorney for the Plaintiff and for the Defendant will appear at the Prothonotary's Office within five (5) days from this date, and each will strike off two of these names. The remaining three names will be the arbitrators in this case.

Very truly yours,

Carl E. Walker
Prothonotary

CEW:hw

P.S. According to the new Rules of Court, if you have not struck off two names within 5 days, this office is authorized to do so.

No. 886832

RECEIPT FOR CERTIFIED MAIL—20¢

SENT TO	POSTMARK OR DATE	
Norman K. Owens		
STREET AND NO.		
1119 Dorey Street		
CITY AND STATE		
Clearfield, Pennsylvania		
<i>If you want a return receipt, check which</i>		<i>If you want re-</i>
<input checked="" type="checkbox"/> 10¢ shows to whom, <input type="checkbox"/> 35¢ shows to whom, and when delivered when, and address where delivered		stricted deliv- ery, check here
50¢ fee		
FEES ADDITIONAL TO 20¢ FEE		
POD Form 3800 Jul 1957		SEE OTHER SIDE

CLEARFIELD, PA.

1. Stick postage stamps to your article to pay:
20¢ certified mail fee Restricted delivery fee—50¢ (optional)
First-class or airmail postage Special-delivery fee (optional)
Either return receipt fee—10¢ or 35¢ (optional)
2. If you want this receipt postmarked, stick the gummed stub on the address side of the article, *leaving the receipt attached*, and present the article to a postal employee.
3. If you do not want this receipt postmarked, stick the gummed stub on the address side of the article, detach and retain the receipt, and mail the article.
4. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, POD Form 3811, and attach it to the back of the article. Endorse front of article **RETURN RECEIPT REQUESTED**.
5. If you want the article delivered only to the addressee, endorse it on the front **DELIVER TO ADDRESSEE ONLY**. Place the same endorsement in line 2 of the return receipt card.
6. Save this receipt and present it if you make inquiry.

★ U. S. GOVERNMENT PRINTING OFFICE | 1887 10-71547-1

THE STATE OF SOUTH DAKOTA, EXCELSIOR COUNTY, APPELLANT,
vs. ~~STATE~~ **Frederick F. Wheeler vs. Norman K. Owens**

No. 607 November Term, 1961

APPEAL FROM THE STATE COURT OF APPEALS OF SOUTH DAKOTA

Joseph P. Work, Chairman, Ernest W. Baum, and Eugene D. Vallely

Hearing, at the State Court Room, Pierre, S.D. **Wednesday, Sept. 5th,**

1962 at 2:00 P.M.

Copy by **W. E. Wheeler**

Paul E. Wheeler
Paul E. Wheeler
Attala, Wyoming

Affidavit of Service

Frederick F. Wheeler

vs.

Norman K. Owens

No. 607 Nov. Term, 1961

Complaint In Trespass

Returnable within _____ days
from date of service hereof.

NOW February 7, 1962 at 4:20 P.M. o'clock

served the within Complaint In Trespass

on Norman K. Owens

at place of residence 1119 Dory St.

by handing to Mrs. Norman K. Owens, an adult member of the family,
being Norman K. Owens' wife.

a true and attested copy of the original Complaint In Trespass and made
known to him the contents thereof.

Costs Sheriff \$9.50
(Paid by B., S., & S. Attys.)

Sworn to before me this 8th

day of Februry A. D. 1962

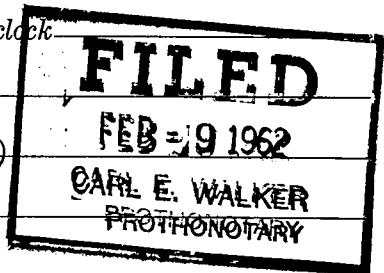
Carl E. Walker

Prothonotary

So answers,

James B. Reese
James B. Reese

Sheriff



Frederick F. Wheeler

VERSUS

Norman K. Daws

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

No. 607 Term November 1961

To Carl E. Walker

Prothonotary.

Sir: Enter Judgment ~~against~~ for in favor of the Plaintiff
and against the Defendant for want of
Appearance or Answer.

in above case.

Bell, Silberblatt & Swoope
by Clark S. Bell Jr.
Attorney for Plaintiff

No. 607 Term November 1961

Frederick F. Wheeler

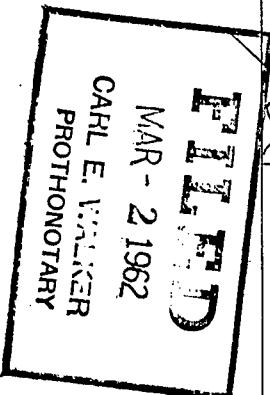
vs.

Norman K. Duvens.

For

S. J. L.

~~RECEIVED~~



In the Court of Common Pleas Clearfield County.
Frederick F. Wheeler Of Nov. Term, 1961
VERSUS No. 607 Plaintiffs Bill of Costs
Norman K. Owens At Term, 19 _____

CLEARFIELD COUNTY, SS:

Personally appeared before me Richard A. Sell, 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.

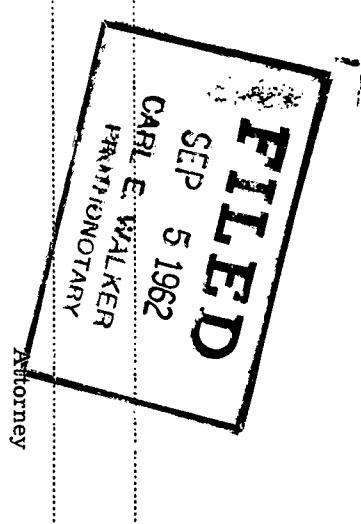
Sworn to and subscribed before me this

..... day of, A. D. 19.....
..... Prothon.

Richard A. Bell

No. Term, 19

Versus



In the Court of Common Pleas Clearfield County.
Frederick F. Wheeler Of Nov. Term, 19 61
No. 607 Plaintiffs Bill of Costs
At _____ Term, 19 _____
VERSUS
Norman K. Owens

CLEARFIELD COUNTY, SS:

Personally appeared before me Richard A. Sell, 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
..... day of, A. D. 19.....
....., Prothonotary

is
y } Richard A. Bell

No. Term, 19.....

Versus

FILED	
SEP 5 1962	Attorney
CARL E. WALKER PROTHONOTARY	

Frederick F. Wheeler

vs.

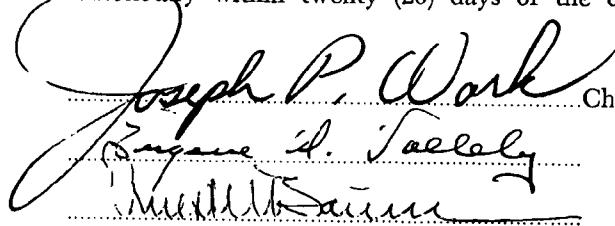
Norman K. Owens

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 607 November Term, 1956.

OATH OR-AFFIRMATION OF ARBITRATORS

Now, this 5th day of September, 1962, 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.



Joseph P. Work Chairman
Eugene H. Veeley
Walter Sauer

Sworn to and subscribed before me

this 5th day of September,

1962

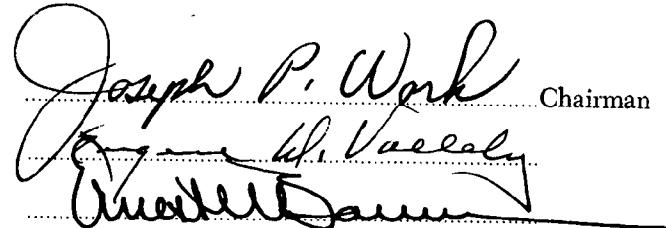


Carl E. Walker
Prothonotary

AWARD OF ARBITRATORS

Now, this 5th day of September, 1962, 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:

*Judgment in favor of the plaintiff and
against the defendant in the sum of \$154.87 plus
interest from May 13, 1960 or the sum of \$7.99 or a total
of \$182.86. The defendant shall pay the costs of the
action.*

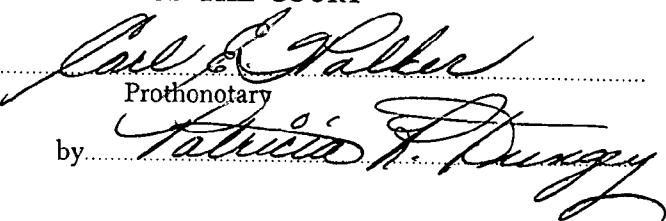


Joseph P. Work Chairman
Eugene H. Veeley
Walter Sauer

ENTRY OF AWARD

Now, this 6th day of Sept., 1962, 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 E. Walker
Prothonotary
by *Patricia P. Drury*

In the Court of Common Pleas
of Clearfield County

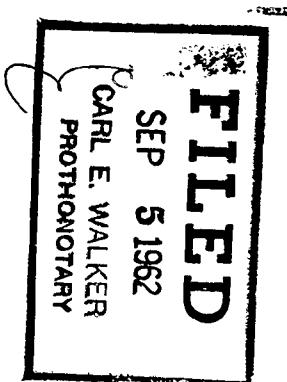
No. 607 November Term, 1961

3/
Frederick F. Wheeler

vs.

73
Norman K. Owens

OATH OR AFFIRMATION
OF ARBITRATORS
AND AWARD



Frederick F. Wheeler

vs.

Norman K. Owens
1119 Gary St.
Lif. Dr.IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY

No. 607 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 27, 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 Bell, Silberblatt & Swoope Defendant NoneDate May 24, 1962Bell, Silberblatt & Swoope
by Patricia P. Dungey
Attorney for Pla. n. t. f. f.

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, Aug. 27, 1962, hearing of the above case is fixed for Wednesday, Sept. 5, 1962, in 2111 Room, Clearfield County Court House, Clearfield, Pa., and the following Clearfield County Bar members:

Joseph P. Rock Chairman
Donald J. Baumer
William F. Danner Eugene L. Valley

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. Parker
Prothonotary
by Patricia P. Dungey
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

